



# **SCOPING OPINION:**

## **Proposed Solent Gateway 2**

**Case Reference: TR0310002**

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Adopted by the Planning Inspectorate (on behalf of the Secretary of State) to  
Regulation 10 of The Infrastructure Planning (Environmental Impact  
Assessment) Regulations 2017

**19 December 2025**

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### APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED

### APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES

## 1. INTRODUCTION

1.0.1 On 10 November 2025, the Planning Inspectorate (the Inspectorate) received an application for a Scoping Opinion from Associated British Ports (ABP) under regulation 10 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (The EIA Regulations) for the proposed Solent Gateway 2 (the proposed development). The applicant notified the Secretary of State (SoS) under regulation 8(1)(b) of those regulations that they propose to provide an Environmental Statement (ES) in respect of the proposed development and by virtue of regulation 6(2)(a), the proposed development is 'EIA development'.

1.0.2 The applicant provided the necessary information to inform a request under EIA regulation 10(3) in the form of a Scoping Report, available from:

[TR0310002-000009-TR0310002\\_Solent Gateway 2\\_EIA Scoping Report.pdf](#)

1.0.3 This document is the Scoping Opinion (the Opinion) adopted by the Inspectorate on behalf of the SoS. This Opinion is made on the basis of the information provided in the Scoping Report, reflecting the proposed development as currently described by the applicant. This Opinion should be read in conjunction with the applicant's Scoping Report.

1.0.4 The Inspectorate has set out in the following sections of this Opinion where it has / has not agreed to scope out certain aspects / matters on the basis of the information provided as part of the Scoping Report. The Inspectorate is content that the receipt of this Scoping Opinion should not prevent the applicant from subsequently agreeing with the relevant consultation bodies to scope such aspects / matters out of the ES, where further evidence has been provided to justify this approach. However, in order to demonstrate that the aspects / matters have been appropriately addressed, the ES should explain the reasoning for scoping them out and justify the approach taken.

1.0.5 Before adopting this Opinion, the Inspectorate has consulted the 'consultation bodies' listed in appendix 1 in accordance with EIA regulation 10(6). A list of those consultation bodies who replied within the statutory timeframe (along with copies of their comments) is provided in appendix 2. These comments have been taken into account in the preparation of this Opinion.

1.0.6 The Inspectorate has published a series of advice pages, including '[Advice Note 7: Environmental Impact Assessment: Preliminary Environmental Information, Screening and Scoping \(AN7\)](#)'. AN7 and its annexes provide guidance on EIA processes during the pre-application stages and advice to support applicants in the preparation of their ES.

1.0.7 Applicants should have particular regard to the standing advice in AN7, alongside other advice notes on the Planning Act 2008 (PA2008) process, available from:

['Nationally Significant Infrastructure Projects: Advice pages'](#)

1.0.8 This Opinion should not be construed as implying that the Inspectorate agrees with the information or comments provided by the applicant in their request for an opinion from the Inspectorate. In particular, comments from the Inspectorate in this Opinion are without prejudice to any later decisions taken (e.g. on formal submission of the application) that any development identified by the applicant is necessarily to be treated as part of a Nationally Significant Infrastructure Project (NSIP) or associated development or development that does not require development consent.

## 2. OVERARCHING COMMENTS

### 2.1 Description of the Proposed Development

(Scoping Report section 2)

ID	Ref	Description	Inspectorate's comments
21.1	Table 1.1, para 2.1.4 and section 2.5	Off-site mitigation, compensation and enhancement	The ES should confirm the location and design of any off-site ecological measures that are identified as being required to mitigate likely significant adverse effects of the proposed development, or to compensate where mitigation is not possible. Where reliance is placed on the measure, a commitment to it should be appropriately defined and secured. This should include ongoing maintenance. The extent of agreement with third-party landowners to use the land should be explained. The ES should clearly differentiate between measures that are proposed as mitigation, compensation or enhancement. It should describe how the mitigation hierarchy has been applied in developing measures; the applicant's attention is drawn to the Environment Agency's (EA) comments (appendix 2 of this Opinion) regarding the need to apply a sequential approach to compensation, mitigation and enhancement. Any likely significant effects arising from delivery of the measures should also be assessed and described in the ES.
212	Table 1.1. and paras 2.3.19 to 2.3.23	Building dimensions	The Scoping Report states that the landslide terminal would be approximately 75 hectares (ha) but does not provide any parameters (width, length, height) for built infrastructure other than the multi-deck storage being assumed as 25 metres (m) above finished floor level of 6m above ordnance datum (AOD). The applicant should be aware that the description of the proposed development provided in the ES must be sufficiently certain to meet the requirements of the EIA Regulations. It should refer to the design, size and locations of each built element, including maximum heights, design parameters and limits of deviation. The description should be supported (as necessary) by figures, cross sections and drawings which should be clearly and appropriately referenced.
21.3	Para 1.4.3	Decommissioning	The Scoping Report proposes to scope out the decommissioning phase of the proposed development as it would be maintained in perpetuity, and become core marine

ID	Ref	Description	Inspectorate's comments
			infrastructure. It is stated that the design life of physical assets would be 50 to 100 years. The Inspectorate considers that this is a reasonable approach based on the information provided and the characteristics of the proposed development, subject to this being consistent with the provisions of the draft development consent order (dDCO). However, given the stated design life of physical assets, the Inspectorate considers that there would be a need for ongoing maintenance and replacement. Dismantling and replacement or refurbishment of components should be assessed in the ES or it should demonstrate the absence of likely significant effects from these activities.
21.4	Figure 2.1	Proposed land use	Figure 2.1 shows the location and layout of the port component of the proposed development but does not illustrate the location of the potential country park and other habitat retention or enhancement proposals in areas of land to the south of the site. The ES should include figures that identify the intended use of all land within the order limits, which has formed the basis for assessment work. Information presented on the figures should be consistent with the authorised development that is sought through the dDCO.
21.5	Section 2.2	Flexibility and the 'Rochdale Envelope' approach	The 'Rochdale Envelope' approach is employed when there is a need to seek flexibility to address uncertainty. The applicant should make every attempt to narrow the range of options and explain clearly in the ES which elements of the proposed development have yet to be finalised and provide the reasons. The description of the proposed development in the ES must not be so wide that it is insufficiently certain to comply with the requirements of regulation 14 of the EIA Regulations. The need and justification to support the level of flexibility sought must be explained in the ES, including how it has been considered in the assessments through relevant parameters (temporal and spatial) and a defined worst-case for resulting environmental effects. It will be essential to ensure consistency throughout the ES and any other relevant assessments supporting the application from which the ES draws.
21.6	Paras 2.3.1 and 2.3.10	Concrete and asphalt batching	The Scoping Report states that concrete and asphalt batching plants, and pre-cast yard may be installed for the construction phase, if necessary. The ES should confirm if these components are required and, if so, describe the parameters associated with their construction and use (including volume of aggregates required and waste generated) on a

ID	Ref	Description	Inspectorate's comments
		plants, and pre-cast yard	worst-case basis. Any likely significant effects arising from these components should be assessed in the ES.
21.7	Para 2.3.1	Use of existing marine offloading facilities during construction	The ES should confirm the capacity of existing marine facilities to accommodate construction offloading required by the proposed development.
21.8	Para 2.3.9	Piling for the jetty structure	The ES should describe all options under consideration for piling and justify the selection of the worst-case used in the assessment of likely significant effects as relevant to different aspects assessed. It should provide piling parameters including timing, frequency, duration, predicted energy and noise levels, and an indication of how far piling noise is likely to travel from source.
21.9	Paras 2.3.12 to 2.3.13	Trailing hopper suction dredging	The applicant's attention is drawn to the EA's comments (appendix 2 of this Opinion) about the risk of harm to European eel from use of trailing hopper suction dredging. The ES should set out what alternative methods have been considered and a comparison of the environmental effects as per the Inspectorate's comments at ID 2.2.3 of this Opinion.
21.10	Para 2.3.15	Dredge disposal	The Scoping Report states that it is anticipated that the Nab Tower disposal site would be used to dispose of dredged material subject to further assessment. The ES should confirm the location for disposal of dredged material and the capacity of the selected location(s). It should describe any consequential activities, for example, associated vessel movements. An explanation of how the dredged material would be collected and transported should be provided. Cumulative effects on other projects arising from the reduction of capacity at the Nab Tower disposal site should be assessed.
21.11	Para 2.3.19	Granular fill	The ES should confirm the volume of import fill required for the proposed development, including for grading of the site to the required level.
21.12	Para 2.3.19	Underground cable	The ES should set out the parameters for the proposed underground cable, including burial depth and width (and construction working width) that have formed the basis of the

ID	Ref	Description	Inspectorate's comments
			assessment. It should confirm the installation method or, where optionality remains, provide an assessment of the worst-case. Any likely significant effects arising from this component of the proposed development should be assessed in the ES, noting the EA's comments (appendix 2 of this Opinion) regarding the risk of bentonite breakout if horizontal directional drilling is used.
21.13	Para 2.3.20	Vehicle parking	The Scoping Report states that several areas of parking would be provided as part of the proposed development during operation, including for staff, visitors and other operational activity. The ES should confirm the number of vehicle parking spaces proposed by use.
21.14	Paras 2.3.24, 2.3.28 and 2.4.2	Transport modes and heavy goods vehicle (HGV) routing	The ES should confirm any assumptions made in the assessment about breakdown of construction movements by road and vessel, and it identify the proposed HGV route(s) during construction as well as operational road transport routes. Consideration should be given to the potential for rail to be used for construction. The ES should describe the type and frequency of rail movements during operation. It should assess any likely significant effects arising from these matters, including from increased use of level crossings. The ES should demonstrate how the environmental effects of reasonable alternatives were considered in the selection of transport modes.
21.15	Para 2.3.25	Drainage	The Scoping Report states that appropriate drainage would be provided and describes different features that could be included in the design. The Inspectorate advises that an outline drainage strategy setting out the proposed approach to drainage should be provided, which could be an appendix to the ES.
21.16	Para 2.3.26	Grid connection locations	It is unclear to what degree the options being considered for the grid connection will be established prior to the production of the ES. The Inspectorate considers that the connection location should be presented in the ES to avoid an assessment based on an array of differing environmental options and effects. The Inspectorate expects the ES to describe the preferred option for connection and the assessment of the likely significant effects to be carried out on that basis.

ID	Ref	Description	Inspectorate's comments
21.17	Paras 2.3.29 and 14.4.5	Fawley branch line	<p>Paragraph 2.3.29 states that upgrade works to Fawley branch line are required. The ES should ensure that these works are described and any likely significant effects arising are assessed in relevant ES chapters. The location of the Fawley branch line and any proposed crossing(s) should be identified on a figure(s).</p> <p>The Inspectorate notes discrepancies in the description of frequency of use of the Fawley branch line, with paragraph 14.4.5 stating it is extremely infrequent and paragraph 13.4.16 stating that there are 2 scheduled trains per day subject to demand. The ES should be consistent in its description of the existing baseline use of the railway line.</p>
21.18	Para 2.3.31	Temporary and permanent crossing(s)	<p>The ES should identify the location and types of all proposed crossings of railway line, as well as watercourses or roads that would be required as part of the proposed development. If reliance is placed on a specific crossing method as mitigation, the applicant should ensure that such commitments are appropriately defined and secured.</p>
21.19	Para 2.3.35	Country park	<p>The ES should provide a full description of the proposed country park, including its physical characteristics and land use requirements, together with the proposals for its ongoing maintenance. Any likely significant effects (beneficial or adverse) associated with the construction and operation of the country park should be assessed in the ES, including, for example, increased visitor pressure, traffic movements and disturbance. The applicant's attention is drawn to Natural England's (NE) comments (appendix 2 of this Opinion) and advises that the ES should explain how the country park would influence recreation in the study area and assess any likely significant effects arising from increased recreational disturbance to the New Forest Special Area of Conservation (SAC), Special Protection Area (SPA), Ramsar site and Site of Special Scientific Interest (SSSI).</p>
21.20	Para 2.4.5	Shore protection	<p>The ES should provide a full description of the repair work to existing shore protection structures and provide an outline strategy for condition monitoring during operation of the proposed development. The strategy should set out what remedial options would be available if monitoring identifies issues. Any likely significant effects arising from this component of the proposed development should be assessed in the ES.</p>

ID	Ref	Description	Inspectorate's comments
2121	Para 2.4.8	Maintenance dredging	The Scoping Report states that maintenance dredging would be required to maintain the berth pockets. It is proposed that the volume and frequency would be confirmed through hydrodynamic and sediment transport studies. The ES should clearly identify the quantities of dredged material and the basis on which this has been determined, together with the likely method and location for disposal. Any likely significant effects from dredging or dredge disposal, should be assessed.
2122	Table 11.2	Historic landfill	Table 11.2 of the Scoping Report shows that a large extent of the scoping boundary is a historic landfill. The ES should confirm if there is potential for impact pathways from landfill leachate and landfill gas and assess any significant effects that are likely to occur in relevant aspect chapters.
2123	Paras 17.4.12 and 17.4.18	Unexploded ordnance (UXO)	The Scoping Report refers to Southampton being subject to heavy bombing during World War II and the potential for UXO to be unearthed during construction. The ES should describe the baseline for UXO, including potential presence in the onshore and marine areas, informed by survey work. A worst-case assessment of encountering UXO during all phases of the proposed development should be provided in relevant aspect chapters. Any likely significant effects arising from clearance and/ or risks of accidental detonation of UXO should be assessed in the ES. It should describe mitigation measures proposed to avoid, reduce or offset significant adverse effects.
2124	Para 19.7.5	Rerouting of overhead line (OHL)	Paragraph 19.7.5 states that the OHL crossing the site may be rerouted as a result of the proposed development. The ES should assess effects associated with this work, where significant effects are likely to occur.
2125	Various	Public rights of way (PRoW) and cycle routes	The ES should describe any temporary or permanent diversions or closures of PRoW or cycle paths proposed during the construction and operation of the proposed development. Any likely significant effects arising from these activities should be assessed in the relevant ES aspect chapters. The applicant's attention is drawn to Hampshire County Council's (HCC) comments (appendix 2 of this Opinion), advising that the King Charles III England

ID	Ref	Description	Inspectorate's comments
			Coast Path passes through the study area. The ES should include this PRoW as a receptor and show its location on a figure.
2126	N/A	Materials and natural resources	The ES should describe the nature and quantity of materials and natural resources that would be used during the construction and operation of the proposed development.
2127	N/A	Construction phase duration	The ES should describe the anticipated duration of the construction phase of the proposed development.
2128	N/A	Shore power	The ES should clarify whether the proposed development is expected to provide shore power to berthed vessels. If this is proposed, any significant effects relating to this element of the proposed development should be assessed where these are likely to occur.
2129	N/A	Trees and woodland	The ES should describe any predicted impacts to existing trees and woodland from the proposed development and include an assessment of any likely significant effects arising from impacts to these receptors. The assessment should be undertaken from a robust baseline. Consideration should be given to undertaking tree surveys. Efforts should be made to agree the scope with relevant consultation bodies.
2130	N/A	Description of the proposed development	The Inspectorate advises that this Opinion is based on the proposed development as described in the Scoping Report. If other components, for example, use of solar panels as referenced in New Forest National Park Authority (NFNPA) and New Forest District Council (NFDC) comments (appendix 2 of this Opinion), are introduced, then the ES should include an assessment of likely significant effects that could arise, considering relevant pathways such as glint and glare.
2131	N/A	Vessels using low-carbon fuels	The ES should confirm if the proposed development would be used by vessels using low-carbon fuel sources such as ammonia. If so, it should describe the parameters associated with this use and assess any significant effects that are likely to occur.

## 2.2 EIA Methodology and Scope of Assessment

(Scoping Report section 4)

ID	Ref	Description	Inspectorate's comments
221	Paras 4.2.2 and 4.4.1	Study area	In several aspect chapters, the relevant study areas are not defined or represented on figures. The ES should provide a detailed justification of the study areas applied, supported by evidence of the likely geographical extent of the impacts identified from the proposed development. Where the study area is informed by a zone of influence (ZoI), the approach to establishing the ZoI should be clearly described. Effort should be made to agree study areas and receptors with relevant consultation bodies. The applicant's attention is drawn to scoping consultation responses from local authorities (appendix 2 of this Opinion) in this regard.
222	Para 4.5.12	Impact magnitude	The ES should define the time periods associated with different durations of effect (short-term to long-term).
223	Para 4.5.31	Alternatives	The Inspectorate welcomes that the ES will describe the reasonable alternatives studied up to the point of submission and the reasoning for the selection of the chosen option(s), including a comparison of the environmental effects and how sensitive receptors have been considered. The ES should also carefully set out how the design has evolved in response to environmental constraints and in response to consultation feedback from relevant consultation bodies. This should include demonstration of how a mitigation hierarchy approach has been followed in the development of the design.
224	Para 4.5.33	Structure for ES aspect chapters	The structure listed in the Scoping Report does not include a section on mitigation and monitoring. The ES must include a description of the measures envisaged to avoid, prevent, reduce or offset any identified

ID	Ref	Description	Inspectorate's comments
			significant adverse effects, and confirm the extent to which these measures would be effective. Residual effects should be described. To aid understanding, the Inspectorate expects such measures to be described in the aspect chapters.
225	N/A	Baseline conditions and data sources	Several aspect chapters in the Scoping Report refer to data sourced from other projects or activities near to the proposed development. The Inspectorate acknowledges that baseline data exists from surveys, assessments and monitoring for other proposed and existing projects and activities. The Inspectorate understands the benefits of using this information to supplement survey data but advises that suitable care should be taken to ensure that the information in the ES remains representative and fit for purpose. This should include considering the impact of more recent developments that have occurred since data was collected. Where data from other projects or activities is used, the ES should confirm that these are comparable and cover the entire area of the proposed development. The applicant should make efforts to agree the suitability of information used with relevant consultation bodies.
226	N/A	Baseline data sources	The baseline description in the ES should be based on up-to-date data sources. The Inspectorate notes that several sources described in the Scoping Report are historic and that NFDC (appendix 2 of this Opinion) has identified more current sources including for tourism and recreation, and socio-economics and population, which should be used in the ES.
227	N/A	Forecasting methods	The ES should include details of difficulties (for example, technical deficiencies or lack of knowledge) encountered in compiling the required information and the main uncertainties involved.
228	N/A	Residues and emissions	The EIA Regulations require an estimate, by type and quantity, of expected residues and emissions. Specific reference should be made to water, air, soil and subsoil pollution, noise, vibration, light, heat, radiation

ID	Ref	Description	Inspectorate's comments
			and quantities and types of waste produced during the construction and operation phases, where relevant. This information should be provided in a clear and consistent fashion and may be integrated into the relevant aspect assessments.
229	N/A	Mitigation plans	The Scoping Report refers in several sections to plans (mitigation, contingency or emergency) proposed to set out measures to mitigate effects. If such plans are relied upon to avoid, reduce or offset significant adverse effects, the measures should be detailed in the ES and an outline version should be submitted with the dDCO.
2210	N/A	Delineation between marine and onshore study areas	The ES should clearly explain which activities assessed fall within which defined area (marine or onshore) and the terms should be used consistently across the ES. Where aspect assessments cross between marine and onshore areas, it should be clear where the assessment of effects for the intertidal area can be found to avoid gaps in the assessment. This should be supported by figures at appropriate scale.
2211	N/A	Relevant legislation, policy and guidance	Where reference is made in the ES to legislation, policy and guidance that has informed the assessment, care should be taken to ensure that up-to-date versions are used and that all relevant information is identified. The applicant is referred to the comments of the EA, HCC and the NFNPA (appendix 2 of this Opinion), which identify additional legislation, policy and guidance sources for several aspects.
2212	N/A	Disposal site characterisation report for Nab Tower	The ES should be informed by a full disposal site characterisation report for the proposed disposal at Nab Tower disposal site.
2213	N/A	Figures	Figures used in the ES should be fully annotated. For example, the Inspectorate notes that figure 7.2 does not label all the SSSIs, and figure 16.2 does not name the registered parks and gardens in the study area.

### 3. ENVIRONMENTAL ASPECT COMMENTS

#### 3.1 Coastal processes and geomorphology

(Scoping Report section 5)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.1.1	Table 5.2	Changes to suspended sediment concentration (SSC) and associated siltation from piling during construction	<p>The Scoping Report proposes to scope this matter out on the basis that only millimetric sediment deposition is predicted, which would be restricted to within a few metres of the piles. It is stated that this would be similar to naturally occurring SSC and siltation.</p> <p>The Inspectorate agrees that this matter can be scoped out based on the information presented in the Scoping Report but advises that modelling used to evidence the volume of deposition should be reported in the ES.</p>

ID	Ref	Description	Inspectorate's comments
3.12	Table 5.1	Data sources	<p>The ES should describe to what extent historical development in the study area has resulted in detectable changes to the shifting baseline for coastal processes, to the extent this is possible with the available information. This analysis should be used to inform how the magnitude of impact criteria is defined.</p>
3.13	Tables 5.2 and 5.3	Impact pathways – direct impacts to sediment and habitats from structure and associated plant and vessels	<p>The ES should consider if change during construction is different in character to operational effects and could result in a changed baseline prior to operation of the proposed development that should be used as the basis of assessment of operational effects. It should consider direct impacts to sediment and habitat from the presence of the physical structures in the marine environment.</p>
3.14	Para 5.7.9	Baseline data for ship wash assessment	<p>The Inspectorate advises that the assessment of vessel effects on ship wave energies should be undertaken from a robust baseline. The ES should justify the use of any</p>

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
			alternative approach to using current field monitoring observations to validate the assessment and set out any implications for the conclusions.
3.1.5	N/A	Scour and shear strength and stress	The ES should describe the potential for scour and assess any likely significant effects arising from scour.
3.1.6	N/A	Coastline hardening	The ES should describe the potential for hardening of the coastline as a result of the proposed development and assess any likely significant effects arising from this process.

## 3.2 Marine water and sediment quality

(Scoping Report section 6)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
321	Table 6.2	<p>Impacts to Water Framework Directive (WFD) water bodies and WFD protected area in the vicinity of the proposed development from marine piling during construction resulting in changes to:</p> <ul style="list-style-type: none"> <li>• dissolved oxygen concentrations as a result of increased SSCs</li> <li>• chemical water quality as a result of potential sediment-bound contaminants, and</li> <li>• redistribution of sediment-bound contaminants</li> </ul>	<p>The Scoping Report proposes to scope these matters out on the basis that increases in SSCs are likely to be localised and similar to that which regularly occurs naturally.</p> <p>In the absence of a confirmed piling method, and evidence to support the position that SSCs would be highly localised, together with project-specific sediment sampling (which is proposed as described at section 6.8 of the Scoping Report), the Inspectorate cannot agree to scope this matter out from the assessment at this stage. The Inspectorate also notes the advice of the EA that the assessment of the piling impact pathway should be informed by a WFD assessment before concluding effects would be negligible.</p> <p>Accordingly, the ES should include an assessment or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
322	Table 6.2	Impacts to WFD water bodies and WFD protected areas in the vicinity of the proposed development from marine works (jetty structure and capital dredging and disposal) during construction resulting in changes to levels of contaminants in the water, including accidental spillages	<p>The Scoping Report proposes to scope this matter out on the basis that the proposed development would not introduce contaminants to the marine environment, and that the risk of spillages would be managed through good practice measures embedded into the design for legislative compliance. The proposed measures are not specified.</p> <p>In the absence of information such as evidence demonstrating clear agreement with relevant statutory bodies and details of the proposed measures, the Inspectorate cannot agree to scope this matter out from the assessment at this stage. Accordingly, the ES should include an assessment or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.</p>
323	Table 6.3	Impacts to WFD water bodies and WFD protected areas in the vicinity of the proposed development from vessel operations and maintenance dredging and disposal during operation resulting in changes to levels of contaminants in the water, including accidental spillages	<p>The Scoping Report proposes to scope this matter out on the basis that the proposed development would not introduce contaminants to the marine environment, and that the risk of spillages would be managed through good practice measures embedded into the design. The proposed measures are not specified.</p> <p>In the absence of information such as evidence demonstrating clear agreement with relevant statutory bodies and details of the proposed measures, the Inspectorate cannot agree to scope this matter out from the assessment at this stage. Accordingly, the ES should include an assessment or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.</p>

ID	Ref	Description	Inspectorate's comments
324	Section 6.4	Data sources	The Inspectorate notes that several existing data sources described are historic and may not represent the current baseline. The Inspectorate advises that the assessment should be based on a robust baseline. The use of historic data should be justified, or updated survey or monitoring should be undertaken to ensure that the baseline is representative.
325	Paras 6.4.16 to 6.4.20	Environmental quality standards (EQS) for Water Environment Regulations (WER)	The Inspectorate advises that in addition to the EQS for marine licensing, the ES should also set out the EQS under the WER and use these levels to inform the assessment.

### 3.3 Marine ecology

(Scoping Report section 7)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
33.1	Table 7.3	Impacts to intertidal and subtidal benthic habitats and species from marine piling during construction including direct loss of habitat due to sediment deposition, and changes in water and sediment quality	<p>The Scoping Report proposes to scope these matters out on the basis that only millimetric sediment deposition is predicted, which would be restricted to within a few metres of the piles. It is stated that slightly elevated SSC would be restricted to the immediate vicinity of the piles. It is stated that impacts would be of similar scale to that which occurs naturally and would not be of a magnitude to cause smothering to benthic species that are described as tolerant to the magnitude of change, referencing a 2023 study by Ashley et al.</p> <p>In the absence of a confirmed piling method, and evidence to support the position that SSCs would be highly localised, together with project-specific sediment sampling (which is proposed as described at section 6.8 of the Scoping Report), the Inspectorate cannot agree to scope this matter out from the assessment at this stage. Accordingly, the ES should include an assessment or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.</p>
33.2	Tables 7.3 and 7.4	Impacts to intertidal and subtidal benthic habitats and species from change in water and sediment quality due to surface water drainage during construction and operation	<p>The Scoping Report proposes to scope this matter out based on standard measures to control surface water run-off being embedded into the design of the proposed development. It is proposed to secure measures through a construction environmental management plan and an operation environmental management plan (OEMP).</p> <p>The Inspectorate agrees that these matters can be scoped out of further assessment.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
33.3	Tables 7.3 and 7.4	Impacts to intertidal and subtidal benthic habitats and species due to degradation of habitat from air quality change arising from road traffic emissions during construction and operation	<p>The Scoping Report proposes to scope this matter out based on the identified benthic habitats (mudflats and saltmarsh) within 200m of the affected road network (ARN) not being sensitive to changes in air quality from vehicle emissions according to the Air Pollution Information System (APIS) and that the habitats are subject to repeated flushing by the tide.</p> <p>The Inspectorate agrees that benthic receptors are not likely to be affected by this impact pathway and that these matters can be scoped out of further assessment.</p>
33.4	Tables 7.3 and 7.4	Impacts to intertidal and subtidal benthic habitats and species due to degradation of habitat from air quality change arising from vessel emissions during construction and operation, and landside plant emissions during operations	<p>The Scoping Report proposes to scope this matter out based on the identified benthic habitats (mudflats and saltmarsh) within the vicinity of proposed development and the navigational route for vessels not being sensitive to changes in air quality according to APIS as they are subject to repeated tidal flushing.</p> <p>The Inspectorate agrees that benthic receptors are not likely to be affected by this impact pathway and that these matters can be scoped out of further assessment.</p>
33.5	Table 7.3	Impacts to fish from marine piling during construction including direct loss or change to populations and habitat, and changes in water and sediment quality	<p>The Scoping Report proposes to scope these matters out on the basis that the direct footprint of piling covers a highly localised area, and that the mobile nature of fish would allow them to use nearby areas. It states that only millimetric sediment deposition is predicted and a slightly elevated SSC, restricted to within a few metres of the piles. Related changes to sediment-bound contaminants and dissolved oxygen are stated to be unlikely to produce lethal or sub-lethal effects as sediments and plumes would be localised and temporary. Impacts are reported to be of similar scale to that which occurs naturally and would be expected to cause negligible impacts on fish populations.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>In the absence of a confirmed piling method, and evidence to support the position that SSCs would be highly localised, together with project-specific sediment sampling (which is proposed as described at section 6.8 of the Scoping Report), the Inspectorate cannot agree to scope this matter out from the assessment at this stage. Accordingly, the ES should include an assessment or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.</p>
3.36	Table 7.3	<p>Impacts to marine mammals during construction from:</p> <ul style="list-style-type: none"> <li>• direct loss or changes in foraging habitat, and</li> <li>• collision risk with vessels involved in construction, or capital dredge and disposal</li> </ul>	<p>The Scoping Report proposes to scope these matters out on the basis that the proposed development site and surrounding areas is not known to be critical habitat for marine mammals referring to available data for the region and would only represent a very small area of known foraging ranges, and that additional vessel movements would constitute a small increase in traffic of a temporary nature, with vessels mainly stationary or at low speeds (2 to 6 knots). It states that marine mammals are adapted to living in an environment with high levels of vessel activity.</p> <p>The Inspectorate agrees that the proposed development would affect only a small part of the foraging area, and that the additional vessel traffic is not likely to substantially increase collision risk. These matters can be scoped out of further assessment.</p>
3.37	Table 7.3	<p>Impacts to marine mammals during construction from changes in water and sediment quality from marine piling or capital dredge and disposal</p>	<p>The Scoping Report proposes to scope these matters out on the basis that the proposed development site and surrounding areas is not known to be critical habitat for marine mammals referring to available data for the region and that change in suspended sediment and plumes would be localised and temporary. It states that marine mammals are adapted to turbid conditions.</p> <p>In the absence of a confirmed piling method, and evidence to support the position that SSCs would be highly localised, together with project-specific sediment sampling (which is proposed as described at section 6.8 of the Scoping Report), the Inspectorate cannot agree to scope this matter out from the assessment at this stage. Accordingly, the ES should include an assessment or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.38	Table 7.4	Impacts to fish from lighting of vessel operations during operation	<p>The Scoping Report proposes to scope this matter out based on lighting design being optimised to avoid unnecessary light spill, resulting in only minor changes to shoaling and not disruption to migratory routes. Lighting design would be secured through the OEMP.</p> <p>The Inspectorate agrees that lighting design can be used to minimise effects and that this matter can be scoped out of further assessment.</p>
3.39	Table 7.4	Impacts to marine mammals during operation from collision risk with vessels	<p>The Scoping Report proposes to scope these matters out on the same basis for construction, as described at ID 3.3.6 of this Opinion.</p> <p>The Inspectorate agrees that the additional vessel traffic is not likely to substantially increase collision risk. This matter can be scoped out of further assessment.</p>

ID	Ref	Description	Inspectorate's comments
3.3.10	Section 7.1 and para 7.8.4	Baseline – fish	<p>The Inspectorate advises that the period selected for EA survey data may not be sufficient to represent the baseline as some diadromous species are less frequently observed in the study area. The ES should present 10 years of survey data. The applicant's attention is drawn to the EA's comments (appendix 2 of this opinion) in this regard and is advised to contact Marchwood Power Limited to obtain long-term fish monitoring data to inform the baseline. The applicant's attention is drawn to the Marine Management Organisation's (MMO) comments (appendix 2 of this Opinion), which identify additional data sources that should be used to inform the ES baseline description.</p>
3.3.11	Section 7.3.2	Rivers Hamble, Meon, Itchen and Test	<p>For the avoidance of doubt, the Inspectorate advises that the Rivers Hamble and Meon should be included as receptors in the final study area, noting the EA's advice that these are important rivers for sea trout and European eel, and Atlantic salmon (as part of the meta population for the Rivers Itchen, Test and Meon) respectively. The assessment should consider effects to the international and national designations of the Rivers Itchen, Test and Meon for Atlantic salmon, and the role of the River Test in providing</p>

ID	Ref	Description	Inspectorate's comments
			compensatory habitat. The applicant's attention is drawn to NE's comments (appendix 2 of this Opinion) regarding the availability of baseline information about the compensatory habitat, which the applicant is advised to use to inform the ES.
3.3.12	Section 7.4	Protected species – fish	Twaite shad and sea trout have been recorded in the study area and should be included as receptors assessed in the ES. The MMO (appendix 2 of this Opinion) advises that sea bass is under special protection measures, with a restricted Bass Nursery Area within the study area. The Inspectorate advises that the assessment of underwater noise should consider the potential impacts to sea bass, including in light of this protection.
3.3.13	Para 7.4.15	Protected species – seagrass	The Inspectorate advises that seagrass should also be assessed in the ES as a protected species. The applicant's attention is drawn to the EA's comments (appendix 2 of this Opinion) regarding the availability of seagrass data to inform the baseline.
3.3.14	Tables 7.3 and 7.4	Receptors – international and nationally designated sites	The Scoping Report presents receptor groups proposed to be assessed in the summary tables but does not refer to designated sites for which specific receptors might be qualifying or notified features. For example, earlier in the chapter, Solent Maritime SAC and River Itchen SAC are described but are not listed in tables 7.3 and 7.4. The ES should explain how these designations have been addressed in the assessment, including through the assignment of appropriate receptor value or sensitivity.
3.3.15	Table 7.3	Impact pathways – entrainment of fish/ fish eggs by dredging gear	The ES should include an assessment of impacts from entrainment of fish and fish eggs by dredging gear, where significant effects are likely to occur. It should describe any mitigation proposed to avoid, reduce or offset likely significant effects as relevant.
3.3.16	Table 7.4	Impact pathways – presence of jetty and berthed vessels affecting fish during operation	The ES should include an assessment of impacts on diadromous fish arising from the potential for the proposed jetty and berthed vessels to impact fish movement or migration during operation, where significant effects are likely to occur. It should describe any mitigation proposed to avoid, reduce or offset likely significant effects as relevant.
3.3.17	Table 7.4	Impact pathways – potential for invasive non-	The Inspectorate advises that in addition to consideration of transfer from vessels, the ES assessment of impacts from INNS to benthic habitats and species should also consider

ID	Ref	Description	Inspectorate's comments
		native species (INNS) to colonise hard structures	the potential for INNS to colonise new hard structures introduced to the marine environment by the proposed development such as the jetty. Any likely significant effects arising from this matter should be described in the ES.
3.3.18	Section 7.5	Future baseline	The description of the future baseline in the ES should include reference to projects in the study area and wider surroundings that are considering changes to baseline from climate effects, including for Atlantic salmon. The applicant's attention is drawn to the EA's comments (appendix 2 of this Opinion) regarding several existing projects, the impacts of which should be considered as part of the future baseline.
3.3.19	Section 7.7	Mitigation	The Scoping Report describes some potential mitigation but does not refer to any potential measures for underwater noise. The Inspectorate advises that the ES should demonstrate how mitigation has been developed in accordance with guidance published by the Joint Nature Conservation Committee for management of underwater noise impacts to marine mammals, including from piling and geophysical surveys, where likely significant adverse effects are identified. This includes Marine Mammals and Noise Mitigation (2024) and draft Guidelines for Minimising the Risk of Injury to Marine Mammals from Geophysical Surveys (2025).
3.3.20	Para 7.8.8	Site specific surveys – marine mammals	The Scoping Report sets out a series of published data sources that would be used to inform the assessment of marine mammals, including data gathered as part of the Dibden Bay waterbird surveys, and states that no site-specific surveys are considered necessary. The Inspectorate agrees that the listed data sources would be sufficient to inform the baseline for marine mammals, and that further site-specific survey is not required.
3.3.21	Paras 7.8.10 to 7.8.11	Underwater noise modelling	Modelling should enable the range of effect to be confirmed, to establish how much of the study area would be affected by underwater noise, and if the range could cause an acoustic barrier to fish movement and migration.

ID	Ref	Description	Inspectorate's comments
3322	Para 7.8.12	Behavioural thresholds for underwater noise effects to Atlantic salmon and marine mammals	The ES should account for uncertainty arising from the limitation of the referenced criteria (Popper) not providing thresholds for Atlantic salmon, and for there being no agreed thresholds in the scientific community for marine mammal. The ES should apply a precautionary approach to assessment for example through use of buffers to predicted sound levels.
3323	Various	INNS	The ES should present a comprehensive list of INNS in the study area. The applicant's attention is drawn to the MMO's comments (appendix 2 of this Opinion), identifying information sources that would assist in establishing the list. Consideration should be given to undertaking a survey to determine presence of wall dwelling INNS. The biosecurity plan should identify any potential new INNS that could be introduced into the study area in the future, including because of climate change, and set out how associated risks are proposed to be managed.

## 3.4 Coastal ornithology

(Scoping Report section 8)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
34.1	N/A	N/A	No matters have been proposed to be scoped out of the assessment.

ID	Ref	Description	Inspectorate's comments
34.2	Table 8.1	Survey data	The baseline description in the ES should be informed by survey data captured between 2016 and 2020 to demonstrate longer term trends for waterbirds.
34.3	Section 8.3	Study area	In finalising the study area, consideration should be given to effects on foraging grounds for terns that breed in the harbours, including terns of the Christchurch Harbour SSSI and Poole Harbour SPA.
34.4	Tables 8.5 and 8.6	Impact pathways – temporary loss of terrestrial coastal waterbird habitat during construction	The Scoping Report proposes to scope in direct loss of terrestrial coastal waterbird habitat during operation, stating that the landslide terminal would cause loss of habitat. However, potential for temporary loss of terrestrial coastal waterbird habitat during construction, for example, from construction activity or compounds, is not addressed. The ES should include an assessment of these matters, or a justification that no likely significant effects would arise from this impact pathway.
34.5	Tables 8.5 and 8.6	Receptors – SSSIs within the study area	The Scoping Report presents receptor groups proposed to be assessed in the summary tables but does not refer to designated sites for which specific receptors might be features of special interest. For example, earlier in the chapter, Dibden Bay SSSI and Hythe to Calshot Marshes SSSI are described but are not listed in tables 8.5 and 8.6. The ES should explain how these designations have been addressed in the assessment, including through the assignment of appropriate receptor value or sensitivity.

ID	Ref	Description	Inspectorate's comments
34.6	Table 8.6	Impact pathways – disturbance during operation	In addition to noise and visual disturbance, the assessment should consider potential for recreational disturbance to coastal waterbirds from the presence of new footpaths introduced by the proposed development, where likely significant effects could occur.
34.7	Para 8.6.4	Mitigation	The Inspectorate advises that the ES must clearly describe mitigation that is proposed to avoid, prevent, reduce, or, if possible, offset, significant adverse effects concluded in the EIA. Mitigation required to avoid adverse effects on integrity of European sites as part of the Habitats Regulations Assessment, together with any proposed compensation forming part of a derogations' case, should be separately described.

### 3.5 Commercial and recreational fisheries

(Scoping Report section 9)

ID	Ref	Applicant's proposed aspect to scope out	Inspectorate's comments
35.1	Table 9.8	Loss or restricted access to fishing ground due to marine works, dredge disposal and vessel operations, or interference with fishing activities during vessel disruption or obstruction, affecting commercial and recreational fishing during construction	<p>The Scoping Report proposes to scope these matters out on the basis that there is no fishing activity in the vicinity of the proposed development dredge footprint and marine infrastructure area, as confirmed by MMO sightings, automatic identification system (AIS) and vessel monitoring systems (VMS) data, and vessel traffic services (VTS) observations and required by existing restrictions including landowner controls, and that fishing near to the Nab Tower disposal site takes place in an existing context of heavy commercial vessel traffic and disposal operations.</p> <p>The Inspectorate agrees that these matters can be scoped based on the information presented in the Scoping Report.</p>
35.2	Tables 9.8 and 9.9	Impacts on finfish and shellfish species from increased SSC or sediment deposition and change in water quality due to marine works and dredge disposal during construction, and operations, maintenance dredge and disposal during operation	<p>The Scoping Report states that there is potential for indirect effects on commercial and recreational stocks, which it proposes to assess as part of the marine ecology (fish population) and socio-economic (impacts on commercial fisherman and businesses) ES chapters.</p> <p>The Inspectorate agrees that this matter does not require assessment in a standalone commercial and recreational fisheries chapters provided the indirect effects are assessed in the marine ecology and socio-economic ES chapters as stated in the Scoping Report, and that mitigation is identified for any significant adverse effects concluded.</p>
35.3	Table 9.9	Operations, maintenance dredge and disposal	The Scoping Report proposes to scope these matters out on the basis that there is no fishing activity in the vicinity of the proposed development dredge footprint and marine

ID	Ref	Applicant's proposed aspect to scope out	Inspectorate's comments
		<p>activities affecting commercial and recreational fishing during operation resulting in:</p> <ul style="list-style-type: none"> <li>• loss or restricted access to fishing ground</li> <li>• interference with fishing activities due to operational vessel movements obstructing navigation routes, and</li> <li>• interference with fishing activities due to operational vessel movement disruption or obstruction</li> </ul>	<p>infrastructure area, as confirmed by MMO sightings, AIS and VMS data, and VTS observations and required existing restrictions including landowner controls, and that fishing near to the Nab Tower disposal site takes place in an existing context of heavy commercial vessel traffic and disposal operations. It states that vessel movements would be confined within the maintained navigation channel and would represent a small percentage of traffic in the study area.</p> <p>The Inspectorate agrees that these matters can be scoped based on the information presented in the Scoping Report.</p>

ID	Ref	Description	Inspectorate's comments
354	Para 9.8.5	Fisheries stakeholders and local fishers	The ES must report on the engagement carried out with fisheries stakeholders and local fishers. It should describe any concerns raised about potential impact pathways to likely significant effects and how these have been addressed in the design of the proposed development, and associated control measures.

## 3.6 Commercial and recreational navigation

(Scoping Report section 10)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
36.1	N/A	N/A	No matters have been proposed to be scoped out of the assessment

ID	Ref	Description	Inspectorate's comments
36.2	N/A	Potential impact pathway – lifting operations during construction	The ES should confirm if there is potential for an impact pathway during construction from lighting operations from barges or vessels (if required), for example, arising from dropped items or effects to vessel stability. Any likely significant effects arising from this impact pathway should be assessed in the ES.
36.3	N/A	Potential impact pathway – increased interaction due to changes in maintenance dredging during operation	The Scoping Report proposes to scope in effects from changes to the number of commercial vessels transiting to or from the proposed development, including from collision, but does not state if this would address the increase in maintenance dredging vessels. The ES should assess these vessel movements or demonstrate the absence of a likely significant effect and agreement with the relevant consultation bodies.

### 3.7 Ground conditions and contamination

(Scoping Report section 11)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.7.1	Tables 11.3 and 11.4	Impacts to SSSIs of geological interest, local geological sites (LGS) or regionally important geological sites (RIGS) through destruction of features or disturbance of potentially contaminated soil during construction and operation	The Inspectorate agrees that this matter can be scoped out on the basis that there are no SSSIs designated for geological interest, LGS or RIGS within 1km of the scoping boundary (as stated in table 11.4) and therefore no impact pathway for likely significant effects to these receptors.
3.7.2	Table 11.4	Impacts to the health of future site users from contact with potentially harmful contaminants during operation	The Scoping Report proposes to scope this matter out based on design and mitigation measures during the construction phase preventing this risk and much of the site proposed to be covered with hardstanding, which would break the exposure pathway. The Inspectorate notes that a publicly accessible country park accessible is proposed, which is unlikely to be covered in hardstanding. Intrusive site investigation and remediation strategy are not yet available. In the absence of this information, the Inspectorate cannot scope this matter from the assessment at this stage. Accordingly, the ES should include an assessment or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.
3.7.3	Table 11.4	Impacts to sensitive land uses and environment from disturbance of	The Scoping Report proposes to scope this matter out on the basis that the proposed development would create areas of hardstanding with a surface water drainage system that would minimise infiltration and potential for continued mobilisation of contamination. Whilst the Inspectorate considers that this may be applicable to the port activity, it notes that a country park is proposed that is not likely to be covered in hardstanding. Intrusive

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		contaminated soil during operation	site investigation and remediation strategy are not yet available. In the absence of this information, the Inspectorate cannot scope this matter from the assessment at this stage. Accordingly, the ES should include an assessment or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.
3.74	Table 11.4	Impacts to buildings and utilities from disturbance of potential contamination, migration and accumulation of ground gas during operation	The Scoping Report proposes to scope this matter out based on mitigation measures being implemented during the construction phase that would prevent further impact. Intrusive site investigation and remediation strategy are not yet available. The Inspectorate cannot scope this matter out of the assessment at this stage. Accordingly, the ES should include an assessment or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.
3.75	Table 11.4	Sterilisation of mineral resources as a result of construction activities during operation	The Inspectorate agrees that this matter can be scoped out for the operational phase of the proposed development based on implementation of mitigation measures during construction and noting the advice of HCC (appendix 2 of this Opinion). The mitigation measures proposed during construction should be described in the ES and demonstrably secured.

ID	Ref	Description	Inspectorate's comments
3.76	Table 11.3	Construction activities	For the avoidance of doubt, the Inspectorate advises that for the mobilisation of contamination impact the assessment must consider all construction activities that provide a pathway to likely significant effects, not just foundation works. The applicant's attention is drawn to the EA's comments (appendix 2 of this opinion) regarding the potential interaction with contamination from historic landfill with the proposed access road and underground cable, which should be assessed.

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
3.77	Table 11.3	Sterilisation of mineral resource during construction	The Inspectorate advises that the ES should confirm if sterilisation of mineral resource would be a permanent impact and assess the likely significant effects arising accordingly.
3.78	Table 11.3	Receptors – sensitive land uses and environment	The ES should fully define the term “sensitive land uses and environment” and confirm which individual receptors are being assessed. For the avoidance of doubt, the Inspectorate understands that this would include terrestrial ecology receptors.
3.79	N/A	Contamination sources	Section 19 of the Scoping Report states that there is existing and redundant oil and gas infrastructure present locally. The EA (appendix 2 of this Opinion) advises that per- and poly- fluoroalkyl substances (PFAS) and perfluorooctane sulfonic acid (PFOS) may be present at the Marchwood Military Port site associated with former use. The Inspectorate advises that these activities should be considered as potential contamination sources in the assessment of ground conditions and contamination.

## 3.8 Terrestrial ecology

(Scoping Report section 12)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.8.1	Table 12.6	<p>Impact to otter within River Itchen SAC from the following pathways during construction:</p> <ul style="list-style-type: none"> <li>• loss/ gain, fragmentation or modification of habitat due to site clearance</li> <li>• mortality and injury due to habitat clearance</li> <li>• disturbance from noise and vibration due to construction of landward and marine components</li> <li>• air quality changes from vehicle movements leading to habitat degradation</li> <li>• mortality of otter or impacts to prey from water quality change due to activities with</li> </ul>	<p>The Scoping Report proposes to scope these matters out for otter within the River Itchen SAC on the basis that there is no overlap between the proposed development and SAC boundary (including for the ARN), or functional or hydrological linkage between them. It is stated that the SAC is located upstream of the proposed development.</p> <p>The Inspectorate notes that paragraph 12.4.55 of the Scoping Report states that otter has been recorded in the study area. Table 12.1 of the Scoping Report states that the River Itchen SAC is hydrologically linked to Southampton Water. The range of the SAC's otter population is not described so it is unclear if habitat in the study area could be used for foraging, feeding and commuting by otter associated with the SAC.</p> <p>Whilst the Inspectorate agrees that direct effects to the SAC are unlikely, in the absence of the detail described, it is unclear if otter from the SAC could be present in the study area and if this could comprise functionally linked land (FLL). As such, and noting the advice of the EA and NE (appendix 2 of this Opinion), the Inspectorate does not agree to scope these matters out of the assessment at this stage. Accordingly, the ES should include an assessment or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		<ul style="list-style-type: none"> <li>hydrological connectivity to the SAC</li> <li>introduction and spread of INNS resulting in habitat loss or modification</li> </ul>	
382	Table 12.6	Impacts to the New Forest SAC, Ramsar, SSSI and SPA from habitat loss/gain, fragmentation or modification due to site clearance during construction	The Inspectorate agrees that this matter can be scoped out of further assessment based on there being no overlap between the designated sites and the scoping boundary, and noting that potential modification from indirect effects such as air quality change are separately addressed in table 12.6.
383	Table 12.6	Impacts to the New Forest SAC, Ramsar, SSSI and SPA from mortality and injury of fauna due to clearance of, and changes to, habitats supporting fauna during construction	The Scoping Report proposes to scope this matter out based on there being no overlap between the designated sites and the scoping boundary, and that the proposed development site is unlikely to support FLL for qualifying features. The most recent surveys were carried out in 2018 and 2019. In the absence of up-to-date survey data to inform an understanding of where FLL maybe located, the Inspectorate does not agree to scope this matter out of further assessment at this stage. Accordingly, the ES should include an assessment or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.
384	Table 12.6	Impacts to bird qualifying features of the New Forest SPA, Ramsar and SSSI due to disturbance from airborne noise and	<p>The Scoping Report proposes to scope this matter out based on distance between the New Forest sites and scoping boundary, 1.1 kilometres (km), meaning there is no potential for disturbance.</p> <p>Whilst the Inspectorate considers that disturbance over that distance may not lead to significant effects, it is unclear if there is any FLL located closer to the scoping boundary. Paragraph 12.4.37 of the Scoping Report states that hobby were recorded using or flying</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		vibration from construction activities including piling	over the proposed development site. In addition, as the ARN during construction is not yet known, it is unclear if disturbance could arise from vehicle movements. The Inspectorate cannot scope this matter out of the assessment at this stage. Accordingly, the ES should include an assessment or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.
38.5	Tables 12.6 and 12.7	<p>Impacts to the New Forest SAC, Ramsar, SSSI and SPA due to:</p> <ul style="list-style-type: none"> <li>hydrological changes to resulting in mortality, impacts to prey species, loss/modification of qualifying habitats or habitats supporting qualifying features from construction activities</li> <li>operational activities including maintenance of watercourses, increased surface water runoff and accidental pollution</li> </ul>	<p>The Scoping Report proposes to scope these matters out based on the absence of hydrological linkages between the proposed development, and the designated sites and any FLL.</p> <p>The Inspectorate notes that the water resources study area is yet to be defined and it is therefore not clear the basis on which an absence of hydrological linkage is established. The Inspectorate also notes the absence of up-to-date survey data to inform an understanding of where FLL maybe located, and if this could be hydrologically linked to the proposed development. Therefore, the Inspectorate does not agree to scope these matters out of further assessment at this stage. Accordingly, the ES should include an assessment or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.</p>
38.6	Tables 12.6 and 12.7	Introduction and spread of INNS from vehicle movements resulting in	The Scoping Report proposes to scope these matters out during construction on the basis that no construction will take place in the identified sites and therefore there is no potential for transfer of INNS, and during operation on the basis that the identified sites are not connected to the marine habitat that could be affected by INNS on vessels.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		<p>loss/ modification of qualifying habitats to:</p> <ul style="list-style-type: none"> <li>• New Forest SAC, Ramsar, SSSI and SPA</li> <li>• Sites of Importance for Nature Conservation (SINC) outside of the scoping boundary, other than Cracknore Hard and Marchwood Mudflats SINC</li> <li>• Road Verges of Ecological Importance (RVEI)</li> <li>• Dibden Bay SSSI during operation</li> <li>• Habitats of local value within the scoping boundary</li> </ul>	<p>The Inspectorate notes that construction traffic routes are not yet known and therefore there is the potential for vehicles to travel near or through the identified sites, and that no justification has been presented as to why INNS could not be spread through operational vehicle movements other than vessels. The Inspectorate cannot scope these matters out of the assessment at this stage. Accordingly, the ES should include an assessment or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.</p>
38.7	Tables 12.6 and 12.7	Indirect effects on bat qualifying features of Mottisfont Bats SAC during construction and operation	The Inspectorate agrees that these matters can be scoped out based on the distance of the proposed development from the SAC being 17.5km, which exceeds the core sustenance zone (7.5km) for the barbastelle bat qualifying feature.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
38.8	Table 12.6	Impacts on SINC outside of the scoping boundary and RVEI from habitat loss/ gain, fragmentation or modification and loss of notable flora due to site clearance during construction	<p>The Inspectorate agrees that this matter can be scoped out for SINCs outside of the scoping boundary based on there being no overlap between these sites and the scoping boundary.</p> <p>The Inspectorate is unclear of the approach to RVEI but notes that figure 12.2 shows RVEI within the scoping boundary and outside but within the 1km buffer. In the absence of details about potential vegetation clearance to highways, the Inspectorate does not agree to scope this matter out for RVEI. Accordingly, the ES should include an assessment or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.</p>
38.9	Tables 12.6 and 12.7	<p>Impacts to local value habitat within the scoping boundary resulting in habitat loss/ modification or loss of notable flora from:</p> <ul style="list-style-type: none"> <li>• site clearance during construction</li> <li>• air quality change from vehicle movements during construction and operation</li> <li>• hydrological change from construction in habitats with connectivity, or maintenance of watercourses,</li> </ul>	<p>The Scoping Report proposes to scope these matters out based on impacts to habitats of local importance not resulting in significant effects as defined by the Chartered Institute of Ecology and Environmental Management (CIEEM) as the habitats are widespread and common.</p> <p>The Inspectorate does not agree that likely significant effects can be excluded solely based on habitat value and that further consideration is needed of habitats present and the magnitude of impact from the identified pathways. Accordingly, the ES should include an assessment or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		increased surface water runoff or accidental pollution during operation	
38.10	Table 12.6	<p>Impact on lichens of local value resulting in habitat loss/ modification during construction from:</p> <ul style="list-style-type: none"> <li>• site clearance</li> <li>• air quality changes leading to nitrogen deposition from vehicle movements</li> </ul>	<p>The Scoping Report proposes to scope these matters out based on impacts to lichens of local value not resulting in significant effects as defined by the CIEEM as the lichens are widespread and common.</p> <p>The Inspectorate does not agree that likely significant effects can be excluded solely based on local value of the lichen and that further consideration is needed of habitats present and the magnitude of impact from the identified pathways. Accordingly, the ES should include an assessment or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.</p>
38.11	Tables 12.6 and 12.7	<p>Impact on amphibians from:</p> <ul style="list-style-type: none"> <li>• habitat loss/ gain, fragmentation or modification from site clearance during construction</li> <li>• mortality and injury from habitat clearance, entrapment in excavations and movement of vehicles during construction</li> </ul>	<p>The Scoping Report proposes to scope these matters out based on surveys concluding that great crested newts (GCN) are absent from the scoping boundary and habitats within the zone of influence, and that the site is likely to support only a small number of amphibians that are only important at local level.</p> <p>The Inspectorate agrees that significant effects are not likely to GCN if they are absent from the scoping boundary and habitats within the Zol. However, the Scoping Report does not confirm the survey locations or the extent of the Zol. NFDC (appendix 2 of this Opinion) advised that risk modelling indicates that there is highly suitable habitat for GCN on the proposed development site. In addition, the Inspectorate notes that paragraph 12.4.20 of the Scoping Report states that common toads are a species of principal importance and it is unclear why they have been categorised as of local level importance.</p> <p>Therefore, the Inspectorate cannot scope these matters out of the assessment at this stage. Accordingly, the ES should include an assessment or the information referred to</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		<ul style="list-style-type: none"> <li>hydrological change resulting in habitat loss/ modification, mortality, or loss of prey species during construction and operation</li> <li>mortality and injury from movement of vehicles during operation</li> </ul>	demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.
38.12	Tables 12.6 and 12.7	<p>Impacts on badger from:</p> <ul style="list-style-type: none"> <li>habitat loss/ gain, fragmentation or modification from site clearance during construction</li> <li>mortality and injury from clearance of habitats supporting setts, entrapment in excavations or vehicle movement during construction</li> <li>disturbance from changes to airborne noise and vibration during construction</li> </ul>	<p>The Scoping Report proposes to scope these matters out based on the proposed development site supporting a small number of outlier setts, and badgers not being a species of conservation concern and the population being important at a local level only. It is proposed that additional evidence may be collected to support a derogation licence application if required to ensure legal compliance during construction. No detail is presented as to what measures may be proposed as part of the licence application.</p> <p>In the absence of details about the survey extent or any proposed measures to protect badgers, and evidence demonstrating clear agreement with relevant consultation bodies, the Inspectorate cannot agree to scope these matters from the assessment at this stage. Accordingly, the ES should include an assessment or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		<ul style="list-style-type: none"> <li>• mortality and injury from vehicle movement during operation</li> </ul>	
3.8.13	Tables 12.6 and 12.7	<p>Impacts on reptiles from:</p> <ul style="list-style-type: none"> <li>• habitat loss/ gain, fragmentation or modification from site clearance during construction</li> <li>• mortality and injury from clearance of habitats, entrapment in excavations or vehicle movement during construction</li> <li>• species disturbance from changes to airborne noise, vibration, lighting and visual stimuli from all construction activities</li> <li>• mortality and injury from vehicle movement during operation</li> </ul>	<p>The Scoping Report proposes to scope these matters based on these receptors being valued as of local importance and that mitigation would be implemented to ensure legal compliance. No detail is presented as to what measures may be proposed.</p> <p>In the absence of details about survey extent or any proposed measures to avoid, reduce or offset effects to these receptors, and evidence demonstrating clear agreement with relevant consultation bodies, the Inspectorate cannot agree to scope these matters from the assessment at this stage. Accordingly, the ES should include an assessment or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.8.14	Tables 12.6 and 12.7	<p>Impacts on breeding bird assemblages (other than lapwing or Cetti's warbler), and otters from:</p> <ul style="list-style-type: none"> <li>• habitat loss/ gain, fragmentation or modification from site clearance during construction</li> <li>• mortality and injury from clearance of habitats, entrapment in excavations or vehicle movement during construction</li> <li>• species disturbance from changes to airborne noise, vibration, lighting and visual stimuli from all construction activities</li> <li>• mortality and injury from vehicle movement during operation</li> <li>• species disturbance from changes to</li> </ul>	<p>The Scoping Report proposes to scope these matters based on these receptors being valued as of local importance and that mitigation would be implemented to ensure legal compliance. No detail is presented as to what measures may be proposed.</p> <p>In the absence of details about survey extent or any proposed measures to avoid, reduce or offset effects to these receptors, and evidence demonstrating clear agreement with relevant consultation bodies, the Inspectorate cannot agree to scope these matters from the assessment at this stage. Accordingly, the ES should include an assessment or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		<ul style="list-style-type: none"> <li>airborne noise from operational activities</li> <li>species disturbance (otter) from change to underwater noise from increased vessel movements</li> </ul>	
38.15	Tables 12.6 and 12.7	Impacts on dormice and water voles during construction and operation	The Inspectorate agrees that significant effects are not likely to occur if dormice and water vole are absent from the scoping boundary and habitat within the ZOI of the proposed development based on completed survey. However, the Scoping Report does not confirm the survey locations or extent of the zone of influence. Therefore, the Inspectorate cannot scope out these matters from the assessment at this stage. Accordingly, the ES should include an assessment or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.
38.16	Table 12.7	<p>Impact to otter within River Itchen SAC from the following pathways during operation:</p> <ul style="list-style-type: none"> <li>mortality and injury from increased vessel movements leading to increased collision</li> <li>disturbance (underwater and airborne noise and vibration) from</li> </ul>	<p>The Scoping Report proposes to scope these matters out stating that although there would be higher numbers of vessels in Southampton Water, there would be no effect on otters within the SAC as they are 8.5km upstream. It is stated that the ARN is unlikely to fall within 200m of the SAC.</p> <p>For the same reasons as specified in ID 3.8.1 of this Opinion, the Inspectorate does not agree to scope this matter out of the assessment. Accordingly, the ES should include an assessment or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		<ul style="list-style-type: none"> <li>increased vessel movements</li> <li>• mortality of otter or impacts to prey from water quality change due to accidental pollution events</li> <li>• air quality changes from vehicle movements leading to habitat degradation</li> </ul>	
3.8.17	Table 12.7	Impacts to bird qualifying features of the New Forest SPA, Ramsar and SSSI due to disturbance from airborne noise from vehicle movements during operation	<p>The Scoping Report proposes to scope this matter out on the basis that whilst there could be an increase in traffic movements within or adjacent to designated sites, the proportion of habitat impacted by airborne noise disturbance would be very low compared to the total available habitat.</p> <p>In the absence of details about the predicted number, types, and routing of vehicles during operation, the Inspectorate cannot agree to scope this matter out of the assessment at this stage. Accordingly, the ES should include an assessment or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.</p>
3.8.18	Table 12.7	<p>Impacts to invertebrates of the Dibden Bay SSSI during operation from increased recreational pressure leading to:</p> <ul style="list-style-type: none"> <li>• mortality and injury species' disturbance</li> </ul>	<p>The Scoping Report proposes to scope these matters out based on invertebrates being less susceptible to mortality/ injury as loss of small numbers of individuals would be insignificant at a local population scale due to the size of insect colonies, and that invertebrates are not sensitive to visual and noise disturbance at the levels which would be generated by the public using the SSSI for leisure.</p> <p>The Inspectorates notes that impacts from increased recreational pressure is proposed to be scoped in for habitats associated with the SSSI, which the invertebrates may be using.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		(changes to airborne noise, vibration, and visual stimuli)	<p>There is no detail about the predicted increase in recreational use of the SSSI and where this would occur relative to habitats used by the invertebrates, nor is the threshold at which invertebrates would be sensitive to disturbance defined. In the absence of this information, and evidence demonstrating clear agreement with relevant consultation bodies, the Inspectorate cannot agree to scope these matters out of the assessment at this stage. Accordingly, the ES should include an assessment or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.</p>
3.8.19	Table 12.7	<p>Degradation of habitat in the following SINC from increased recreational pressure during operation:</p> <ul style="list-style-type: none"> <li>• Smither's Copse</li> <li>• West Cliff Marsh West</li> <li>• West Cliff Marshes Extension</li> </ul>	<p>The Scoping Report proposes to scope this matter out as increased public access to these SINC is not proposed as part of the proposed development.</p> <p>The Inspectorate notes that figures 1.2 and 12.2 appear to propose a footpath interacting with Smither's Copse and a combined cycleway/ footpath interacting with West Cliff Marsh West and West Cliff Marshes Extension. The Inspectorate considers that these components could result in increased access and therefore does not have sufficient justification to agree to scope this matter out of assessment at this stage. Accordingly, the ES should include an assessment or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.</p>

ID	Ref	Description	Inspectorate's comments
3.8.20	Section 12.3	Study area(s)	<p>The final study area(s) for statutory and non-statutory designated sites used in the ES should be informed by the zone of influence of the proposed development, not solely based on fixed distance, as this may not be appropriate for sites supporting mobile species. The ES should explain how the final study area has been established including use of relevant industry guidance.</p>

ID	Ref	Description	Inspectorate's comments
3821	Section 12.4 and table 12.8	Baseline surveys	<p>The ES should clearly show the extent of survey coverage, with use of maps and figures. The assessment should be based on robust survey data, and consideration should therefore be given to the age of survey data and the need for updated surveys. The ES should justify the use of aged survey data where no updates are carried out. Regarding wintering bird surveys, the Inspectorate is unclear if the proposed surveys in 2025/ 2026 would be the first survey effort as it is not listed as a completed survey in paragraph 12.4.1. The applicant should be mindful that to provide a robust baseline it may be necessary to undertake 2 seasons of wintering bird surveys.</p> <p>The applicant's attention is drawn to NFDC's comments (appendix 2 of this Opinion), which raise concerns about the age and method of surveys for bats, badgers and invertebrates. The ES should explain how these potential evidence gaps have been addressed.</p>
3822	Table 12.5	Preliminary valuation of importance of receptors	<p>The ES should justify the assignment of value or receptor importance by reference to relevant industry guidance and standards. The applicant's attention is drawn to NFDC's comments (appendix 2 of this Opinion) raising concern about the categorisation of various receptors as of local importance. The Inspectorate does not consider that sufficient justification for this has been provided in the Scoping Report and advises that this should be addressed in the ES.</p>
3823	N/A	Sensitive environmental information	<p>Under regulation 12(5)(g) of the Environmental Information Regulations 2004 (EIR), public bodies have a responsibility to avoid releasing sensitive environmental information that could bring about harm to sensitive or vulnerable ecological features.</p> <p>Sections of the ES containing specific survey and assessment data relating to the location of sensitive species (for example, badgers, rare birds and plants) or other vulnerable environmental features should be provided in separate annexes by the applicant. This approach reduces the sensitive ecological feature's risk of disturbance, damage, persecution, or commercial exploitation arising from publication.</p> <p>The applicant's approach should be proportionate and only use these separate annexes for species where there is a genuine risk of harm.</p>

ID	Ref	Description	Inspectorate's comments
			All other assessment information should be included in an ES chapter, as normal, with a placeholder providing a justification as to why annexes have been withheld and that a full version of the ES has been submitted to the Inspectorate.
3824	N/A	Recreational disturbance of New Forest SAC, SPA, SSSI and Ramsar	The ES should assess any likely significant effects arising to the New Forest designated sites arising from an increase in recreational disturbance during operation of the proposed development.
3825	N/A	Changes to air quality	The Inspectorate notes that section 15 (air quality) of the Scoping Report proposes to scope in several additional impact pathways relating to air quality change for ecological receptors, including from construction dust and emissions from centralised plant. The conclusions should be reported in the terrestrial ecology ES chapter so that a comprehensive assessment of effects to each receptor is provided, and mitigation identified as relevant.
3826	N/A	Freshwater ecology	The applicant should consider whether it would be beneficial to include a separate freshwater ecology chapter in the ES, so that it is clear that impacts of the proposed development on the freshwater environment have been fully assessed.

## 3.9 Traffic and transport

(Scoping Report section 13)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
39.1	N/A	N/A	No matters have been proposed to be scoped out of the assessment.

ID	Ref	Description	Inspectorate's comments
392	Para 13.3.1	Study area	The ES should confirm the final study area used in the assessment, including the extent of the ARN for the purposes of other aspects including ecology, noise and air quality. Figure(s) illustrating the extent of the study area and the expected routes of construction traffic should be included. The applicant's attention is drawn to Dorset Council's comments (appendix 2 of this Opinion) regarding potential traffic and transport effects extending to A31 and A35 trunk roads in Dorset. The ES should assess any links on these roads that meet the threshold for assessment.
393	Table 13.2	Impact pathways – bus users during construction	The ES should confirm if construction works to Hythe Road to accommodate the proposed operational vehicular access route to the proposed development could affect bus services during construction (including Bluestar 8 and 9) and result in journey delay or severance for users. An assessment should be provided where likely significant effects could occur.
394	Tables 13.2 and 13.3	Impact pathways – delays to non-motorised users (NMU)	The Inspectorate notes that the Institute of Environmental Management and Assessment's (IEMA, now the Institute of Sustainability and Environmental Professionals (ISEP)) Environmental Assessment of Traffic and Movement (2023) identifies pedestrian delay (incorporating delay to all NMU) as a matter to be considered in the assessment. This is not referenced in the Scoping Report. The ES should consider the potential for pedestrian/ NMU delays including from road diversions or closures, and from additional demand at existing level crossings arising from the proposed increased use of the Fawley branch line.

ID	Ref	Description	Inspectorate's comments
3.95	Para 13.4.2	Survey locations	The applicant's attention is drawn to NFDC's comments (appendix 2 of this Opinion) regarding 2 additional survey locations at Eling Tide Mill and Causeway. The ES should confirm if these road links could reach the threshold for assessment and include survey data, and an assessment of likely significant effects if so.
3.96	Section 13.5	Future baseline	The ES should explain how committed traffic associated the partially implemented Marchwood Port planning permission (ref. 21/11156) has been accounted for in the background growth.
3.97	Para 13.5.3	Future baseline – A326 Improvement Scheme	The Inspectorate notes the comments of HCC (appendix 2 of this Opinion) that a planning application for the A326 Improvement Scheme is due for submission in 2026, and that it is therefore subject to planning approval. The Inspectorate advises that the ES should therefore include an assessment scenario for the proposed development in the absence of the A326 Improvement Scheme and describe any likely significant effects arising.
3.98	Section 13.6	Assessment criteria	The Scoping Report states that the ES will use the criteria in the ISEP Guidelines for the Environmental Assessment of Road Traffic. The Inspectorate advises that ISEP published new guidance in 2023 called Environmental Assessment of Traffic and Movement. The assessment should be informed by up-to-date guidance.
3.99	Section 13.6	Vehicle movements during construction and operation	The Scoping Report states that daily traffic has the potential to be significant but numbers are not yet known. The ES should confirm the predicted traffic movements for construction and operation, and the basis on which these have been derived. Any assumptions made in establishing this information should be explained.
3.9.10	N/A	Abnormal indivisible loads (AIL)	The ES should confirm if AILs are proposed during the construction or operational phase of the proposed development and describe any highway works required to facilitate AILs. If required, the ES should assess any likely significant effects arising from increased congestion or journey times due to road closures or diversions for AILs.

## 3.10 Noise and vibration

(Scoping Report section 14)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.10.1	Table 14.4	Indirect disturbance to noise sensitive receptors (NSR) from vibration level changes due to changes in road traffic flows during construction	The Scoping Report proposes to scope this matter out based on there being no pathway to effect where roads are in good condition, and where roads have existing surface irregularities that annoyance would be determined by traffic noise change, which is scoped in, rather than vibration. In the absence of information about the existing condition of the ARN, and the volume of traffic flows during construction, the Inspectorate is not in a position to scope this matter out of the assessment. Accordingly, the ES should include an assessment or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.
3.102	Table 14.4	Indirect disturbance to NSR from noise or vibration from vessels travelling to or from the proposed development during construction	The Scoping Report proposes to scope this matter out based on additional vessel movements constituting a small increase in vessel traffic in the area for a temporary period. The Inspectorate notes that the anticipated vessel numbers during the construction phase are not yet determined, and that no evidence about the predicted noise and vibration levels from the vessels is presented. Therefore, the Inspectorate is not in a position to scope out this matter from the assessment. Accordingly, the ES should include an assessment or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.
3.103	Tables 14.4 and 14.5	Indirect structural damage to structures from vibration level changes due to changes in road traffic flows during construction and operation	The Inspectorate agrees that these matters can be scoped out of further assessment based on the study referenced in the Scoping Report, which suggests that there is no evidence that traffic vibration has a significant damaging effect on buildings.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.104	Table 14.5	Direct disturbance to NSR and direct structural damage to structure that are sensitive to vibration from vibration emitted by operational activities during operation	<p>The Scoping Report proposes to scope these matters out based on the activities described not emitting vibration with the potential to be perceptible at NSR. It is stated that the additional rail movements on the Fawley branch line would emit vibration but discounts this as an impact pathway due to there being no NSR within 30m of the railway line within the proposed development site.</p> <p>The Inspectorate agrees that this matter can be scoped out based on the information presented and noting that indirect disturbance to NSR from vibration level change due to additional movements on the Fawley branch line is scoped into the assessment. The Inspectorate agrees to this on the basis that the maintenance activities would comprise typical ongoing maintenance of the proposed development, not substantial repair and replacement akin to construction activities. The ES should provide a detailed explanation of the maintenance activities required during operation.</p>
3.105	Table 14.5	Indirect disturbance to NSR as a result of noise or vibration from vessels outside the marine facilities undertaking import and export activities and maintenance dredging during operation	<p>The Scoping Report proposes to scope this matter out based on Southampton Water being a busy shipping area with vessel movements, and the additional vessel movements constituting a small increase. It is stated that to result in a 3 decibel (dB) change (representing the threshold for perceptibility), vessel movements would have to double and that would not occur. Regarding vibration, it is stated that the closest NSR to the berthing area would be at least 200m away and vessel vibration would be imperceptible.</p> <p>The Inspectorate does not agree to scope this matter out of the ES. Anticipated vessel numbers have not been provided, so it is not possible to ascertain the dB change from baseline. The guidance upon which the threshold of likely perceptibility for vibration from vessel movements is based is not stated in the Scoping Report, which has limited the Inspectorate's ability to understand how this conclusion has been reached. The Inspectorate notes the advice of NFDC (appendix 2 of this Opinion) regarding noise from moored vessels and considers that this could give rise to significant effects on NSR within the study area. The ES must include an assessment of this matter and describe any proposed mitigation as required.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.10.6	Table 14.5	Indirect structural damage to structures which are sensitive to vibration from vibration level changes due to additional train movements during operation	<p>The Scoping Report proposes to scope this matter out based on the criteria for vibration-induced structural damage being substantially higher than those for disturbance, which is proposed to be scoped into the ES. The relevant criteria are not provided.</p> <p>In the absence of the criteria and the predicted vibration level changes from train movements, the Inspectorate does not agree that this matter can be scoped out of the assessment at this stage. Accordingly, the ES should include an assessment or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.</p>
3.10.7	Table 14.5	Indirect structural damage to structures which are sensitive to vibration from vibration level changes due to additional vessel movements during operation	<p>The Scoping Report proposes to scope this matter out based on vessel vibration being imperceptible as it is more than 200m between the berthing area and the closest NSR. The guidance upon which the threshold of likely perceptibility for vibration from vessel movements is based is not stated in the Scoping Report, which has limited the Inspectorate's ability to understand how this conclusion has been reached.</p> <p>The Inspectorate cannot scope this matter out from assessment at this stage. Accordingly, the ES should include an assessment or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.</p>

ID	Ref	Description	Inspectorate's comments
3.10.8	Para 14.2.7	Noise thresholds	The ES should quantify and define the significant observed adverse effects level and lowest observed adverse effect level for construction and operational noise, by reference to relevant industry guidance.
3.10.9	Section 14.3	Study area and receptors	The ES should describe the final selected study area for noise and vibration and illustrate the study area(s) on a figure(s). The location of individual receptor(s) considered in the assessment should be identified, which should include PRoW. The applicant's attention is

ID	Ref	Description	Inspectorate's comments
			drawn to the comments of HCC and NFDC (appendix 2 of this Opinion) regarding additional receptors near to the proposed new access road. These should be included in the assessment.
3.10.10	Para 14.3.6	Study area for indirect effects from Fawley branch line during operation	The assessment of indirect noise effects from operational rail movements on the Fawley branch line should be based on a study area that corresponds to the predicted extent of noise effects. It is unclear from the Scoping Report how the proposed 50m distance has been selected. The ES should confirm the final study area, and how it was selected including through reference to relevant industry guidance.
3.10.11	Table 14.7	Ecological receptors	The Inspectorate notes that 6 baseline noise monitoring locations for ecological receptors are proposed (table 14.7) but these are subject to different methods for data collection. The ES should explain and justify how the locations were selected, and the duration and type of noise monitoring proposed for each location.
3.10.12	Para 14.8.1	Baseline noise surveys	Baseline data collection should be informed by BS 8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings (British Standards Institution, 2014c) and Guidelines for Community Noise (World Health Organisation, 1999) including night-time $L_{A\text{MAX}}$ criteria given that 24-hour operation of the proposed development is proposed.
3.10.13	Para 14.8.4	Unattended measurements	Consideration should be given to carrying out measures over a minimum 7-day period, encompassing weekdays and weekends, to ensure that data is not compromised by poor weather. The ES should justify the final scope and method of the survey.

### 3.11 Air quality

(Scoping Report section 15)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.11.1	Table 15.2	Impacts on human receptors and sensitive habitats and species from rail emissions during construction	The Scoping Report proposes to scope this matter out based on there being no rail movements during the construction phase. The Inspectorate notes that table 13.2 states that the construction phase may result in increased rail freight movements. Therefore, the Inspectorate does not agree to scope this matter out of the assessment. Accordingly, the ES should include an assessment of these matters or demonstrate the absence of a likely significant effect with evidence of agreement with the relevant consultation bodies.

ID	Ref	Description	Inspectorate's comments
3.11.2	Figure 15.1 and para 15.4.8	Air quality management areas (AQMA)	The Scoping Report identifies that Southampton City Council (SCC) has declared 10 AQMAs, one of which is shown on figure 15.1. The ES should confirm which AQMAs are included in the assessment based on the location of the ARN, and provide justification for the inclusion or exclusion of relevant nearby AQMAs. All AQMAs assessed in the ES should be identified on an appropriate figure.
3.11.3	Tables 15.2 and 15.3	Detailed dispersion modelling	If the Institute of Air Quality Management and EPUK guidance and screening thresholds are used to determine the need for detailed dispersion modelling this should be fully justified in the ES given the complexity of the proposed development in terms of traffic movements and modal split. Effort should be made to agree the approach to modelling exhaust emissions from all transport modes during construction and operation with relevant consultation bodies.
3.11.4	Section 15.3	Study area	The extent of the study area should be shown on an appropriate figure in the ES. Where possible, this should be agreed with relevant consultation bodies, noting that the study areas for different air quality matters may require more than one study area to be defined.

ID	Ref	Description	Inspectorate's comments
3.115	Section 15.5	Future baseline	Any assumptions made about the improvement of air quality or reduction in ambient air pollutant concentrations in the future baseline should be explained in the ES.
3.116	Section 15.8	Baseline data collection	Effort should be made to agree the scope and method of the baseline air quality monitoring with relevant consultation bodies, and this should be evidenced in the ES. The applicant's attention is drawn NFDC's comments (appendix 2 of this Opinion) regarding duration of monitoring, potential additional monitoring locations at future development sites, and the need for a different method to monitor sulphur dioxide. The approach to data collection should be informed by these requirements.
3.117	N/A	Guidance	The applicant's attention is drawn to the Defra advice 'PM2.5 Targets: Interim Planning Guidance'. The ES should explain how key sources of air pollution within the proposed development have been identified and how action has been taken to minimise emissions of PM2.5 or its precursors.

## 3.12 Landscape, seascape and visual effects

(Scoping Report section 16)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.121	Tables 16.2 and 16.3	Indirect, visual and perceptual effects upon the landscape character of landscape character areas (LCA): 14 Fawley Refinery Complex, 15 North West Solent Estates, 23 New Forest Central Woodlands, 25 Beaulieu Heath, 26 Beaulieu River (and corresponding HCC LCAs) and HCC 9d Netley, Bursledon and Hamble Coastal Plain during construction and operation	The Inspectorate agrees that these matters can be scoped out of the assessment on the basis that the LCAs are either substantially influenced by existing infrastructure, industry or other urbanising features to the degree that the proposed development would have no discernible effect, or the LCAs are at such distance that there is no or very limited intervisibility with the proposed development noting that the boundaries as shown on figures 16.4 and 16.5 in the Scoping Report are at the edge of, or beyond the zone of theoretical visibility (ZTV) shown on figure 16.6.

ID	Ref	Description	Inspectorate's comments
3.122	Tables 16.2 and 16.3	Receptors – recreational marine users and visitors at heritage assets	For the avoidance of doubt, visual receptors should include recreational marine users, for example, users of active sports' facilities and swimmers in the marine environment, and visitors at heritage assets within the study area.

ID	Ref	Description	Inspectorate's comments
3.123	Tables 16.2 and 16.3	Assessment of effects	The Scoping Report states that some visual effects would be scoped in for selected receptors where notable or significant effects are predicted. The ES should justify the final selection of receptors for inclusion by reference to relevant industry guidance. It should be clear what threshold has been used to determine if effects would be notable.
3.124	Paras 16.3.2 and 16.4.23	Study area	The Scoping Report proposes a study area for landscape, seascape and visual impacts of 3km from the scoping boundary extended to 5km for selected high sensitivity receptors. The study area was informed by a ZTV drawing using a maximum building height of 25m above finished floor level of 6m AOD for the multi-deck vehicle storage, which is shown on figure 16.6. The ZTV shows that theoretical visibility broadly corresponds with 5km offset from the proposed development site but in some places it could extend beyond 5km. The ES should identify any high sensitivity receptors beyond the 5km study area that would have visibility of the proposed development, and provide an assessment where significant effects are likely to occur. This should include consideration of visibility of external lighting at night-time.
3.125	Table 16.5 and figure 16.6	Representative viewpoint locations	The applicant's attention is drawn to the comments of NFDC, NFNPA and Hythe and Dibden Parish Council (appendix 2 of this Opinion) regarding additional proposed viewpoints for inclusion in the assessment. Consideration should be given to identifying additional longer-range viewpoints within the New Forest National Park, including those that might be affected by external lighting at night-time, and viewpoints from footpath 126/10/2 and Hythe waterfront. The assessment of significant effects should be undertaken based on a full understanding of the extent of potential impacts.

### 3.13 Archaeology and cultural heritage

(Scoping Report section 17)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.13.1	Table 17.3	Direct damage to or destruction of archaeological material or its physical setting which could impact its significance during operation	The Inspectorate agrees that this matter can be scoped out on the basis that the operational phase would not involve any further ground works and therefore no additional potential direct impacts to archaeological material would occur during operation. The proposed archaeological exclusion zones should be clearly defined in the ES.

ID	Ref	Description	Inspectorate's comments
3.13.2	Tables 17.2 and 17.3	Setting effects to cultural heritage receptors	In addition to changes to the setting of heritage assets from the presence of construction-related plant, the potential for effects from noise, vibration and dust impacts arising from construction and operational activities, as well as increased vehicle movements including on the proposed new access road, should be considered and an assessment provided where significant effects are likely to occur.
3.13.3	Section 17.3	Study area	The ES should confirm the final selected study area(s) and illustrate these on a figure(s). It should explain how the study area(s) were selected, based on the zone of influence for each impact pathway scoped into the assessment. A ZTV should be used to inform the study area for setting effects to cultural heritage assets. Effort should be made to agree the study area with relevant consultation bodies.
3.13.4	Section 17.4	Description of existing environment	The ES should confirm the designated and non-designated cultural heritage asset receptors scoped into the assessment. This should include consideration of conservation areas, locally designated or other non-designated assets which have not been fully

ID	Ref	Description	Inspectorate's comments
			identified in the Scoping Report. The location of receptors scoped in should be shown on a figure(s) in the ES. The applicant's attention is drawn to the comments of NFDC and NFNPA (appendix 2 of this Opinion), which identify additional receptors for consideration.

### 3.14 Water resources and flood risk

(Scoping Report section 18)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.14.1	N/A	N/A	No matters have been proposed to be scoped out of the assessment.

ID	Ref	Description	Inspectorate's comments
3.14.2	Tables 18.2 and 18.3	Impact pathways – change in water quality from accidental spillages, foul water drainage and changes to drainage discharges	<p>The Scoping Report does not identify impact pathways for change to water quality from spillages, foul water drainage or change to freshwater and drainage discharge.</p> <p>The Inspectorate advises that the ES should include an assessment of these matters during construction and operation of the proposed development or demonstrate the absence of likely significant effects with evidence of agreement with relevant consultation bodies. The assessment should be based on the selected design of the surface water drainage, for example discharge to sea or North Dibden Stream, or if optionality remains a worst-case. It should consider any potential impact pathway from drainage of the proposed vehicle processing centre to groundwater contamination. Any mitigation proposed to avoid, reduce or offset likely significant effects should be described in the ES.</p>
3.14.3	Tables 18.2 and 18.3	Impact pathways – flood risk from sewers	<p>Flood risk is scoped in for the construction and operational phases of the proposed development but it is unclear from the justification if this would include consideration of flood risk from sewers. The Inspectorate notes that paragraphs 18.4.49 to 18.4.51 of the Scoping Report state that there is likely to be a negligible risk of sewer flooding due to limited existing infrastructure but paragraph 18.4.50 acknowledges that there is limited available information related to sewerage infrastructure. Accordingly, the ES should include an assessment or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.</p>

ID	Ref	Description	Inspectorate's comments
3.14.4	Table 18.3	Impact pathways – direct disturbance of surface watercourses	<p>It is unclear from the Scoping Report if existing agricultural land drains would be included in the assessment of effects. For the avoidance of doubt, and noting that section 23 of the Scoping Report describes these as being present in the proposed development site, this receptor should be included in the assessment.</p>
3.14.5	Para 18.4.2 to 18.4.3	Surface water drainage features	<p>The ES should set out a full description of the baseline drainage pattern at the proposed development site, which takes account of the influence of the reclaimed land on surface water flows. It should also describe the existing agricultural land drainage network present.</p>
3.14.6	Paras 18.4.4 and 18.4.5	Hydrological monitoring data	<p>The Scoping Report states that hydrological monitoring undertaken in 1997 and 1998 indicates that watercourse discharges are generally low, and that this is unlikely to have changed significantly since this time.</p> <p>The applicant's attention is drawn to the EA's comments (appendix 2 of this Opinion), advising that this data may not represent current water quality. The ES should be based on robust baseline data and therefore the Inspectorate advises that further monitoring should be carried out, or it should justify use of the historic data. Effort should be made to agree the approach with relevant consultation bodies.</p>
3.14.7	Paras 18.4.7, 18.4.9 and 18.8.1	Surface water quality	<p>The Scoping Report states that water quality in the River Test and Southampton Water is generally of a good standard. The Inspectorate notes a reference in chapter 6 of the Scoping Report that the EA data for Southampton Water, which includes the River Test, indicates 'moderate ecological status' with high levels of pollutants.</p> <p>The Inspectorate advises that the assessment in the ES should be based on appropriate baseline water quality data. Effort should be made to agree the method for baseline data collection with relevant consultation bodies.</p>
3.14.8	Para 18.7.2	Foul drainage	<p>The ES should confirm the existing capacity of the public sewer to accommodate foul drainage from the proposed development. If this is not feasible, the ES should describe the proposed strategy for handling foul drainage, for example treatment and discharge, or</p>

ID	Ref	Description	Inspectorate's comments
			offsite disposal. Any likely significant effects from the management of foul drainage should be assessed in the ES.
3.14.9	Para 18.8.4	Water quality monitoring	The ES should describe commitments to water quality monitoring if this is identified as being required to mitigate significant adverse effects, or test any assumptions relied upon in the ES conclusions. It should provide a monitoring plan that describes the frequency, quantity, location and method of the proposed monitoring.
3.14.10	Para 18.8.8	Flood risk modelling	The assessment of flood risk in the ES should be informed by flood risk modelling that is fit for purpose as a basis to identify likely significant effects from the proposed development. The applicant's attention is drawn to the EA's comments (appendix 2 of this Opinion) regarding the suitability of its modelling for assessment of third-party development and the potential need for further data to fill evidence gaps. The ES should explain how these potential gaps have been addressed in the assessment. Effort should be made to agree the modelling approach with relevant consultation bodies.

### 3.15 Infrastructure and other users

(Scoping Report section 19)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.151	Tables 19.5 and 19.6	Impacts to Ministry of Defence (MoD) activities within the practice and exercise areas (PEXA) zone from disposal of dredged material during construction and operation	<p>The Scoping Report proposes to scope these matters out based on disposal occurring at the Nab Tower disposal site, where dredge disposal already takes place in the PEXA.</p> <p>The Inspectorate agrees that any additional disruption to the PEXA from use of the existing Nab Tower disposal site for disposal of dredged material would not result in likely significant effects. These matters can be scoped out of further assessment.</p>
3.152	Table 19.5	Impacts to oil and gas operations from construction of marine facilities	<p>The Scoping Report proposes to scope this matter out based on there being no oil and gas activities or infrastructure that coincide with construction activities required for the proposed development.</p> <p>The Inspectorate agrees that this matter can be scoped out of further assessment as there are no impact pathways to likely significant effects.</p>
3.153	Table 19.5	Impacts to subsea cables or pipelines from overlapping construction activities	<p>The Scoping Report proposes to scope this matter out based on there being no overlap between the proposed development and subsea cables or pipelines.</p> <p>The Inspectorate agrees that this matter can be scoped out of further assessment as there are no impact pathways to likely significant effects.</p>
3.154	Table 19.5	Impacts to offshore wind farms (OWF) due to an overlap between	The Scoping Report proposes to scope this out based on there being no overlap between the proposed development and any OWFs, stating that the closest is Rampion (circa 69km).

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		the construction footprint and OWF site	The Inspectorate agrees that this matter can be scoped out of further assessment as there are no impact pathways to likely significant effects.
3.155	Table 19.5	Potential for UXO detonation in the marine environment and landside during construction	<p>The Scoping Report proposes to scope out the potential for UXO detonation during construction, with UXO being the receptor. Table 19.5 and paragraph 19.4.17 state that there is potential for UXO to be unearthed during construction based on completed desk study and risk assessment, and UXO could be detonated.</p> <p>The Inspectorate agrees that likely significant effects would not occur to the UXO from detonation and that this matter can be scoped out. However, the Inspectorate considers that there is potential for likely significant effects arising from UXO detonation to other receptors that would need to be assessed in the ES and mitigation proposed to manage associated risks. The Inspectorate's comments at ID 2.1.23 apply to this matter.</p>
3.156	Tables 19.5 and 19.6	Impacts to existing industrial and commercial facilities from interaction with the proposed development during construction and operation	<p>The Scoping Report proposes to scope this matter out based on there being no physical infrastructure associated with the facilities in the operational footprint of the proposed development, and therefore no direct or disruption to their operations.</p> <p>The Inspectorate is unclear what potential impacts are envisaged but notes that effects to commercial receptors are proposed for assessment in other ES chapters, such as socio-economic (chapter 22). The Inspectorate is content that the relevant impact pathways for likely significant effects to existing industrial and commercial facilities are proposed to be scoped in through other aspects and agrees that this matter can be scoped out of further assessment in the infrastructure and other users ES chapter, other than for Marchwood Military Port and Sea Mounting Centre (SMC).</p> <p>The Scoping Report states that Marchwood Military Port is currently operated under a concession by the applicant and it is therefore proposed to scope it out of further assessment. In the absence of information about the duration of the concession or future requirements of the MoD, the Inspectorate cannot agree to scope this matter out of the assessment. The applicant's attention is drawn to the MoD's comments (appendix 2 of this Opinion) regarding proximity of the proposed development to Marchwood SMC,</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			which is subject to an explosive safeguarding zone. The ES should include an assessment of impacts to these infrastructure facilities or demonstrate the absence of a likely significant effect with evidence of agreement with the relevant consultation bodies.
3.15.7	Table 19.6	Impacts to navigational dredging operations from maintenance dredging during operation	The Inspectorate agrees that significant effects are unlikely to arise if maintenance dredging is coordinated with adjacent dredging operations and this matter can be scoped out of further assessment. The ES should confirm the measures proposed to facilitate coordination of dredging activities.
3.15.8	Table 19.6	Impacts to existing dredged material operations at Nab Tower from dredged material disposal during operation	The Inspectorate agrees that significant effects are unlikely to arise if disposal of dredged material is coordinated with existing operations at Nab Tower and this matter can be scoped out of further assessment. The ES should confirm the measures proposed to facilitate coordination of disposal of dredged material.
3.15.9	Table 19.6	Impacts to aggregate dredging due to disposal of dredged material near to aggregate licence areas during operation	The Inspectorate considers it unlikely that significant effects would arise given that Nab Tower is an existing disposal site used to receiving dredged material but is unclear from the Scoping Report as to the justification for stating that there would not any additional disruption from the proposed development. Accordingly, the ES should include an assessment or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.
3.15.10	Table 19.6	Impacts to transport infrastructure from landside transport disruption during operation	The Scoping Report proposes to scope this matter out as impacts would be assessed in the traffic and transport, and tourism and recreation ES chapters. The Inspectorate notes that these impacts are scoped into the assessment (tables 13.3, 20.3 and 22.5) and agrees that this matter can be scoped out from the infrastructure and other users ES chapter.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.15.11	Table 19.6 and paras 19.4.18 and 19.7.3	Impacts to utilities and services from interaction with existing utility infrastructure (water supply, telecommunications and gas) during operation	<p>The Scoping Report proposes to scope this matter on the basis that utility infrastructure is located outside the footprint of the proposed development and would not be directly affected, and that any potential impacts would be assessed for the construction phase and protective measures identified as required.</p> <p>The Inspectorate agrees that this matter can be scoped out for the operational phase based on likely significant effects having been identified and mitigated for as part of the construction phase assessment. The ES should include diagrams to show the location of utility infrastructure relative to the proposed development.</p>

ID	Ref	Description	Inspectorate's comments
3.15.12	Para 19.4.18	Utilities and services – sewerage infrastructure	<p>The Scoping Report states at paragraph 19.4.18 that there is no known utilities provision in the scoping boundary that could be used or modified to provide services to the proposed development. However, paragraph 18.4.50 of the Scoping Report identifies existing sewerage infrastructure. The assessment of impacts to utility infrastructure from interaction with the proposed development during construction should include consideration of sewerage infrastructure.</p>

## 3.16 Tourism and recreation

(Scoping Report section 20)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.16.1	Tables 20.2 and 20.3	Impacts affecting access to recreational fisheries from marine works, dredge disposal and vessel operations during construction, and operations, maintenance dredge and disposal during operation	Based on there being no or limited recreational fishing activity within the proposed development area or Southampton main navigation channel, the Inspectorate agrees that there are unlikely to be significant effects from impacts to recreational fishing activity and it can be scoped out of further assessment.
3.16.2	Tables 20.2 and 20.3	Impacts to water-based recreation facilities from changes to fish stocks due to marine piling and capital dredging during construction, and operations, maintenance dredge and disposal during operation	Based on there being no or limited recreational fishing activity within the proposed development area or Southampton main navigation channel, the Inspectorate agrees that there are unlikely to be significant effects from impacts to recreational fishing activity and it can be scoped out of further assessment.
3.16.3	Table 20.3	Impacts to the visitor economy due to the presence of the	The Scoping Report proposes to scope this matter out as the proposed development is next to an area of existing port-related activity and is unlikely to deter visitors. The Inspectorate consider that it is unlikely there would be significant effects to the visitor

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		workforce and activities during operation	economy from the presence of the operational workforce and activities and agrees that this matter can be scoped out further assessment.

ID	Ref	Description	Inspectorate's comments
3.164	Table 20.2	Receptors – visitor economy	The Inspectorate notes that it is proposed to assess changes in spending due to the presence of the construction workforce, and the effects on the visitor economy. Construction workforce spend in the local economy is also proposed to be scoped into the socio-economic and population ES chapter (section 22 of the Scoping Report) and it is unclear if this would include visitor economy spend. The Inspectorate advises that the ES should avoid double-counting of effects.
3.165	Para 20.4.6	Receptors – tourist attractions	The applicant's attention is drawn to NFNPA's comments (appendix 2 of this Opinion) identifying additional tourist attractions in the study area, which should be considered in the assessment.

## 3.17 Human health

(Scoping Report section 21)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.17.1	Tables 21.4 and 21.5	Diet and nutrition impact on local residents during construction and operation	The Scoping Report proposes to scope this matter out on the basis that agricultural land lost because of the proposed development comprises land that is restricted to permanent pasture and rough grazing, and it is not anticipated to affect access to healthy food options. The Inspectorate agrees that this matter can be scoped out of the assessment.
3.17.2	Table 21.4	Relocation of local residents during construction	The Inspectorate agrees that this matter can be scoped out of the assessment based on there not being a requirement to relocate local residents.
3.17.3	Tables 21.4 and 21.5	Exposure of local residents or workers to radiation risks during construction and operation	The Inspectorate agrees that this matter can be scoped out for pathways from the proposed development based on its nature, and equipment and processes used, being unlikely to result in actual or perceived exposure to electromagnetic or ionising radiation risk. However, the Inspectorate notes HCC's advice (appendix 2 of this Opinion) regarding the location of the proposed development in the outline planning zone for a plan relating to consequences of an accident involving a nuclear-powered vessel at the Port of Southampton, and creation of a new potential exposure source in users of the proposed country park. The ES should assess any likely significant effects arising from this interaction during operation and identify mitigation as relevant.
3.17.4	Table 21.4	Impacts to local residents from built environment features or environment quality that contributes to health during construction	The Inspectorate acknowledges that the proposed development is located in an area characterised by existing port activities and built infrastructure; however, as the proposed development includes a country park that would be accessible by the public including local residents, it considers that there is potential for the proposed development to influence spatial planning and design context that affects public health. The ES should include an assessment of this matter in respect of the country park, or demonstrate an absence of likely significant effects and evidence of agreement with relevant consultation bodies.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.17.5	Tables 21.4 and 21.5	Impacts to local residents from wider societal infrastructure and resources during construction and operation	The Inspectorate agrees that this matter can be scoped out of the assessment based on the proposed development being unlikely to contribute infrastructure which society depends on for good population health, and it not being of a nature that would affect wider societal infrastructure and resources such as energy, transport and information technology.
3.17.6	Table 21.5 and para 13.6.20	Impacts to site workers from risk-taking behaviour during operation	The Inspectorate agrees that this matter can be scoped out on the basis that the proposed development does not include opportunities to reduce risk-taking behaviours.
3.17.7	Table 21.5	Impacts to local residents from change to community identity, culture, resilience and influence during operation	The Inspectorate agrees that this matter can be scoped out of the assessment as significant effects are not likely based on the proposed development being located in an area of existing port infrastructure and operational activity.

ID	Ref	Description	Inspectorate's comments
3.17.8	N/A	N/A	N/A

### 3.18 Socioeconomics and population

(Scoping Report section 22)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.18.1	Tables 22.4 and 22.5	Direct effects on the economy (fisheries) from loss or restricted access to fishing grounds and interference with fishing activities during construction and operation	The Scoping Report proposes to scope this matter out on the basis that the impact of restricted access and interference with fishing is not significant given the information presented about existing commercial fishing in the Commercial and Recreational Fisheries section of the Scoping Report (section 9). The Inspectorate agrees that this matter can be scoped out of the assessment for the reasons stated in ID 3.5.1 of this Opinion.
3.182	Table 22.4	Direct effects on employment (fishers) from loss or restricted access to fishing grounds and interference with fishing activities during construction	The Scoping Report proposes to scope this matter out on the basis that the impact of restricted access and interference with fishing is not significant given the information presented about existing commercial fishing in the Commercial and Recreational Fisheries section of the Scoping Report (section 9). The Inspectorate agrees that this matter can be scoped out of the assessment for the reasons stated in ID 3.5.1 of this Opinion.
3.183	Table 22.5	Operational activities that require temporary or permanent land take during operation	The Inspectorate agrees that this matter can be scoped out on the basis that permanent and temporary land take requirements of the proposed development would be assessed under construction, and no further land take requirements are anticipated during operation.

ID	Ref	Description	Inspectorate's comments
3.184	Tables 22.4 and 22.5	Receptors – county of Hampshire economy	<p>The Scoping Report proposes to use the county of Hampshire economy as the receptor for economic impact pathways. The applicant's attention is drawn to Dorset Council's comments (appendix 2 of this Opinion) regarding the potential for impacts to business in Dorset including those related to port industry. The Inspectorate also notes that paragraph 22.3.2 of the Scoping Report states that the proposed development would play a significant role in enhancing economic connectivity for UK business in the global marketplace. The ES should further justify the selection of the study area and receptors within it for the assessment of economic impact pathways. This should be informed by the zone of influence for likely significant effects. Effort should be made to agree the study area and receptors with relevant consultation bodies.</p>
3.185	Table 22.4	Receptors – land take and agricultural holdings	<p>The ES should consider the loss of back up land for commoners in the assessment of effects to land take and agricultural holdings during construction.</p>
3.186	Section 22.8	Assessment criteria	<p>For several receptors, the Scoping Report describes that the assessment would use bespoke criteria for sensitivity and magnitude. The ES should provide clear definitions of the criteria used and explain how it has been developed, including any assumptions used.</p>

### 3.19 Agriculture and soils

(Scoping Report section 23)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.19.1	Table 23.4	Loss of agricultural land and soil sealing from land take during operation	The Inspectorate agrees that this matter can be scoped out for the operational phase of the proposed development on the basis that it is scoped in for the construction phase and further loss of agricultural land is not likely to occur during operation.

ID	Ref	Description	Inspectorate's comments
3.192	Para 23.4.9	Peat	The Applicant is referred to NFDC's comments (appendix 2 of this Opinion) regarding the discovery of peat within Marchwood Military Port. Given the potential for disturbance of peat soils, the ES should map any peat soils present within the proposed development site and demonstrate how effect on peat deposits have been avoided. Any likely significant effects on peat soils should be assessed in the ES (for example loss or disturbance).
3.193	Para 23.7.1	Mitigation	The Scoping Report proposes the adoption of industry good practice mitigation measures to conserve, handle and re-use soil resources. It is not clear how the mitigation measures would be secured and implemented. This should be set out in the ES and drafts of any proposed management plans such as a soil management plan should be provided.
3.194	N/A	Agricultural land	The ES should contain a clear tabulation of the areas of land in each best and most versatile (BMV) classification to be temporarily or permanently lost because of the proposed development, including any proposed offsite mitigation or compensation land, with reference to accompanying map(s) depicting the grades. Specific justification for use of the land by grade should be provided. Consideration should be given to use of BMV land in the discussion of alternatives.

## 3.20 Major accidents and disasters

(Scoping Report section 24)

ID	Ref	Applicant's proposed aspect/ matters to scope out	Inspectorate's comments
320.1	Paras 24.1.3 and 24.7.1 and table 24.3	Whole aspect	<p>The Scoping Report proposes to scope out the aspect of major accidents and disasters on the basis that there are existing measures in place to minimise risks from all major accidents and disasters (as identified in table 24.2). It is proposed that where there is potential for a risk to occur, these would be assessed in other relevant ES aspect chapters as outlined in table 24.3. It is stated that this would enable identification of mitigation and provide an adequate assessment to avoid the need for a standalone major accidents and disasters ES chapter.</p> <p>Other than for the impact pathways discussed below at ID 3.20.2 to ID 3.20.7, the Inspectorate agrees that the matters proposed to be scoped out in table 24.3 of the Scoping Report can be scoped out the assessment on the basis presented. The Inspectorate's comments on other matters are provided below.</p>
3202	Table 24.2	Flooding risk and disruption of infrastructure and port activity from storms and tidal surges during operation	The Scoping Report proposes to scope this matter on the basis that it would be assessed in the water resources and flood risk, and climate change ES chapters. The Inspectorate considers that these assessments would identify and assess flood risk but would not necessarily enable the identification of likely significant effects from flooding that could result in risks to operation of the proposed development, and mitigation that might be needed. The ES should include an assessment of these matters.
3203	Table 24.2	Water supply limitation as a result of drought during operation	<p>The Scoping Report proposes to scope this matter out on the basis that there is no significant water use and the proposed development has low exposure to this risk.</p> <p>The Inspectorate does not agree to scope this matter out of the assessment as there is insufficient detail in the Scoping Report about expected water use and supply during operation of the proposed development. Accordingly, the ES should include an</p>

ID	Ref	Applicant's proposed aspect/ matters to scope out	Inspectorate's comments
			assessment or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.
3204	Table 24.2	Health impacts and visibility issues from poor air quality events during operation	<p>The Scoping Report proposes to scope this matter out on the basis that the proposed development presents a low risk for air quality events, regional air quality is not at significant risk, and the risk will be assessed in the air quality chapter.</p> <p>The Inspectorate notes that the air quality section of the Scoping Report focuses on assessment of pollutants against target levels during operation and does not consider risk associated with visibility. The Inspectorate agrees that health impacts from emissions to air can be scoped out of an assessment of major accidents and disasters but advises that the potential for risks to the operation of the proposed development from poor air quality affecting visibility should be assessed in the ES, or it should demonstrate an absence of likely significant effects.</p>
3205	Tables 24.2 and 24.3	Industrial accidents including spills, fires, chemical releases and during operation	<p>The Scoping Report identifies a risk from this impact pathway but proposes to scope this matter out on the basis that there are existing plans and measures in place. It is identified in table 24.3 as a risk that would be further assessed but no other ES chapter is identified as a location for this assessment.</p> <p>Noting that the proposed development would be subject to the Control of Major Accident Hazards (COMAH) Regulations, and that it is adjacent to other COMAH sites and Marchwood Military Port, which has an explosives licence, the Inspectorate considers that there is insufficient justification for scoping this matter out, and an absence of detail about measures required to manage risks, which would not be considered elsewhere in the ES. This matter should be scoped into the assessment.</p>
3206	Table 24.2	Utility disruption affecting port operations during operation	The Scoping Report proposes to scope this matter out on the basis that infrastructure upgrades and contingency plans mitigate failure risk.

ID	Ref	Applicant's proposed aspect/ matters to scope out	Inspectorate's comments
			<p>In the absence of detail about these plans, the Inspectorate is unclear if there could be a risk to port operations in the event of utility disruption and, if so, how it is proposed that this would be managed. Accordingly, the ES should include an assessment or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.</p>
320.7	Table 24.2	Multi-dimensional crises impacting safety and logistics during operation	<p>The Scoping Report proposes to scope this matter on the basis that the operational scope does not intersect with humanitarian response risk.</p> <p>The Inspectorate notes 2 lifeboat stations in the vicinity of the proposed development (paragraph 10.4.37). In the absence of information regarding the potential effect of the proposed development on the function of the lifeboat stations and emergency response, the Inspectorate cannot agree to scope this matter out of the assessment. Accordingly, the ES should include an assessment of this matter or demonstrate the absence of a likely significant effect with evidence of agreement from relevant consultation bodies.</p>

ID	Ref	Description	Inspectorate's comments
320.8	N/A	Construction phase	<p>The Scoping Report does not address the potential for likely significant effects arising from risk of major accidents and disasters during the construction of the proposed development, including vulnerability of the development, or potential for the proposed development to cause major accidents and disasters. The ES should include an assessment of this matter or demonstrate an absence of likely significant effects.</p>

### 3.21 Climate change

(Scoping Report section 25)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
321.1	Table 25.4	Greenhouse gas (GHG) emissions from preliminary studies, design and engineering during construction	The Inspectorate agrees that this matter can be scoped out on the basis that emissions from design and engineering activities are anticipated to be mostly office-based and are not likely to be significant.
3212	Table 25.5	Loss of sequestered blue carbon from operation and maintenance activities during operation	The Inspectorate considers that any additional loss of blue carbon stores from operation and maintenance activities such as dredging is likely to be minor compared to construction phase effects, as described in the Scoping Report, but considers that any release of carbon could contribute to effects on the global atmosphere and should be quantified in the ES.

ID	Ref	Description	Inspectorate's comments
3213	Paras 25.3.2 and 25.8.1	Downstream effects	The ES should describe the downstream effects that have been included in the assessment, and the basis on which these have been selected for inclusion.
3214	Paras 25.4.2 to 25.4.4	GHG baseline	The ES should justify why it is not possible to undertake a detailed inventory of current activities in the study area to inform the GHG baseline, as it is unclear based on the rationale presented in the Scoping Report. If presented on a contextualised basis, the ES must explain why this represents a robust baseline for assessment and why it is relevant to present ABP emissions if the site is currently used for agriculture.

ID	Ref	Description	Inspectorate's comments
3215	Para 25.4.7	Existing climate data	The Scoping Report uses existing climate data from Mayflower Park Met Office station for the period 1991 to 2020. The ES should include more recent climate data in the baseline description if it is available.
3216	Para 25.5.2	Future GHG baseline	The Scoping Report states that a reasonable 'do nothing' scenario would be used in the assessment, which would be informed by alternative options to address increase in demand and GHG projections for the maritime sector. The ES should also include a basic 'do nothing' scenario for comparison purposes.
3217	Para 25.5.4	Projected climate change data	The Scoping Report uses a medium emissions scenario (representative concentration pathway (RCP) 6.0) as the projected climate data. The Scoping Report does not explain why the high emissions scenario (RCP8.5) was not used. The ES should use a worst-case scenario approach and use the data from the RCP8.5 scenario in the assessment.
3218	Para 25.8.12	Climate change resilience (CCR) assessment	The ES should justify where hazards are screened out of further assessment in the CCR assessment on the basis that they are low vulnerability and therefore non-significant. It must be clear how this decision has been reached.
3219	Para 25.8.12	CCR assessment for construction phase	The Scoping Report states that a high level CCR assessment would be undertaken given the short duration of the construction phase. The method proposed is not specified. The Inspectorate advises that the assessment must be sufficiently detailed to enable the identification of any likely significant effects arising from construction of the proposed development, and mitigation as needed.

## 3.22 Waste

(Scoping Report section 26)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3221	Table 26.1	Waste arising from extraction, processing and manufacture of components and products during construction	<p>The Inspectorate agrees that this matter can be scope out on the basis that waste arising from these processes would be produced in facilities with their own waste management plans, facilities, and supply chain.</p>
3222	Table 26.1	Other environmental impacts associated with the management of waste from the proposed development during construction	<p>The Scoping Report proposes to scope this matter out on the basis that effects arising from the handling of wastes generated during construction would occur off-site and would be managed at the waste facilities operated by waste management companies, and these offsite effects are scoped out of the EIA. Effects arising from vehicle movements transporting waste to these facilities are proposed to be assessed within the traffic and transport, air quality and noise and vibration ES chapters.</p> <p>The Inspectorate is unclear from the description as to the exact nature of the impact pathway but considers that this is likely to relate to effects such as noise, vibration, emissions to air, dust or odour. On that basis, the Inspectorate agrees that the effects of waste management at off-site facilities can be scoped out of the assessment.</p>
3223	Tables 26.1 and 26.2	Materials arising from capital dredging during construction and maintenance dredging during operation	<p>The Scoping Report proposes to scope these matters out on the basis that the majority of the dredged material would not be brought onshore for disposal and that the effects associated with the offshore disposal would be assessed in other relevant ES chapters.</p> <p>In the absence of confirmed details about the volume of dredged material to be disposed offshore, and volume and frequency of maintenance dredging required, the Inspectorate cannot agree to scope these matters out of the assessment. Accordingly, the ES should</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			include an assessment of these matters or demonstrate the absence of a likely significant effect with evidence of agreement from the relevant consultation bodies.

ID	Ref	Description	Inspectorate's comments
3224	Para 26.3.4	Hazardous waste	Paragraph 23.3.4 of the Scoping Report states that no hazardous waste is expected to arise from operation of the proposed development. However, there is no discussion of whether hazardous waste is expected during the construction phase. Paragraph 21.4.35 of the Scoping Report states that asbestos has been identified at the proposed development site. The ES should confirm the potential for hazardous waste during construction and assess any likely significant effects arising from its presence and disposal.

### 3.23 Cumulative effects

(Scoping Report section 27)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
323.1	N/A	N/A	No matters have been proposed to be scoped out of the assessment.

ID	Ref	Description	Inspectorate's comments
3232	Paras 4.5.31 and 4.5.33	Structure of the ES and cumulative effects	The Inspectorate notes that cumulative effects in the ES would be covered in each of the aspect chapters scoped into the assessment. It is not clear from the proposed ES structure where the overall methodology would be presented. The ES should contain a section to demonstrate the methodology followed and the overall selection of a long and short list of plans and projects for consideration by the aspect chapters. The structure of the ES should also contain details of the overarching approach taken to the assessment of inter-relationship effects.
3233	N/A	Identification of relevant plans or projects	The applicant is referred to the consultation responses from HCC, Hythe and Dibden Parish Council, NFDC and the NFNPA (appendix 2 of this Opinion) regarding projects to be included in the cumulative effects assessment. The assessment should include these projects or justify why they would not result in significant cumulative effects with the proposed development with evidence of agreement from relevant consultation bodies.

## APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED

TABLE A1: PRESCRIBED CONSULTATION BODIES

Bodies prescribed in schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) (the 'APFP Regulations (as amended)')

SCHEDULE 1 DESCRIPTION	ORGANISATION
The Secretary of State for Defence	Ministry of Defence
The relevant parish council	Denny Lodge Parish Council
	Fawley Parish Council
	Hound Parish Council
	Hythe and Dibden Parish Council
	Marchwood Parish Council
	Totton and Eling Parish Council
The Environment Agency	The Environment Agency
Natural England	Natural England
The Forestry Commission	The Forestry Commission
The Historic Buildings and Monuments Commission for England (known as Historic England)	Historic England
The Joint Nature Conservation Committee	Joint Nature Conservation Committee
The Maritime and Coastguard Agency	The Maritime and Coastguard Agency
	The Maritime and Coastguard Agency - Southampton Marine Office
Trinity House	Trinity House

SCHEDULE 1 DESCRIPTION	ORGANISATION
The relevant Highways Authority	Hampshire County Council
	National Highways
	Southampton City Council
The Health and Safety Executive	Health and Safety Executive
United Kingdom Health Security Agency	United Kingdom Health Security Agency
NHS England	NHS England
The Crown Estate Commissioners	The Crown Estate
The relevant police authority	Police and Crime Commissioner for Hampshire
The relevant ambulance service	South Central Ambulance Service NHS Foundation Trust
The relevant fire and rescue authority	Hampshire and Isle of Wight Fire and Rescue Service

**TABLE A2: RELEVANT STATUTORY UNDERTAKERS**

‘Statutory undertaker’ is defined in The APFP Regulations (as amended) as having the same meaning as in section 127 of the Planning Act 2008 (PA2008)

STATUTORY UNDERTAKER	ORGANISATION
The relevant Integrated Care Board	NHS Hampshire and Isle of Wight Integrated Care Board
Special Health Authorities	NHS Blood and Transplant
The relevant NHS Foundation Trust	Hampshire and Isle of Wight Healthcare NHS Foundation Trust
	South Central Ambulance Service NHS Foundation Trust
Railways	National Highways Historical Railways Estate

STATUTORY UNDERTAKER	ORGANISATION
	Network Rail Infrastructure Ltd
Pier	Hythe Pier Company
Dock and Harbour authority	ABP Southampton
	River Hamble Harbour Authority
Universal Service Provider	Royal Mail Group
Homes and Communities Agency	Homes England
The relevant water and sewage undertaker	Southern Water
The relevant public gas transporter	Cadent Gas Limited
	CNG Services Ltd
	Energy Assets Pipelines Limited
	ES Pipelines Limited
	Fulcrum Pipelines Limited
	GTC Pipelines Limited
	Harlaxton Gas Networks Limited
	Indigo Pipelines Limited
	Inovyn Enterprises Ltd
	Last Mile Gas Ltd
	Leep Gas Networks Limited
	Mua Gas Limited
	National Gas
	Northern Gas Networks Limited
	Scotland Gas Networks Plc
	Stark Infra-Gas Limited

STATUTORY UNDERTAKER	ORGANISATION
The relevant electricity generator with CPO Powers	Marchwood Power Limited
The relevant electricity distributor with CPO Powers	Advanced Electricity Networks Ltd
	AGR Networks Ltd
	Aidien Ltd
	Aurora Utilities Ltd
	Eclipse Power Network Limited
	Energy Assets Networks Limited
	ESP Electricity Limited
	Fulcrum Electricity Assets Limited
	Green Generation Energy Networks Cymru Ltd
	Harlaxton Energy Networks Limited
	Independent Distribution Connection Specialists Ltd
	Leep Electricity Networks Limited
	Mua Electricity Limited
	Optimal Power Networks Limited
	Southern Electric Power Distribution Plc
	Stark Infra-Electricity Ltd
	UK Power Distribution Limited
	Utility Assets Limited
	Vattenfall Networks Limited
The relevant electricity transmitter with CPO Powers	National Energy System Operator (NESO)
	National Grid Electricity Transmission Plc

**TABLE A3: LOCAL AUTHORITIES AS DEFINED IN SECTION 43(3) OF THE PA2008**

<b>LOCAL AUTHORITY</b>
Bournemouth, Christchurch and Poole Council
Bracknell Forest Council
Dorset Council
Eastleigh District Council
Hampshire County Council
New Forest District Council
New Forest National Park Authority
Portsmouth City Council
South Downs National Park Authority
Surrey County Council
Test Valley District Council
West Berkshire Council
West Sussex County Council
Wiltshire Council
Wokingham Council

**TABLE A4: THE MARINE MANAGEMENT ORGANISATION**

Section 42(1)(a) of the PA2008 requires consultation with the Marine Management Organisation in any case where the proposed development would affect, or would be likely to affect, any of the areas specified in subsection 42(2).

<b>ORGANISATION</b>
The Marine Management Organisation

**TABLE A5: NON-PRESCRIBED CONSULTATION BODIES**

<b>ORGANISATION</b>

Fareham District Council

Gosport District Council

Royal National Lifeboat Institution

## APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES

<b>CONSULTATION BODIES WHO REPLIED BY THE STATUTORY DEADLINE:</b>
Bournemouth, Christchurch and Poole Council
Bracknell Forest Council
Dorset Council
Environment Agency
Fareham Borough Council
Forestry Commission
Gosport Borough Council
Hampshire County Council
Health and Safety Executive
Historic England
Hythe and Dibden Parish Council
Joint Nature Conservation Committee
Marchwood Power Limited
Marine Management Organisation
Maritime and Coastguard Agency
Ministry of Defence
National Gas
National Grid Electricity Transmission Plc
National Highways
Natural England
New Forest District Council
New Forest National Park Authority

**CONSULTATION BODIES WHO REPLIED BY THE STATUTORY DEADLINE:**

Northern Gas Networks Limited

Portsmouth City Council

Royal Mail Group

South Downs National Park Authority

Totton and Eling Town Council

Trinity House

United Kingdom Health Security Agency

Wokingham Borough Council

**By email only**

Date: 27 November 2025  
Contact: [REDACTED]  
Our Ref: P/25/04649/CON  
Your Ref: TR0310002  
Phone: [REDACTED]  
Email: [REDACTED]@bcp council.gov.uk

solentgateway2@planninginspectorate.gov.uk

Dear Sir/Madam,

**Application No:** P/25/04649/CON  
**Location:** Associated British Ports Port of Southampton Ocean Gate  
Atlantic Way Southampton SO14 3QN  
**Proposal:** TR0310002 – Solent Gateway 2 – EIA Scoping and Consultation  
Pre-Application by Associated British Ports (ABP) (the  
applicant) for an Order granting Development Consent for  
Solent Gateway 2 (the proposed development).

I refer to the above submission made under Regulations 10 and 11 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 which includes the submission of a Scoping Report prepared in advance of the submission of an Environmental Statement. The EIA Regulations set out that:

*“Where the proposed application for an order granting development consent is an application for EIA development, the applicant must, at the same time as publishing notice of the proposed application under section 48(1), send a copy of that notice to the consultation bodies and to any person notified to the applicant in accordance with regulation 11(1)(c).”*

I write in response to the statutory consultation correspondence dated 10<sup>th</sup> November 2025 carried out in relation to the Environmental Statement Scoping Report concerning the above development proposal. Although this proposal would not be located within Bournemouth, Christchurch or Poole, it has been classed as a Nationally Significant Infrastructure Project and would therefore require a Development Consent Order ('DCO') to be determined by the Planning Inspectorate on behalf of the Secretary of State.

This letter therefore constitutes BCP Council's response to the Scoping Report submitted by ABP (Associated British Ports) for the pre-application phase for its proposed DSO application for a Nationally Significant Infrastructure Project ('NSIP').

**BCP Highways Authority Comments:**

In response to your specific questions regarding BCP Council's status as a consultation body I can confirm we should be considered as a Category D authority and included within the scoping exercise due to anticipated impacts on our adjoining network.

It is unclear from the non-statutory consultation material as to the exact volume of HGV traffic proposed, the extent of highway network impacts arising from the construction phase, the post opening baseline traffic impact and its scale of influence across the adjoining highway network, the impact on the South West Mainline and the possible removal of paths provisionally allocated for the Dorset Metro service. Further clarity is no doubt expected in the next phase of this proposal.

Please note any future correspondence related to the Solent Gateway 2 for the Highway Authority should be addressed to [highways.consultations@bcpcouncil.gov.uk](mailto:highways.consultations@bcpcouncil.gov.uk)

Yours faithfully,

A rectangular black redaction box covering a signature.

**Senior Planning Officer**  
*Strategic Applications*

**From:** [REDACTED]  
**To:** [Solent Gateway 2](#)  
**Subject:** Application by Associated British Ports (ABP) (the applicant) for an Order granting Development Consent for Solent Gateway 2 (the proposed development)  
**Date:** 19 November 2025 10:09:47

---

You don't often get email from [REDACTED]@bracknell-forest.gov.uk. [Learn why this is important](#)

Good morning

Bracknell Forest Council have no comments to make on the ES requirements.

[REDACTED]  
Team Manager Major Sites  
Place Directorate  
Bracknell Forest Council

[REDACTED]@bracknell-forest.gov.uk  
www.bracknell-forest.gov.uk

\*\*\*\*\*  
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\*\*\*\*\*



Stephanie Newman  
Senior Environmental Advisor  
Planning Inspectorate  
Environmental Services  
Operations Group 3  
Temple Quay House  
2 The Square  
Bristol BS1 6PN

**Date:** 26 November 2025

**Officer:** [REDACTED]  
[REDACTED]  
[REDACTED]@dorsetcouncil.gov.uk

**Your Ref:** TR0310002

Dear Ms Newman

**PLANNING ACT 2008 (AS AMENDED) AND THE INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (THE EIA REGULATIONS) – REGULATIONS 10 AND 11**

**RESPONSE TO THE SCOPING CONSULTATION FOR THE APPLICATION BY ASSOCIATED BRITISH PORTS FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR SOLENT GATEWAY 2**

Thanks for consulting Dorset Council on the Environmental Impact Assessment (EIA) scoping report for the proposed works at Solent Gateway 2, in your letter dated 10<sup>th</sup> November 2025.

In response to the consultation, Dorset Council has the following comments to make on the information which should be provided in the environmental statement, which accompanies the application.

Due to the nature and scale of the proposed development, the Council considers there to be potential environmental effects on land and marine areas beyond the development area. Therefore, the Council requests that the environmental statement fully considers the following potential environmental impacts extending to land in the jurisdiction of Dorset Council and the offshore marine areas beyond:

**Coastal Processes and Geomorphology:** Consideration should be given to whether the changes to hydrodynamic and sedimentary processes at the site may have wider impacts on coastal processes, geomorphology and sediment quality elsewhere, potentially as far west as Dorset.

**Marine ecology:** The Solent and Dorset Coast Special Protection Area (SPA) extends from the Dorset Coast to the proposed development site and beyond, and provides foraging grounds for tern species which breed in the harbours, including in Christchurch Harbour SSSI and Poole Harbour SPA. The proposal may have a wider impact upon the foraging grounds provided by the SPA designation, potentially affecting tern populations in Dorset.

**Traffic and transport:** Impacts on the road network from traffic and transport using the A31 and A35 trunk roads in Dorset as a result of the proposed development. If the projected traffic and transport levels are particularly high, the resulting impacts from road traffic emissions upon

human health and ecology in Dorset should be assessed, especially in relation to the road network within and adjacent to New Forest and Dorset Heathlands European Sites.

**Socio-economic impacts:** Impacts upon businesses in Dorset, particularly those most linked with the port industry, and the associated population should be considered.

If you have any questions about the information submitted in this letter, please do not hesitate to contact me,

Yours sincerely,

A solid black rectangular box used to redact a signature.

Environmental Assessment Officer

FAO: Stephanie Newman  
Planning Inspectorate

Our ref: XA/2025/100484/01-L01  
Your ref: TR0310002

[solentgateway2@planninginspectorate.gov.uk](mailto:solentgateway2@planninginspectorate.gov.uk)

Date: 04 December 2025

Dear Stephanie

**PLANNING ACT 2008 (AS AMENDED) AND THE INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (THE EIA REGULATIONS) – REGULATIONS 10 AND 11. ENVIRONMENT AGENCY EIA SCOPING CONSULTATION RESPONSE. SOLENT GATEWAY 2.**

Thank you for your consultation on the Scoping Report, submitted under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, in support of the Application by Associated British Ports (ABP) (the Applicant) for an Order granting Development Consent for Solent Gateway 2. This consultation was received on 10 November 2025.

We have reviewed the report, referenced Solent Gateway 2 EIA Scoping Report, version 1.0, prepared by ABP, dated November 2025, and can provide the following advice in relation to matters within our remit.

In summary, we agree with the scope of some of the chapters. However:

- We do not agree with the scope of the Marine Water and Sediment chapter, as there are impacts that have been scoped out that should be scoped in
- We do not agree with the scope of the Marine Ecology chapter, as there are receptors that have not been given adequate consideration, and potential impacts that have not been identified
- We do not agree with the scope of the Terrestrial Ecology chapter, as otters have not been given sufficient consideration as a receptor
- We do not agree with the scope of the Water Resources and Flood Risk chapter, as there are potential impacts that have not been identified

Further detailed comments are provided within the following appendices:

- [Appendix A](#) – Comments on the scope of the EIA
- [Appendix B](#) – General advice on the proposals and EIA content
- [Appendix C](#) – Additional advice for the Applicant

Please note this response does not represent our final view in relation to any future Development Consent Order (DCO), or any environmental permit applications made to us. Our final views will be based on all relevant information including applications and guidance available at the time of submission.

We trust this advice is useful.

Yours sincerely,

[REDACTED]  
**Planning Specialist - National Infrastructure Team**

Direct dial [REDACTED]  
Direct e-mail [REDACTED]@environment-agency.gov.uk

## Appendix A – Comments on the scope of the EIA

### **Chapter 2: Project Description**

<b>Document Reference(s): Chapter 2, Section 2.5</b>	
<b>Issue</b>	We agree that the proposed Project is likely to have direct and indirect effects on sites designated for their ecological value and support the adoption of the principles of the mitigation hierarchy. However, this section currently focuses on creation, which relates especially to compensation. There may also be significant scope for enhancement and mitigation within or adjacent to extant designated sites. The assessment of compensation, mitigation and enhancement (CME) is a sequential process, assessment being the first step. Compensation is the last and least favourable option in the process.
<b>Impact</b>	There is a significant risk that the best environmental outcomes in terms of CME will not be identified and taken forward if the sequential process and the principles of CME are not followed. Opportunities for avoidance, enhancement and/or mitigation may be lost if the focus is mainly on compensation for loss of sites of ecological value.
<b>Solution</b>	Identify the principles and sequential process of CME and commit to following these within the Environmental Statement (ES). Additional advice for the Applicant relating to CME is provided in Appendix C.

<b>Document Reference(s): Chapter 2, Section 2.5.5</b>	
<b>Issue</b>	We agree in principle with the considerations of potential constraints within this section but would urge the Applicant, at this stage, not to discount any potential compensation sites purely on this basis given that in this location, the reality of opportunities for compensation are limited.
<b>Impact</b>	Discounting sites purely on these principles may lead to real opportunities for ecological compensation, mitigation and enhancement (CME) being discarded early in the process.
<b>Solution</b>	Consideration that although these are potential constraints, sites with one or more of these should still be considered on its merits for CME.

### **Chapter 3: Legislative & Regulatory Regime**

<b>Document Reference(s): Chapter 3, Section 3.4</b>	
<b>Issue</b>	The Environment Act 2021 is not included in the list of legislation.
<b>Impact</b>	By omitting relevant legislation, the Applicant does not demonstrate that they fully recognise wider environmental policy drivers that could influence the assessment.
<b>Solution</b>	The Environment Act 2021 should be acknowledged in the list of legislation in Chapter 3, with consideration given to its relevance for specific topics within the assessment scope.

### **Chapter 6: Marine Water and Sediment Quality**

<b>Document Reference(s): Chapter 6, Section 6.2.2</b>	
<b>Issue</b>	This section refers only to the Nitrates Directive.
<b>Impact</b>	Omitting the Nitrate Pollution Prevention Regulations 2015 risks noncompliance with UK law.

<b>Solution</b>	This Directive is also delivered in UK law through the Nitrate Pollution Prevention Regulations 2015 (the 'Nitrate Regulations') which need including here.
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<b>Document Reference(s):</b> Chapter 6, Sections 6.4.16 – 6.4.20	
<b>Issue</b>	This section only mentions the marine licensing action level and does not cover the broader Environmental Quality Standards (EQS) requirements under the Water Environment Regulations (WER).
<b>Impact</b>	By focusing solely on the licensing action level, the assessment risks overlooking wider legal compliance obligations. This could weaken confidence in the robustness of the environmental assessment and create uncertainty about meeting statutory water quality standards
<b>Solution</b>	The section should be updated to explicitly reference EQS compliance under the WER, ensuring that both licensing thresholds and wider statutory requirements are addressed consistently.

<b>Document Reference(s):</b> Chapter 6, Table 6.2	
<b>Issue</b>	Marine piling has been scoped out as a potential impact pathway for water/sediment quality during construction.
<b>Impact</b>	Potential lack of detailed assessment of marine piling impacts.
<b>Solution</b>	Marine piling should be scoped into the ES and fully assessed in the Water Framework Directive (WFD) compliance assessment.
<b>Additional narrative / explanation</b>	
Changes resulting from piling are thought to be negligible and unlikely to cause significant effects. We would prefer to see this considered fully within a WFD assessment before drawing such conclusions. Depending on the outcome of that assessment, this could be scoped out at a late stage if needed.	

<b>Document Reference(s):</b> Chapter 6, Tables 6.2 and 6.3	
<b>Issue</b>	The above tables propose that changes to levels of contaminants in water is scoped out during construction and operation. However, any mitigation measures have not yet been provided and committed to, therefore there is a risk that they will be insufficient.
<b>Impact</b>	Marine works, vessel operations and dredging could increase the risk of fuel, oil or chemical spillages, as well as sediments, which if they enter the marine water environment, could reduce the water quality.
<b>Solution</b>	Changes to levels of contaminants in water should be scoped in for both construction and operation until a Construction Environmental Management Plan (CEMP) and a marine pollution prevention plan has been produced and reviewed.
<b>Additional narrative / explanation</b>	
Clearing the Waters for All guidance requires this to be scoped in since insufficient evidence has been provided to demonstrate the capital dredge site does not contain chemicals on the EQS Directive list. In addition, in section 6.4.18, it states that some samples in the vicinity of the dredging area are above AL1.	

## Chapter 7: Marine Ecology

<b>Document Reference(s):</b> Chapter 7, Section 7.2.2	
<b>Issue</b>	The Salmon and Freshwater Fisheries Act 1975 is not included in the list of legislation referenced. This Act provides important provisions relating to the protection and management of fish species in UK waters.

<b>Impact</b>	Its omission suggests that potential impacts on fish populations from the construction and operation of the proposed Project have not been fully acknowledged within the legislative context.
<b>Solution</b>	The Salmon and Freshwater Fisheries Act 1975 must be included in the list of legislation in chapter 7 and considered in the assessment scope.

<b>Document Reference(s): Chapter 7, Section 7.3.2</b>	
<b>Issue</b>	The study area and zone of influence do not include the River Hamble as a receptor.
<b>Impact</b>	The River Hamble is an important river for sea trout as well as European eel. Both species are present within Southampton Water and may be impacted by the proposal during construction and operation.
<b>Solution</b>	The River Hamble must be included in the study area and zone of influence within the ES.

<b>Document Reference(s): Chapter 7, Section 7.3.2</b>	
<b>Issue</b>	The study area and zone influence do not include the River Meon as a receptor.
<b>Impact</b>	Impacts on the meta population within the Rivers Itchen, Test and Meon may not be fully understood.
<b>Solution</b>	The River Meon must be included in the study area and zone of influence of the ES.

<b>Additional narrative / explanation</b>
The River Itchen's salmon population is genetically unique to chalk streams and functions as part of a wider meta population with the River Test and River Meon. Consequently, all three rivers should be considered collectively, as impacts to salmon on any one of them may affect the overall meta population and the integrity of the River Itchen Special Area of Conservation (SAC). Furthermore, the River Meon is considered a compensatory SAC for the River Itchen SAC's Atlantic salmon feature.

<b>Document Reference(s): Chapter 7, Figure 7.2</b>	
<b>Issue</b>	The River Test Site of Special Scientific Interest (SSSI) is not included in this figure and is therefore not considered in the study area or zone of influence.
<b>Impact</b>	Impacts on the meta population within the Rivers Itchen, Test and Meon may not be fully understood.
<b>Solution</b>	The River Test SSSI must be included in the study area and zone of influence of the ES.

<b>Additional narrative / explanation</b>
The River Itchen's salmon population is genetically unique to chalk streams and forms a meta population with the River Test and River Meon; thus, all three rivers should be considered together whereby any impacts to salmon in any of the three rivers can be felt across the wider population and River Itchen SAC.

Atlantic salmon are also mentioned in the River Test SSSI citation and there may be direct impacts from the proposal on salmon populations in the River Test SSSI given that the scoping boundary falls within the main migratory area for the River Test.

Parts of the River Test and its tributaries are also considered as compensatory habitat for the River Itchen SAC, namely H3260 Water Courses of plain montane levels with *R. fluitantis* (Chalk stream habitat) – headwaters, and therefore provide

vitally important habitat for diadromous fish species (including Atlantic salmon) utilising Southampton Water and approaches to the River Test.

**Document Reference(s):** Chapter 7, Section 7.3; Chapter 12, Section 12.3

<b>Issue</b>	Given the size of the development and the potential for significant environmental effects, the study areas detailed in both chapters listed above are not proportionate to the potential effects on ecological features.
<b>Impact</b>	The current proposed study area has the potential to exclude key habitats, species and designated sites from being assessed from the impacts of this development.
<b>Solution</b>	<p>In addition to those already mentioned above, the Applicant should reconsider the proposed study areas and scope the following into the assessment:</p> <ul style="list-style-type: none"> <li>• Solent Maritime SAC</li> <li>• New Forest SAC</li> <li>• River Itchen SAC</li> <li>• Solent &amp; Dorset Coast Special Protection Area (SPA)</li> <li>• New Forest SPA</li> <li>• Solent &amp; Southampton Water Ramsar</li> <li>• New Forest Ramsar and associated SSSIs</li> </ul> <p>Not including these sites is inconsistent with the terrestrial ecology chapter. The zone of influence should be regularly reviewed and amended as the project evolves. If inadequate information is available to properly define the zone of influence, this should be acknowledged and a precautionary approach adopted.</p>

**Document Reference(s):** Chapter 7, Sections 7.4.11 and 7.4.14

<b>Issue</b>	Twaite shad and sea trout are not included as receptors in the scope of the ES.
<b>Impact</b>	There may be direct and indirect impacts from the proposal during construction and obstruction on these diadromous fish species that are not assessed in the ES.
<b>Solution</b>	The scope of the ES must include twaite shad and sea trout.

**Additional narrative / explanation**

Twaite shad is an Annex II species of the Habitats Directive. There are records of twaite shad being caught in Environment Agency TraC surveys in 2018 from Calshot. Sea trout are a NERC Act S41 priority species of which have populations in all rivers that flow into Southampton Water and the Solent, including the River Test.

**Document Reference(s):** Chapter 7, Table 7.4 (Fish – Changes to fish populations and habitat)

<b>Issue</b>	Impacts on diadromous fish from the physical jetty structure and berthed vessels are not scoped into the ES.
<b>Impact</b>	The presence of the structure, vessels alongside and change in channel bathymetry could hinder fish movement and at worse block migration or move fish away from their natal river.
<b>Solution</b>	The impact of the structure as an obstruction to diadromous fish completing lifecycle migrations (both immigration and emigration) must be scoped into the ES.
<b>Additional narrative / explanation</b>	

The structure significantly protrudes out into the channel. Figure 2.1 would suggest the jetty structure will protrude approximately 500m into the channel, which would leave approximately <500m channel free obstruction and essentially half the channel width available for fish.

## Chapter 12: Terrestrial Ecology

<b>Document Reference(s):</b> Chapter 12, Section 12.4.55	
<b>Issue</b>	Evidence of otter has been identified within the scoping boundary as recently as 2025. However, otter have only been considered as a receptor within the River Itchen SAC in Tables 12.3 and 12.4, not as a species present in the wider environment, and have not been scoped into the ES.
<b>Impact</b>	There is a risk to otter on site, within the scoping boundary, as well as off-site in the wider environment, from both construction and operation of the proposed Project. Omitting to scope otter into the ES has the potential to lead to impacts on this species. Otters within the wider environment are at risk of habitat fragmentation, mortality and injury during construction and operation.
<b>Solution</b>	Given evidence of otter on site has been identified, this species should be scoped into the ES for construction and operation. The Applicant should adopt the precautionary approach.

## Chapter 18: Water Resources and Flood Risk

<b>Document Reference(s):</b> Chapter 18, Table 18.2	
<b>Issue</b>	The project description within section 2.3.19 includes the installation of a new underground cable to connect the proposed Project to a substation but the method of installation (i.e. trenched techniques or trenchless methods, like horizontal directional drilling (HDD)) is unclear.
<b>Impact</b>	HDD, or other trenchless installation methods, could impact the water quality of the water environment if not sufficiently managed.
<b>Solution</b>	Clarify the method of cable installation and scope into the EIA as a potential impact. If HDD is an option, the Applicant should also ensure there is a commitment that a bentonite breakout management plan will be produced.

<b>Document Reference(s):</b> Chapter 18, Tables 18.2 and 18.3	
<b>Issue</b>	These tables on the potential impacts during construction and operation do not include any accidental spillages, foul water drainage or changes to drainage discharges.
<b>Impact</b>	During construction there are many activities which could result in fuels, oils or chemical spillages. Although these activities are less frequent during operation, any maintenance on site means that there is still a risk of accidental spills. During both phases there will also be welfare facilities producing foul water, and there could also be changes to freshwater and drainage discharges. Without suitable mitigation in place these may negatively impact water quality.
<b>Solution</b>	These impacts should be scoped in for both construction and operation phase. Any CEMP, Operational Environmental Management Plan, and drainage strategies will need to be produced and reviewed.
<b>Additional narrative / explanation:</b>	
Tables 6.3 and 6.4 suggest that the potential changes to water quality associated with changes to freshwater and drainage discharges, associated with landside	

construction works and operational maintenance works would be covered in section 18, but these do not appear to be scoped in tables 18.2 and 18.3.

## Appendix B – General advice on the proposals and EIA content

### **Chapter 2: Project Description**

<b>Document Reference(s): Chapter 2, Section 2.3.12 - 2.3.13</b>	
<b>Issue</b>	The use of trailing hopper suction dredging and impacts on European eel.
<b>Impact</b>	<p>The Eel (England and Wales) Regulations 2009 apply where any diversion structure capable of abstracting at least 20m<sup>3</sup> of water through any one point in any 24-hour period must be screened appropriately or exempted. Based on this criterion, the Eel Regulations may apply to trailing suction hopper dredging. This method poses a high risk to European eel due to the following:</p> <ul style="list-style-type: none"> <li>• Eels may be present within the sediment being removed, and that is where the intake is situated.</li> <li>• Fish exclusion screening or intake velocity control are not generally practical options.</li> <li>• The pumps through which sediment (and potentially eel) are conveyed may not be designed to be less damaging (i.e., “fish-friendly”).</li> <li>• The sediment (and potentially eel) may be pumped to a location which is unsafe for eel or unsuitable for eel to complete their lifecycle.</li> <li>• Some suction heads e.g., cutter-suction and “Truksaw” are equipped with mechanical moving parts to break up the sediment. These could increase the risk of direct damage to eel.</li> </ul>
<b>Solution</b>	A less impactful method such as backhoe dredging should be considered. If this is not possible then we would be required to undertake a primary assessment as to whether the Eel Regulations apply, which could lead to an exemption based on appropriate mitigation or alternate measures such as compensation.

### **Chapter 5: Coastal Processes and Geomorphology**

<b>Document Reference(s): Chapter 5, Table 5.3</b>	
<b>Issue</b>	The scoping report does not explicitly mention scour or the measurement of shear strength and stress.
<b>Impact</b>	Effects such as erosion, ship and propeller wash, and changes in tidal flows caused by the Project may be overlooked.
<b>Solution</b>	Although changes to geometry and morphology have been considered the report should explicitly state the intention to study scour effects, including those linked to vessel activity and tidal flow changes, to ensure these risks are properly assessed and managed.

### **Chapter 6: Marine Water & Sediment**

<b>Document Reference(s): Chapter 6, Table 6.1</b>
----------------------------------------------------

<b>Issue</b>	Key data source 'Southampton Maintenance Dredge Protocol Update, Baseline Document, ABPmer Report No. R.4792. A report produced by ABPmer for ABP Southampton, May 2025' is out of date.
<b>Impact</b>	Out of date information used to inform assessment.
<b>Solution</b>	Refer to updated document 'Southampton Maintenance Dredge Protocol Update, Baseline Document, ABPmer Report No. R.4792. A report produced by ABPmer for ABP Southampton, November 2025'. The updated version contains relevant information such as 2025 sediment data and should be used for subsequent assessments and reporting.

<b>Document Reference(s):</b> Chapter 6, Section 6.4.15	
<b>Issue</b>	It is stated that water quality monitoring (turbidity and dissolved oxygen levels) was undertaken between 2009-2013. This is over ten years ago.
<b>Impact</b>	This historic data may not represent current water quality in 2025. Water quality improvements in the last 12 years are not captured as part of the baseline, so deterioration or impact of the Project may be inaccurately calculated.
<b>Solution</b>	Confirm that this is the most recent data or if further monitoring is expected to occur prior to DCO submission.

## Chapter 7: Marine Ecology

<b>Document Reference(s):</b> Chapter 7, Sections 7.1 and 7.8.4	
<b>Issue</b>	The historical data period used to establish the baseline is too short to be considered adequate.
<b>Impact</b>	The last five years of Environment Agency (EA) survey data may not accurately represent the baseline, as some diadromous species such as twaite shad are less frequently observed in Southampton Water.
<b>Solution</b>	The desk study should include records from the last 10 years' worth of survey data. Furthermore, in addition to the Fawley Power Station fish monitoring data, there is also long-term fish monitoring data for Marchwood Power Station, the Applicant should approach Marchwood Power Limited to request this data.

<b>Document Reference(s):</b> 7.4.15 Protected Species	
<b>Issue</b>	Seagrass should also be listed within this section. There have been recent projects within Southampton Water and its estuaries to restore seagrass meadows which were once common and widespread.
<b>Impact</b>	Not including seagrass meadows will risk the impacts of the development on this habitat not being fully assessed.
<b>Solution</b>	The applicant should consider and amend accordingly. These seagrass restoration projects will not currently be displayed on the MAGIC website. Please refer to the Solent Seascape Project for further information.

<b>Document Reference(s):</b> Chapter 7, Section 7.5	
<b>Issue</b>	This section states that there is unlikely to be any significant short-term changes in baseline conditions and potential longer-term changes will be linked to climate change effects. Projects such as the Solent Seascape Project, Project White Hart and the River Itchen Salmon Delivery Plan as well as others may lead to significant changes in the baseline and have not been considered.

	Eg. Atlantic salmon numbers in the rivers Test, Itchen and Meon are not specifically considered in the future baseline.
<b>Impact</b>	The impact of not considering these projects and plans may lead to incorrect assumptions on the likelihood of significant changes in both the short-term and longer-term baseline conditions within Southampton Water. Eg. Atlantic salmon numbers may change over the short and long term and unless this is considered, the proposed Project may have chronic impacts that could hinder natural population changes.
<b>Solution</b>	Consider the short-term and long-term impacts of such projects and plans on baseline conditions in the ES and specifically the long-term projections of Atlantic salmon.
<b>Additional narrative / explanation</b>	
Data collected by the EA shows Atlantic salmon populations are in serious decline and at risk of functional extinction. The past 35 years of monitoring has shown that salmon populations on the Itchen and Test have rarely reached their Conservation Limit (i.e. the probability of decline becomes increasingly likely). In 2022 only 133 fish (20% of the conservation limit) were recorded returning to the River Itchen, the lowest number in 35 years. And on the Test, it was the fourth lowest year, with 506 returning fish (50% of the conservation limit). The poor numbers have continued where in 2024 returning salmon numbers on the Test and Itchen were the third lowest on record, making both the Test and Itchen populations 'at risk' (annual stock assessment undertaken on all principal salmon rivers across England and Wales).	

<b>Document Reference(s):</b> Chapter 7, Sections 7.7.2	
<b>Issue</b>	The proposed biosecurity plan
<b>Impact</b>	Omission to include future horizon species will result in the risk from invasive non-native species (INNS) not being fully assessed.
<b>Solution</b>	We support the inclusion of a biosecurity plan to manage potential risks of the proposed Project introducing INNS as they pose a significant risk from the operation phase of this development. However, it should identify both current and future horizon species (those not currently present but likely to be in the future) that pose a risk.

<b>Document Reference(s):</b> Chapter 7, Sections 7.8.10 - 7.8.13	
<b>Issue</b>	<i>Popper et al.</i> , 2014, does not publish injury or behavioural thresholds for Atlantic salmon
<b>Impact</b>	This is a limitation and leads to uncertainty.
<b>Solution</b>	The assessment must account for this uncertainty and apply a precautionary approach and assess the worst case, for example, add buffers to predicted sound levels, consider noise propagation to be least attenuated, consider behavioural disruption as significant.

## Chapter 11: Ground Conditions and Contamination

<b>Document Reference(s):</b> Chapter 11	
<b>Issue</b>	Chapter 19, sections 19.4.22 – 19.4.23 and Figure 19.5, refer to oil and gas infrastructure being present locally, including an Esso oil pipeline that runs under the scoping boundary. This has not been referenced in Chapter 11 as a potential source of contamination.
<b>Impact</b>	Risks to controlled waters from existing/redundant oil and gas infrastructure may not be adequately assessed.
<b>Solution</b>	Ensure all sources of potential contamination are included in future assessment.

<b>Document Reference(s): Chapter 11</b>	
<b>Issue</b>	Presence of PFAS/PFOS contamination from fire station not referenced.
<b>Impact</b>	Risks to controlled waters from the fire station may not be adequately assessed and future remediation proposals may be affected if not considered holistically.
<b>Solution</b>	Include the information from Marchwood Military Port redevelopment within future assessments.
<b>Additional narrative / explanation</b>	
<p>We are aware that the Marchwood Military Port site benefits from a planning permission for the development of land for additional development to support the proposed use of the land for port and port related uses. As part of the enabling works, a ground investigation was carried out in the Marchwood Military Port and PFOS and PFAS contamination, associated with the fire station, has been identified at concentrations in excess of relevant water quality standards.</p> <p>We welcome discussion with the Applicant on the approach to dealing with the legacy of PFAS contamination to ensure a holistic approach to remediation is achieved.</p>	

<b>Document Reference(s): Chapter 11, Figure 11.1</b>	
<b>Issue</b>	The colours used on Figure 11.1 Bedrock Geology do not match the legend.
<b>Impact</b>	This makes it difficult to ascertain which bedrock units are being presented in the map.
<b>Solution</b>	Please ensure future figures and legends are consistent and clear.

<b>Document Reference(s): Chapter 11, Section 11.3.13 &amp; Table 11.3</b>	
<b>Issue</b>	The Dibden Bay Reclamation Site, a historic landfill, underlies much of the development site. This is a large area of potential contamination that could be disturbed during the construction of the site. Table 11.3 states that construction activities, particularly piling, could mobilise contaminants, and have been scoped in for further assessment. Current plans indicate that the access road and installation of a new underground cable to connect the proposed Project to a substation may interact with the historic landfill.
<b>Impact</b>	Construction on, or excavation within, a historic landfill could cause impacts to controlled waters.
<b>Solution</b>	Provide assurance that all construction activities, not limited to just foundation works, that may mobilise contamination will be appropriately assessed in future assessments.

<b>Document Reference(s): Chapter 11, Section 11.8</b>	
<b>Issue</b>	Environment Agency Land Contamination Risk Management Guidance (LCRM) not mentioned.
<b>Impact</b>	This gap creates uncertainty over compliance with national standards, weakens confidence in the assessment's robustness, risks incomplete identification of contamination hazards, and may lead to ineffective remediation.
<b>Solution</b>	Chapter 11 Section 11.7.2 refers to the need to complete any required remediation in line with EA LCRM. However, the subsequent section (11.8), concerning the approach to the assessment of risks (Preliminary Risk Assessment and Ground Investigation), does not mention this

guidance. We expect all phases of land contamination risk assessment and remediation to be completed in line with our LCRM guidance. Please also refer to the EA's approach to groundwater protection: [Groundwater protection - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/organisations/environment-agency/policies/groundwater-protection); [The Environment Agency's approach to groundwater protection \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/standard/guidance/groundwater-protection) in future assessment to ensure sufficient mitigation of pollution is incorporated into the design.

## Chapter 12: Terrestrial Ecology

<b>Document Reference(s):</b> Chapter 12	
<b>Issue</b>	The freshwater aspects of the scoping report are briefly mentioned within Chapter 12, Terrestrial Ecology. We recommend a standalone section is provided within the Scoping Report for Freshwater Ecology to consider impacts to freshwater habitats and species.
<b>Impact</b>	Taking this approach to the ES allows the applicant to ensure they clearly and fully assess the impacts of the project on the freshwater environment.
<b>Solution</b>	Consider adopting this approach.

## Chapter 18: Water Resources and Flood Risk

<b>Document Reference(s):</b> Chapter 18, Section 18.7.2	
<b>Issue</b>	Production of a foul drainage strategy during all stages of construction and operation is being 'considered'.
<b>Impact</b>	If foul water is not managed it increases the risk of deteriorating water quality, which has implications for both public health and ecology.
<b>Solution</b>	The Applicant should provide a detailed foul water drainage strategy for both construction and operation.

### **Additional narrative / explanation:**

Consider if the sewage can first be discharged to public sewer. The Applicant should consult with the local water company to ensure that adequate sewer capacity is available, and no adverse effects will occur because of the connection. If this is not a viable option, then this should be explained.

If treatment and discharge at the site is required, the Applicant should consider any potential impacts of this discharge and confirm that a water discharge activity permit will be sought. We recommend that sufficient time is considered to apply for a permit and we encourage early discussion with the Environment Agency. If road transport to an offsite disposal facility is required, then there should be regard for this within the waste management procedures. Further information can be found here: [Discharges to surface water and groundwater: environmental permits - GOV.UK](https://www.gov.uk/government/organisations/environment-agency/policies/discharges-to-surface-water-and-groundwater-environmental-permits)

<b>Document Reference(s):</b> Chapter 18	
<b>Issue</b>	It is suggested in Chapter 4 that the characterisation of the existing environment will be undertaken to determine the baseline conditions in the study area, but it is unclear if this includes water quality monitoring.
<b>Impact</b>	If a monitoring plan is not suitably designed then it may not be able to detect relevant trends, if any, on water quality during the construction and operation phases.
<b>Solution</b>	The Applicant should provide a commitment that monitoring plans will be included in the Environmental Management Plans.
<b>Additional narrative / explanation</b>	

A monitoring plan should provide details of frequency, quantity, location and method of monitoring. These locations should include monitoring upstream and downstream of any proposed surface water outfalls and water crossings. Methods may include in-situ handheld devices or samples sent off to laboratories. Monitoring should start at prior to construction so that the water quality baseline is sufficiently ascertained, and monitoring should continue through construction and into the early stages of operation.

We note that section 18.8.4 suggests that further monitoring of surface water quality may happen, dependent on the outcomes of the desk-based assessment. Any additional information on what data gaps or thresholds need to be met before further monitoring is committed to is welcomed.

<b>Document Reference(s):</b> Chapter 18, Section 18.4.4	
<b>Issue</b>	It is suggested that hydrological monitoring was undertaken between January 1997 and April 1998.
<b>Impact</b>	This historic data may not represent current water quality in 2025. Water quality improvements in the last 27 years are not captured as part of the baseline; therefore, deterioration or impact of the Project may be inaccurately calculated.
<b>Solution</b>	Confirm if further monitoring is expected to occur prior to DCO submission or explain why this data from 1998 is believed to still be relevant.

<b>Document Reference(s):</b> Chapter 18 Table 18.3	
<b>Issue</b>	The proposed scheme includes a vehicle processing centre which may be sited on an open paved area but this is not listed as a potential impact.
<b>Impact</b>	Contaminated drainage could impact the groundwater beneath the site.
<b>Solution</b>	Consideration should be given to how groundwater will be protected from contamination arising from the vehicle processing centre and other potentially polluting activities. Drainage may include swales, ponds and pollution interceptors in other parts of the site, but at this stage it is not clear how drainage will be managed at the vehicle processing centre.

## Appendix C – Additional advice for the Applicant

### **Compensation, Mitigation & Enhancement**

Timing of CME is a key principle; any CME must be in place and fully functioning before harm occurs. Equally any CME opportunities need to be functionally viable and properly funded in the long term.

Another key principle for CME is the requirement for long term management of CME sites, especially important on smaller sites. Long term management will need be effective and demonstrate long term value. Functionally linked land should be a priority within these principles.

We support the principle of landscape scale compensation outlined in the report and endorse the aim to extend and/or enhance existing relevant designated sites and link areas of semi-natural habitats which are currently fragmented.

Under section 2.5.4 (bullet point 3), the Applicant should consider that habitat creation may also be used to improve flood protection, not just maintain current levels of protection.

We agree in principle for priority to be given to land of currently low ecological value (section 2.5.4). However, in this location, the reality of opportunities on such land is slim.

In terms of distance of any proposed habitat creation site from the proposed development, the principle is to compensate close to where harm is occurring. If going further afield with compensation, the agreed approach is to go bigger, in terms of ratio of loss to gains.

In regard to discounting sites, we note that the intention is not to rule out any particular location at this stage and we support this approach. For example, the Darkwater currently has a road disconnecting the river from the shoreline and the road bridge is known to be in a deteriorating condition. Conversations with the local Highways department may identify potential opportunities in this location.

### **Water Quality**

#### Construction Activities

Section 2.3.1 suggests there will be concrete and asphalt batching plants and section 2.3.21 states there will be vehicle wash bays. We expect to see clear details in an outline CEMP and a construction drainage strategy detailing how these activities will be mitigated to ensure there is no impact on water quality.

#### Dredging

Section 2.3.12 states that the ES will assess the potential impact of the dredging plant which would generate the worst-case impact on water quality with regards to capital dredging. We request that the assessment includes an explanation of how any dredged material would be collated and transported, prior to disposal. If there is any evidence to explain the expected movement post-disposal of dredged material at sea at the Nab Tower disposal site, this would be welcomed.

## Sustainable Drainage Systems

Section 2.3.25 states various features including swales and ponds may be used, and section 18.7.2 states Sustainable Drainage Systems (SuDS) will be incorporated to ensure that there is no increase in the surface water flood risk. The Applicant should refer to the CIRIA SuDS Manual for useful information on how to use appropriate drainage systems and provide water treatment to runoff.

## WFD Assessment

Section 6.8.6 confirms a WFD compliance assessment will be completed. Please refer to the following guidance: [Nationally Significant Infrastructure Projects: Advice on the Water Framework Directive - GOV.UK](https://www.gov.uk/government/publications/nationally-significant-infrastructure-projects-advice-on-the-water-framework-directive).

This should be a standalone document, negating the need to refer to multiple documents for relevant information. For example, for marine water & sediment quality, the WFD Assessment should detail dredging and disposal locations and methodologies, likely volumes of sediment disturbed, sediment contamination data, sediment plume information etc, in addition to the impact assessment itself. The WFD Assessment should include contemporary sediment data, including the sediment data that will be collected in support of the marine licence application for the marine works. Sediment data should be fully assessed using appropriate methods to demonstrate numerical compliance, where possible, with WFD chemical standards (EQS). This is likely to require dilution calculations. For failing chemicals such as benzo(ghi)perylene in Southampton Water, the assessment should demonstrate that the waterbody will not 'fail worse' as a result of the marine works / dredging.

## **Flood Risk Assessment**

We support the intention to submit a site-specific flood risk assessment (FRA) in support of the ES as stated in Section 18.8.6. The Applicant will need to consider the implications of climate change on fluvial and tidal flood risk, in accordance with climate change allowances available at: [Flood risk assessments: climate change allowances - GOV.UK](https://www.gov.uk/government/publications/flood-risk-assessments-climate-change-allowances). Please note that the credible maximum scenario in the context of climate change will also need to be given consideration.

## **Modelling**

### Flood Risk Modelling

The EA have just completed new modelling for the North Dibden Stream and Southampton Water, although the Flood Maps for Planning have not yet been updated to include these new models.

Please note that EA models are not designed to assess third-party developments. Therefore, it should not be assumed that EA modelling is suitable for assessing the flood risk associated with the proposed development. It is the Applicant's responsibility to assess the suitability of a model for use within the FRA. It should also be noted that if a catchment size is less than 3km<sup>2</sup>, then the flood risk may not be represented by the Flood Map for Planning, so there may exist an evidence-gap.

We recommend that you request the new North Dibden Stream and Southampton Water models and conduct your own review as to whether it is suitable for informing the FRA, particularly whether it is at a scale suitable for the assessment being undertaken

and whether it captures the detail required for a site-specific flood risk assessment. You should ensure any modelling used is fit for purpose, in line with the guidance on using modelling for Flood Risk Assessments available at: [Using modelling for flood risk assessments - GOV.UK](https://www.gov.uk/guidance/using-modelling-for-flood-risk-assessments).

### Submission of Modelling Reviews

Any modelling undertaken for flood risk or water quality should be submitted to us for review. This should be submitted to us at the earliest opportunity to ensure that the Applicant has a sound evidence base on which to undertake their assessments. It is unclear how many marine models are proposed and for what purpose, so we would welcome early discussions on this.

### **Flood Management Assets**

The FRA, or a separate assessment, should include full details of all flood defences and associated assets within the study area. This should include their current condition, crest levels and standard of protection. The assessment should also demonstrate that:

- Access, clearances and sufficient land will be retained to enable asset maintenance, repair, operation, and replacement, as necessary
- Their standard of protection is not reduced
- Their condition or structural integrity is not reduced

We would also like to highlight that you will need to:

- Survey the pre-works and post-works condition of the assets that you will be interacting with and remediate any defects identified
- Monitor vibrations and identify safe levels which don't adversely affect assets

### **Flood Risk Activity Permits**

The Environmental Permitting (England and Wales) Regulations (EPR) 2016 require a permit to be obtained for any activities which take place:

- On or within 8 metres of a main river (16 metres if tidal)
- On or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- On or within 16 metres of a sea defence
- Involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- In a floodplain more than 8 metres from the riverbank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549.

It should not be assumed that a permit will automatically be forthcoming once a DCO has been approved, and we advise you to consult us at the earliest opportunity.

### **Disapplication of EPR**

We recommend that you inform the Environment Agency at the earliest opportunity as to whether you are seeking to disapply the Environmental Permitting Regulations (England and Wales) 2016 as part of the DCO. Please note that the DCO will need to

include protective provisions for our benefit if the disapplication of EPR is sought. We highly recommend that you engage with us on any potential disapplication request as soon as possible and during the pre-application stage.

**From:** [REDACTED]  
**To:** [Solent Gateway 2](#)  
**Subject:** TR0310002 – Solent Gateway 2 – EIA Scoping and Consultation  
**Date:** 05 December 2025 14:25:57  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)  
[image008.png](#)  
[image009.png](#)

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Good afternoon,

Thank you for the consultation response request.

Fareham Borough Council have no comments to make regarding the EIA Scoping Report and defers to the appropriate statutory consultees.

Kind regards

[REDACTED]

[REDACTED]  
Team Leader (Development Management)  
Fareham Borough Council



---

**From:** Solent Gateway 2 <[solentgateway2@planninginspectorate.gov.uk](mailto:solentgateway2@planninginspectorate.gov.uk)>

**Sent:** 10 November 2025 15:29

**To:** Solent Gateway 2 <[solentgateway2@planninginspectorate.gov.uk](mailto:solentgateway2@planninginspectorate.gov.uk)>

**Subject:** TR0310002 – Solent Gateway 2 – EIA Scoping and Consultation

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Dear Sir/ Madam

Please see attached correspondence on the proposed Solent Gateway 2.

The Applicant for the Proposed Development intends to make an application for Development Consent under the Planning Act 2008. The Applicant has sought a

Scoping Opinion from the Planning Inspectorate, on behalf of the Secretary of State, as to the scope and level of detail of the information to be provided within the Environmental Statement that will accompany its future application.

The Planning Inspectorate has identified you as a consultation body to inform the Scoping Opinion and is therefore inviting you to submit comments by **8 December 2025**. The deadline is a statutory requirement that cannot be extended.

Further information is included within the attached letter.

Kind regards,

Georgia Pathy



Planning  
Inspectorate

**Georgia Pathy** [REDACTED]  
Environmental Advisor  
Planning Inspectorate  
[www.gov.uk/pins](http://www.gov.uk/pins)

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18<sup>th</sup> November 2025

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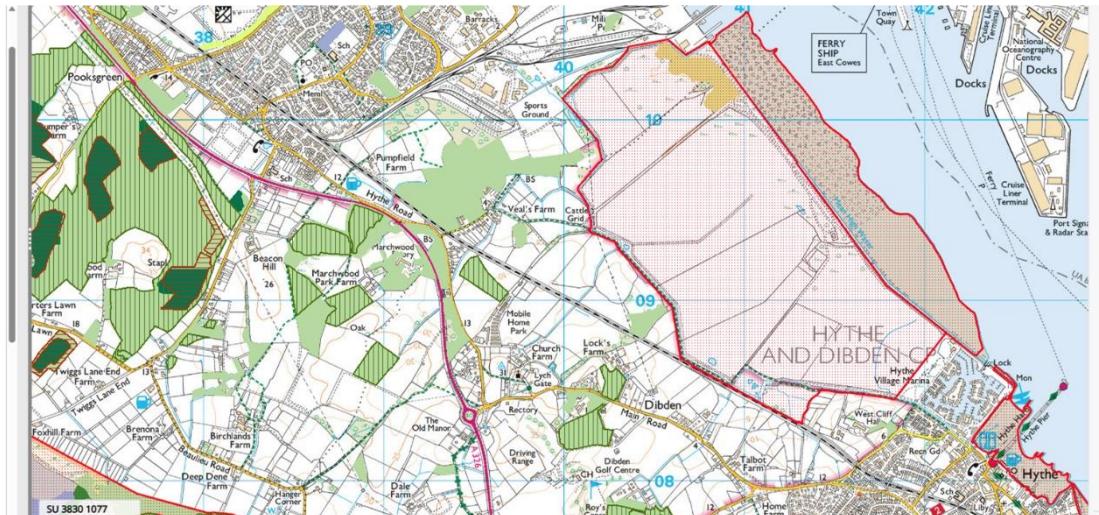
Dear Sirs

### **Solent Gateway**

Thank you for seeking the Forestry Commission's advice in relation to the 'scope' of an Environmental Statement to support an application for consent for this development. You will appreciate our advice will focus on those aspects impacting trees and woodland or where trees and woodland could deliver a positive value associated with any development.

It would be very helpful to have a clear understanding of the area of land in scope so a map based on a clear 1:25,000 Ordnance Survey map backdrop showing a 'red line' for the area 'in scope' would be extremely helpful. For now, we will assume the area is:

- Ancient Woodlands
- Woodland Status
- Ancient & Semi-Natural Woodland
- Ancient Replanted Woodland
- Ancient Wood Pasture
- Sites of Special Scientific Interest
- England NFI Map (2022)
- IFT\_JOA
- Assumed woodland
- Broadleaved
- Cloud or shadow
- Conifer
- Coppice
- Coppice with standards
- Felled
- Ground prep
- Low density
- Mixed mainly broadleaved
- Mixed mainly conifer
- Shrub
- Young trees
- Failed
- Windblow
- Uncertain



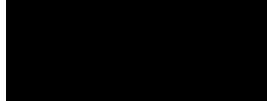
The key aspects for consideration would appear to include:

1. Ancient woodland is irreplaceable so loss or negative impacts should be avoided
  - opportunities to buffer, connect and/or support positive management would be very valuable;

2. Existing trees and woodland deliver a multitude of benefits for the environment and society so they should also be protected and added to if at all possible;
3. New trees and woodland can be established in locations and in designs which complement developments for instance by providing screening and/or 'green corridors' to facilitate routes for low carbon commuting;
4. In the immediate area and wider environment trees and woodland could provide a very positive part of any mitigation/compensation package for instance by enhancing multifunctional green infrastructure for local people and reducing recreational pressure on internationally rare habitats;
5. Carefully located and managed trees and woodland can also help reduce the ingress of nutrients and silts into ecologically valuable coastal waters;
6. Wood and woody products are a carbon lean resource, usually more so if sourced locally, and might be considered in parts of any development; and
7. We would support an approach where Defra arms length bodies including Natural England and the Environment Agency, along with the New Forest National Park Authority worked closely to provide collective advice.

I hope these observations prove helpful but please let me know if clarification would help. I must point out that the Forestry Commission is a relatively small organisation and we would struggle to attend frequent discussions covering the range of issues which will be pertinent in a development like this. However, we will be very happy to support discussions considering where trees and woodland are impacted or can help.

Yours faithfully



Partnerships & Expertise Manager

**From:** [Planning](#)  
**To:** [Solent Gateway 2](#)  
**Subject:** RE: TR0310002 – Silent Gateway 2 – EIA Scoping and Consultation  
**Date:** 12 November 2025 16:17:59  
**Attachments:** [image002.png](#)  
[image001.png](#)

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Dear Sir/Madam

Thank you for your consultation.

Please accept this email as confirmation that this Council do not wish to make any comments in regard to this this matter.

Regards,

**Development Management**  
**Planning and Regeneration**  
**Gosport Borough Council**  
Town Hall, High Street, Gosport, Hampshire PO12 1EB  
☎ 023 9254 5462 ✉ [planning@gosport.gov.uk](mailto:planning@gosport.gov.uk)



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**From:** Solent Gateway 2 <[solentgateway2@planninginspectorate.gov.uk](mailto:solentgateway2@planninginspectorate.gov.uk)>  
**Sent:** 10 November 2025 15:29  
**To:** Solent Gateway 2 <[solentgateway2@planninginspectorate.gov.uk](mailto:solentgateway2@planninginspectorate.gov.uk)>  
**Subject:** TR0310002 – Solent Gateway 2 – EIA Scoping and Consultation

Dear Sir/ Madam

Please see attached correspondence on the proposed Solent Gateway 2.

The Applicant for the Proposed Development intends to make an application for Development Consent under the Planning Act 2008. The Applicant has sought a Scoping Opinion from the Planning Inspectorate, on behalf of the Secretary of State, as to the scope and level of detail of the information to be provided within the Environmental Statement that will accompany its future application.

The Planning Inspectorate has identified you as a consultation body to inform the Scoping Opinion and is therefore inviting you to submit comments by **8 December 2025**. The deadline is a statutory requirement that cannot be extended.

Further information is included within the attached letter.

Kind regards,

Georgia Pathy

**Georgia Pathy** 



Planning  
Inspectorate

Environmental Advisor  
Planning Inspectorate  
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Enquiries to

[REDACTED]

My reference

SG2/EIAScoping

Direct Line

[REDACTED]

Your reference

TR0310002

Date

8 December 2025

E-mail

[REDACTED]@hants.gov.uk

## BY EMAIL ONLY

Dear Sir

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (The EIA Regulations) – Regulations 10 and 11**

**Application by Associated British Ports (ABP) (the applicant) for an Order granting Development Consent for Solent Gateway 2 (the proposed development)**

**Scoping consultation and notification of the applicant's contact details and duty to make available information to the applicant if requested.**

I refer to your letter dated 10 November 2025 which outlines that the Planning Inspectorate has received a Scoping Report from Associated British Ports (ABP) with regard to its proposal for the development of a new port facility between Marchwood and Hythe in the New Forest, Hampshire. This proposal is known as Solent Gateway 2. The key components of the proposed Project are summarised in Table 1.1 within the Scoping Report. Figure 2.1 with the Scoping Report shows the location and layout of the proposed Project, including indicative access.

Paragraph 2.1.4 within the report notes that off-site locations, yet to be identified, will be brought forward in association with habitat compensation, mitigation and enhancement proposals.

Whilst Hampshire County Council has submitted this response separately, it is working closely with the other potential host authorities of the New Forest District

Council and the New Forest National Park Authority. Through the appointment of a joint lead officer, the councils are fully engaged in working with ABP during the pre-application stage of the Solent Gateway 2 project. Meetings have already taken place and will continue over the coming months. In that context, it is expected that those meetings will pick up the points made in this letter.

The proposed Project includes land that is dissected by the administrative boundary separating the New Forest District Council and the New Forest National Park Authority. The Scoping Report does not recognise this administrative boundary (i.e. land within and outside the National Park Authority boundary), or differentiate between the two areas, when outlining any proposal or impacts.

The Scoping Report identifies 23 topics areas to be covered in the scoping exercise. This response is provided by the County Council in its capacity as the local highway authority, local minerals and waste planning authority, Lead Local Flood Authority, and as the Public Health Authority.

## **Need and Alternatives**

Section 1.3 outlines that the Environmental Statement will include an explanation of the need of the proposed Project. As the entirety of the site is safeguarded under Policy 34 of the Hampshire Minerals & Waste Plan (2013) and the emerging updated Plan, the County Council as Minerals & Waste Planning Authority would expect the policy safeguarding (for a wharf) to be included as part of the need case, due to the limited opportunities for a deep water wharf in the south east of the country.

## **Chapter 3: National Legislation and Policy**

As a general point, it is noted that the Scoping Report references the current National Policy Statement (NPS) for Ports (2012). If a revised NPS for ports is published over coming months, ABP will no doubt wish to adjust that position and reflect on any changes to its guidance in relation to the topic areas.

Further relevant policy in the National Planning Policy Framework (NPPF) is mentioned in the Scoping Report (3.2.20). The NPPF (2024) includes a shift towards requiring development to be supported by a vision-led transport statement or transport assessment so that the likely impacts of the proposal can be assessed and monitored. This 'new' approach to transport planning is based on setting place-based outcomes for a development based on providing the transport solutions to deliver those outcomes (as opposed to predicting future demand to provide capacity).

Reference to the Hampshire Minerals & Waste Plan (adopted 2013) is included in Section 3.3 'Local Policy' with specific reference to Policy 34 (Safeguarding potential minerals and waste wharf and rail depot infrastructure). However, as identified in Section 11, due to the presence of safeguarded minerals within the proposal footprint, Policy 15 (Safeguarding – mineral resources) is also relevant to the development. Section 3.3.10 needs to recognise that the Hampshire Minerals &

Waste Plan is currently being updated and is at an advanced stage (currently at Examination).

Para. 3.2.13 outlines relevant NPPF policies but does not reference Para. 223(e) “safeguard existing, planned and potential sites for: the bulk transport, handling and processing of minerals; the manufacture of concrete and concrete products; and the handling, processing and distribution of substitute, recycled and secondary aggregate material;” which forms the basis of Policy 34 in the Hampshire Minerals & Waste Plan.

All of the land within the Scoping Boundary is within ‘land located to the north west of Hythe identified in the Port of Southampton Master Plan’. This land is covered and safeguarded under Policy 34 (i) of the Hampshire Minerals & Waste Plan (2013) and the emerging updated Plan. The County Council as Minerals & Waste Planning Authority would expect that the proposed Project includes a site as an aggregate wharf as per the safeguarding policy and the Scoping Report (including Figure 2.1) does not detail this policy or land as part of the baseline.

## **Chapter 5: Coastal processes and geomorphology**

The description of the existing environment refers to sediments but requires more detail relevant to the proposed Project, including how they may contribute to the construction phase of the development. Information about the sediment geology is available from British Geological Survey (BGS) datasets.

Para. 5.4.17 describes the dredging material to contain Holocene sands and the Pleistocene gravels. Holocene sands are known to be slightly more clayey further up the estuary and so may not be of great quality for use on site, although this should be determined at the time dredging. The deposits closer to Fawley are higher quality. Holocene sands are widely used in construction, even lower quality material is often used as fill or for land reclamation. The Pleistocene gravels are found in significant quantity in the Southampton area and extend into the New Forest. They are set out in terraces (generally around 1.5m to 2.5m then again at 5m to 6.5m below sea level), much like River Terrace Deposits, and so may not be encountered (this depends on the depth of the dredging). Records in the area, such as at Lepe, suggest the gravels are likely to be heavily mixed with organic material and may even be constrained by peat deposits. Any material that is not constrained will be high quality aggregate, suitable for use in construction. If suitable, on-site use of these minerals as a beneficial use (as suggested by Para. 2.3.15) would be supported, particularly if it reduced the need for importation of land-won primary sand and gravel for construction purposes.

## **Chapter 11: Ground conditions and contamination**

The references the Hampshire Minerals & Waste Plan (2013) in Para. 11.1.5 do not reference the emerging update to the Plan.

The site has an area of River Terrace Deposits (approximately 39 Ha, not including safeguarding buffer) within the red line boundary (Scoping Boundary) with potential

for mineral extraction. Para. 11.3.8 address mineral resources and correctly identifies that the Project site is situated with Mineral & Waste Consultation Areas and the Mineral Safeguarding Areas. Table 11.3 recognises that potential sterilisation could occur during onshore construction and is therefore, correctly scoped in. Table 11.4 identifies no potential impact of the proposed landside operations and therefore, is correctly scoped out. However the impact pathway should be corrected to refer to onshore operations and not construction activities as this is included in table 11.3.

## **Chapter 13: Traffic and Transport**

Chapter 13 of the scoping report considers the proposed scope of assessment of effects on transport receptors resulting from the project. The scoping report confirms the assessment will be undertaken to meet the requirements of National Policy Statement for Ports (NPSfP) which acknowledges that the impact from increased traffic would potentially, unless mitigating measures are taken, be likely to result in an increase in congestion. The NPSfP acknowledges there are also environmental impacts of road transport as compared with rail and water transport in terms of noise and emissions which are to be considered via the EIA.

In addition to the NPSfP, the scoping report will be undertaken in consideration of National Planning Policy Framework and the following local policies;

- New Forest District Council Local Plan 2016-2036
- Hampshire County Council Local Transport Plan 4

Whilst The Waterside Transport Strategy 2017 is included as a data source this should be included as local policy criteria (13.2.3), as since the final Strategy was adopted in November 2022 reference to the correct policy document is required.

The data sources in Table 13.1 are acceptable but should be expanded to include the New Forest Waterside Local Cycling and Walking Infrastructure Plan (LCWIP) 2022. New access will be along Hythe Road, which is a section of primary LCWIP network. Proposals include Veals Lane, which is a section of the secondary LCWIP network.

The scoping report confirms the A326 as the principal route to serve the Waterside area, providing a key link to Southampton City, via A35 and also to the Strategic Road Network (SRN) to the north via the M27 and onwards to M3 and A34. In the vicinity of the site the A326 is a single carriageway route, with elements of dual carriageway further north towards the M27. The scoping report confirms the A326 currently carries approximately 32,130 vehicles per day including approximately 10% HGV movements. Baseline traffic surveys have been undertaken during June and September 2025 which include ATC surveys on local roads and MCC surveys (turning counts) at junctions. Figure 13.1 within the scoping report- link 16 is mislabelled A236.

The scope of survey assessment includes all links and junctions between the proposed project boundary and M27 junctions 2 and 3 along with A35/A3024 route into Southampton city. Information regarding potential trip generation, distribution

and assignment is yet to be provided however the scope of the study area appears appropriate for this stage of assessment.

It should also be noted that any increase in rail freight movements generated by the proposal will have potential impacts on the operation of the level crossings along the Fawley branch line. The Fawley branch line routes within the scoping boundary. This line does not serve a passenger rail service but is utilised for freight movements to Marchwood military port. Scope to utilise rail to facilitate a proportion of freight movements is to be assessed via the transport assessment but it should be noted this will potentially result in additional impacts where the line crosses local roads which have level crossings including those at Jacobs Gutter Lane, Trotts Lane and Tavells Lane. It will be necessary to test the impact on any additional demand at level crossings upon the local road network for the purposes of highway operation and safety.

For completeness, it is worth noting that there have historically been investigations into the potential use of returning passenger services to this Fawley branch line and local policy to protect that function.

Paragraph 13.4.11 refers to the A326 improvement scheme that is being developed by Hampshire County Council. The scheme is referred to as addressing existing traffic congestion and to provide additional vehicular capacity to accommodate future growth associated with planned development sites on the Waterside. It should be noted that the scheme is also aimed at reducing severance of the A326, improved crossing opportunities and redistribution of traffic away from less suitable routes.

A planning application for the A326 improvement scheme is anticipated in 2026. It is therefore not considered a committed scheme for the purposes of the future year assessment (future baseline) as it is not yet the subject of planning approval. It is therefore necessary to test the impacts of the proposed development both with and without the A326 improvement scheme. The future baseline section of the Scoping Report (13.5.3) indicates the A326 improvement scheme will form the future baseline scenario, but this does not enable assessment of a potential scenario where the A326 improvement scheme planning application is not approved.

As identified in the Scoping Report, Hythe passenger ferry is currently out of operation and consideration of impacts arising from the project should therefore take account of conditions both with and without an operational ferry service. Local bus services include Bluestar services 8 and 9 which operate between Southampton and Calshot and Langly Farm, with stops closest from to the project located on Main Road. Accessibility of the site by public transport will need to be considered via the Transport Assessment, however potential impacts upon bus services during both construction and operation should also be given due consideration.

Impacts on existing Public Rights of Way (PRoW) will also need to be considered to ensure the PRoW network is protected and enhanced. This will include PRoW within the proposed site boundary, including routes 126/1/2 and those in the local vicinity.

Wider impacts on King Charles III England Coastal Path will also require specific consideration, noting this currently encompasses the Hythe ferry route.

Further information will be required for assessment of the proposed country park. This should consider potential visitor numbers, accessibility and associated on site facilities and car parking arrangements, should this form an element of the proposals. Consideration as to how the country park will be maintained, including access for maintenance vehicles will also be required.

In terms of wider connectivity, the proposed Project may present opportunities to better connect Marchwood to Hythe. Figure 1.2 shows potential combined cycleway/ footpath and footpaths and the information is not clear how this would be assessed for impact on leisure activity, and /or general accessibility for non-car modes (more direct and safe utility route through), and the wider positive impacts on the National Park (for instance mitigating vehicle impacts on both health and sensitive habitats within and around the National Park).

TEMPro is to be utilised to account for background growth. Consideration as to how 'committed' traffic associated with Marchwood Port (application ref: 21/11156) which is a partially implemented adjacent consent will need to be provided as some of the associated trips will likely be superseded by the proposed project.

The scoping report considers the potential for significant environmental effects of traffic, assessed against the criteria set out in IEMA guidelines for the Environmental Assessment of Road Traffic which will apply the following guidelines for assessment;

- Highway links where traffic flows would increase by more than 30% (or the number of HGVs would increase by more than 30%).
- Any other specifically sensitive areas where traffic flows have increased by 10% or more.

Against the above criteria, the following potential impacts have been identified for both the construction and operational phases of the proposals and are to be scoped within the EIA:

- Severance.
- Pedestrian / Cycle Amenity
- Highway Safety
- Driver Delay

Specific receptors are subsequently identified against each of the above impact pathways for construction and operational phases of the proposals. The receptors listed are agreed as appropriate along with the supporting justification. However, bus passengers should also be scoped into the construction phase of the project as a receptor as it cannot yet be demonstrated whether passengers will be impacted by the construction of the project, in particular the proposed access road which will likely impact on existing service routing. This should therefore be included within the assessment criteria.

The EIA will establish the need for mitigation measures to reduce the significance of transport receptor impacts. The scoping report confirms that a Traffic Management Plan will be provided which will stipulate haulage routes for HGV's delivering materials and plant by road. The Transport Assessment should include consideration of construction traffic and the proposed project will also require provision of a Framework Construction Traffic Management Plan for review.

Consideration of using marine transport for the purposes of construction material is also to be considered which would reduce the quantum of HGV movements associated with the construction phase. Notwithstanding these measures, it may also be necessary to introduce temporary physical measures to accommodate construction activity such as temporary traffic regulation orders or physical works.

The scoping report confirms the proposed access route into the development will need to cross the Fawley branch line, and the means to do so have not yet been designed. The impact of whether the railway crossing is provided via a bridge or level crossing will have different impacts which will require further consideration as part of the EIA. Impacts arising from construction and delivery of the access route itself should also be considered and included within the scoping assessment and included within the Framework Construction Traffic Management Plan.

For the operational phase the scoping report assumes that mitigation measures can be achieved via improvements to the existing road and rail links to the proposed project, although this is yet to be confirmed via the Transport Assessment and so is yet to be determined by the Highway Authority.

A Staff Travel Plan will also be required to support the application and the Highway Authority would support a review of a draft Staff Travel Plan at the pre-application stage.

The Highway Authority are currently in direct pre-application discussions with the applicant in relation to scoping various elements of the Transport Assessment. The Public Health Authority will continue to liaise with the Highway Authority as details emerge of transport implications, to understand effects on human health.

Abbreviations and acronyms in the Scoping Report related to transport can be updated to reflect the LTP4 glossary (February 2024), including Local Cycling and Walking Infrastructure Plans (LCWIPs).

## **Chapter 14: Noise & vibration**

The location and function of the new site access, and potential implications for noise & vibrations for users of walking and cycling routes should be scoped in.

The scoping report (Table 14.2) does not include Twiggs Lane Pre-School in the list of 'Nearby noise sensitive receptor', despite new access proposal likely falling within zone of influence.

## **Chapter 15: Air Quality**

The section on relevant national policy & legislation (15.2), does not reference the NPPF and its air quality expectations.

The section on relevant local policy does not reference the NFDC Air Quality Strategy or Hampshire County Council Health & Wellbeing Strategy & Local Transport Plan (LTP4). LTP4 in particular includes policies on air quality, transport emissions & new development

The Public Health Authority have reviewed the section 15.5 on future baseline. The scoping report refers to assumptions that future air quality in the UK is expected to continue to improve through the implementation of measures such as low emission zones, investment in cycling and walking infrastructure and new policy aimed at tackling poor air quality at a local level (i.e. the establishment of CAZs or alternative measures and the uptake of newer, lower emitting vehicles). The scoping report requires more detail about how this assumption, and the assumptions about traffic growth factors in chapter 13, are justified and evidenced.

The scoping report also refers to reasonable assumptions related to reductions in ambient air pollutant concentrations in and around the proposed Project location. Determining reasonableness will depend on which forecast is being used. More detail regarding what information underpins this assumption is requested.

Future legislated air quality objectives for PM2.5 should be included for reference and compliance (2028 & 2040 respectively).

The location and function of the new site access, and potential implications for air quality e.g. for users of walking and cycling routes (or any other sensitive receptors) should be scoped in.

## **Chapter 18: Water Resources and Flood Risk**

The County Council is the Lead Local Flood Authority (LLFA) and has reviewed the scoping report in relation to the LLFA's various roles including as consultee for surface water drainage and consenting body for works in relation to ordinary watercourses. Fluvial or coastal matters are not covered by the LLFA's duties except in relation to the interaction with surface water drainage.

The scoping report identifies some watercourses but there are likely to be others which are not mapped, and omissions should be checked for. Site specific investigation and survey would be required to identify these watercourse features within and adjacent to the scoping boundary and ensure suitable provision is made for their retention. If any changes are proposed in relation to watercourses, discussions should be held with the LLFA at an early stage.

Reference is made to potential alterations to watercourses to make a more natural setting as opposed to engineered channels. This is supported in principle however will be subject to details at a later stage to ensure appropriate performance.

The scoping report includes areas of flood risk within the site identified by the Flood Map for Surface Water. These should be retained and development avoided in these locations using a sequential approach to the site layout. Areas of low risk should be considered through exceedance flow routes to ensure suitable management, and no development should be undertaken in areas of high or medium flood risk where there is potential to displace water storage / flow route areas unless supported by modelling or further assessment to clarify the risk.

Due to the size of the proposed works and operation, a full Flood Risk Assessment with a surface water drainage strategy would be expected. Further information is available at

<https://www.hants.gov.uk/landplanningandenvironment/environment/flooding/planning> including full guidance on what is required to be included in the scope of impact assessment (including surface water checklist related to existing site information and drainage strategy):

- Topographical Survey
- Existing Drainage
- Discharge Rates and Volumes
- Existing Overland Flow Paths
- Site Investigations

## **Chapter 21: Human Health**

The Public Health Authority has reviewed the scoping report and recommends a broad approach to assessing health using clear frameworks set out in the IEMA guidance: [iema-eia-guide-to-determining-significance-for-human-health-nov-2022.pdf](https://www.gov.uk/government/publications/iema-eia-guide-to-determining-significance-for-human-health-nov-2022)

Hampshire Public Health recommend that a detailed and proportionate Health Impact Assessment (HIA) should form part of the NSIP application. The proposal to undertake a comprehensive Health Impact Assessment (21.8.1) fully integrated into the EIA process to meet requirements of the EIA Regulations is supported; ideally as a stand-alone Health Impact Assessment.

With relatively large, significant infrastructure projects, making health impacts clear and self-contained not only provides ease of reference, but also transparency which can help re-assure local communities. Going further, an iterative approach to engagement could support local participation.

The approach to profiling local population health & inequalities, and the list of health data sources including the Hampshire JSNA (Table 21.1) is comprehensive. The scoping report does not reference the Hampshire Joint Health & Wellbeing strategy 2025-2035 under relevant policy. The acronym JSNA should be added to the abbreviations (chapter 28).

The proposed Project seeks to create a new public open green space. Whilst new green space is welcomed in principle, the abundance of easily accessible (green) space in close proximity must be quantified/ qualified to understand the effects of new space. Looking at the site, there may be an opportunity to increase access to

the waterfront (blue space). Given the relative dominance of port operations across the Solent waterfront, this would provide a more unique variety of destination in the immediate local context.

The scoping report does not specify the information that will be used to assess whether the open space will provide a suitable alternative to the New Forest National Park, and does not consider the related impacts on the transport network and air pollution of any new associated car parking.

In assessing the receptors (local residents, site workers) via the biophysical environment impact pathways (radiation) the report states this is not in EIA scope as operational activities are 'not considered likely to affect actual or perceived exposure to electromagnetic and ionising radiation risks, due to the nature of the proposed Project and the equipment and construction processes that will be used.' However, the report also mentions SOTONSAFE, a plan related to consequences of an accident involving a nuclear-powered vessel within the Port of Southampton. The proposed development site falls within the SOTONSAFE 5km Outline Planning Zone and will increase and create new potential exposure by introducing new receptors as part of new activity. This would include any new publicly accessible land.

### **Chapter 19: Infrastructure and other users that may be affected**

This chapter does not reference that the proposed Project is within the Minerals & Waste Consultation Area for two existing safeguarded areas. The site lies within the Land northwest of Hythe, Marchwood Military Port, and Southampton Eastern Docks safeguarded areas (Policy 34). Within the safeguarded area (Policy 34) there is a need for a parcel of land to host an aggregate wharf and this infrastructure need is recognised regionally, if not nationally. The County Council can provide data on aggregate supply and demand in the south east.

Table 19.5 recognises that dredging associated with construction could impact existing dredging operations and this is correctly scoped in.

### **Chapter 26: Waste**

Chapter 26 correctly references the Hampshire Minerals & Waste Plan and Table 26.1 correctly scopes in changes to available landfill capacity.

### **Nature recovery**

The County Council is the Defra appointed Responsible Authority for the preparation of the Local Nature Recovery Strategy (LNRS). The LNRS is required by law, and the County Council has published the final version (2025) at [www.hants.gov.uk/landplanningandenvironment/nature-recovery-hampshire/hampshire-strategy](http://www.hants.gov.uk/landplanningandenvironment/nature-recovery-hampshire/hampshire-strategy). The LNRS includes spatial information about nature and environmental improvement, including priorities for nature recovery in Hampshire. It is an evidence base that may be a 'material consideration' in the planning system and therefore for the DCO examining body. Further, as the

Responsible Authority, the County Council should contribute to the LNRS delivery by highlighting to private sector partners the role they can play in nature recovery.

Chapters 7 (marine), 8 (coastal ornithology) and 12 (terrestrial ecology) of the Scoping Report consultation should all include reference to the published Hampshire Local Nature Recovery Strategy (LNRS) as a data source. The LNRS should be included in the list of acronyms for completeness.

### **Chapter 27: Potential cumulative effects**

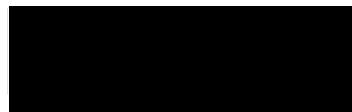
Guidance on the plans and projects to be considered in the CEA includes projects under construction, permitted, etc. within the zone of influence. In the County Council's experience, applicants tend to rely on third party sources of data about the land supply pipeline of planned development. The County Council itself has a robust dataset of all planned and pipeline developments where this relates to residential and commercial floorspace planning permissions. The land supply monitoring dataset can be provided in GIS shapefiles and is updated annually, including collecting primary data on site build-out progress. This data can be provided to ABP as an alternative to acquiring third party data or other desk-based analysis.

The County Council trusts that the Planning Inspectorate will take the above comments into account when adopting its scoping opinion.

Whilst collating the above comments it has become apparent that there are comments that would be beneficial to the presentation of the overall scheme, but which may not necessarily fall under the category of scoping responses. Accordingly, the Council does intend to work with the New Forest District Council and the New Forest National Park Authority and send these observations separately to ABP outside this formal scoping consultation response over coming weeks.

A copy of any comments passed onto ABP will be forwarded to the Planning Inspectorate for information.

Yours faithfully

A large black rectangular redaction box covering a signature.

Head of Spatial Planning  
Hampshire County Council

cc. [REDACTED], Joint Lead Officer (New Forest District Council)

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Email: [solentgateway2@planninginspectorate.gov.uk](mailto:solentgateway2@planninginspectorate.gov.uk)

Dear Ms G Pathy

Date: 01 December 2025

**PROPOSED SOLENT GATEWAY 2 (the project)**

**PROPOSAL BY ASSOCIATED BRITISH PORTS (ABP) (the applicant)**

**INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (as amended) REGULATIONS 10 and 11**

Thank you for your letter of 10 November 2025 regarding the information to be provided in an environmental statement relating to the above project. HSE does not comment on EIA Scoping Reports but the following information is likely to be useful to the applicant.

**HSE's land use planning advice**

Will the proposed development fall within any of HSE's consultation distances?

According to HSE's records, the proposed Solent Gateway 2 project (*Solent Gateway 2, EIA Scoping Report, Figure 2.1, Location and Layout of the Proposed Project, Drawing Number: S6585-MDEC-ZZ-ZZ-DG-EC-010001, Planning Inspectorate Scheme Ref. TR0310002, November 2025*) does not fall within the Consultation Zones of any major hazard sites or major accident hazard pipelines.

Based on the information in *the EIA Scoping Report (November 2025)*, it is unlikely that HSE would advise against the development. Please note that the advice is based on HSE's existing policy for providing land-use planning advice and the information which has been provided. HSE's advice in response to a subsequent planning application may differ should HSE's policy or the scope of the development change by the time the Development Consent Order application is submitted.

Would Hazardous Substances Consent be needed?

It is not clear whether the applicant has considered the hazard classification of any chemicals that are proposed to be present at the development. Hazard classification is relevant to the potential for accidents. For example, hazardous substances planning consent is required to store or use any of the Categories of Substances or Named Hazardous Substances set out in Schedule 1 of The Planning (Hazardous Substances) Regulations 2015 as amended, if those hazardous substances will be present on, over or under the land at or above the controlled quantities. There is an addition rule in the Schedule for below-threshold substances.

If hazardous substances planning consent is required, please consult HSE on the application.

## Consideration of risk assessments

Regulation 5(4) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 requires the assessment of significant effects to include, where relevant, the expected significant effects arising from the proposed development's vulnerability to major accidents. HSE's role on NSIPs is summarised in the following Advice Note 11 Annex on the Planning Inspectorate's website - [Annex G – The Health and Safety Executive](#). This document includes consideration of risk assessments on page 3.

With regards to the Scoping Opinion and Scoping Document, we have no other comments to make.

## **Explosives sites**

The proposed development falls within all safeguarding zones of the explosive licenced site. The application is from Associated British Ports who own Solent Gateway Limited (licence owner). As the development is on their explosive site HSE has no comment to make.

## **Electrical Safety**

No comment from a planning perspective.

At this time, please send any further communication on this project directly to the HSE's designated e-mail account for NSIP applications at [nsip.applications@hse.gov.uk](mailto:nsip.applications@hse.gov.uk) . We are currently unable to accept hard copies, as our offices have limited access.

Yours sincerely

[REDACTED]  
[REDACTED]  
[REDACTED]  
CEMHD4 NSIP Consultation Team

Georgia Pathy  
Planning Inspectorate  
Sent via email.

Our ref: PL00800411  
Your ref: TR0310002

Date: 5<sup>th</sup> December 2025

Dear Ms Pathy

**re: Solent Gateway 2 Scoping Report**

Thank you for your letter of the 10<sup>th</sup> November 2025 consulting us about the above EIA Scoping Report. This development could, potentially, have an impact on designated heritage assets<sup>1</sup> through development from within their settings.

We also advise that the development will also impact on undesignated archaeological remains, including those below High Water. As Historic England is the Government's statutory adviser on all matters relating to the historic environment in England we have a remit in this area. We provide our advice in recognition of the identified English marine plan areas (inshore and offshore) as provided through the Marine and Coastal Access Act 2009.

In line with the advice in the National Planning Policy Framework (NPPF), we would expect the Environmental Statement to contain a thorough assessment of the likely effects which the proposed development might have upon those elements which contribute to the significance of these assets.

We advise that the Scoping Report has both successfully scoped in the necessary heritage assets and identified where impacts to heritage may arise. We would however recommend that potential direct and indirect impacts to known and unknown heritage assets from ecological compensation or Biodiversity Net Gain (BNG) should also be considered within the Environmental Statement.

We would expect the Environmental Statement to clearly articulate and demonstrate that the extent of the proposed study area is of the appropriate size to ensure that all heritage assets likely to be affected by this development have been included so that they can be properly assessed.

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<sup>1</sup> A Designated Heritage Asset is defined in the National Planning Policy Framework as 'A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation'.

Given the scale of the proposed development and the surrounding landscape character, the development is likely to be visible across a very large area. As a result, the proposals could have a significant impact on the significance and setting of heritage assets at some distance from this site itself. Therefore, it is our advice that the final study area should be reflective of the Zone of Theoretical Visibility (ZTV).

The assessment should also take account of the potential impact which associated activities (such as construction, servicing and maintenance, and associated traffic) might have upon perceptions, understanding and appreciation of the heritage assets in the area.

Finally, we strongly recommend that you involve both the Archaeological and Conservation Officer for New Forest District Council in the development of this assessment. They are best placed to advise on;

- Local historic environment issues and priorities.
- How the proposal can be tailored to avoid and minimise potential adverse impacts on the historic environment.
- The nature and design of any required mitigation measures.
- Opportunities for securing wider benefits for the future conservation and management of heritage assets.

We would recommend that this project would benefit from ongoing engagement from Historic England as the Environment Statement is progressed. If you have any queries about any of the above, or would like to discuss anything further, please contact me.

*Yours sincerely,*

[Redacted]

[Redacted]

**Assistant Inspector of Ancient Monuments**

[@HistoricEngland.org.uk](mailto:@HistoricEngland.org.uk)

**Hythe & Dibden Parish Council**

**Response to the Planning Inspectorate's EIA Scoping Consultation**

**Project: Solent Gateway 2 (TR0310002)**

**Submission Date: Agreed date 26 November: 27 November submission by email to  
solentgateway2@planninginspectorate.gov.uk**

**Timeline:**

Working Group Meeting -	18 November
Council Meeting -	26 November
PI Deadline -	8 December

**1. Executive Summary**

This document provides an overview of Associated British Ports' (ABP) Solent Gateway 2 Environmental Impact Assessment (EIA) Scoping Report (November 2025), which forms part of the Nationally Significant Infrastructure Project (NSIP) process under the Planning Act 2008.

The Planning Inspectorate (PI) has invited Hythe & Dibden Parish Council to provide comments on the scope and level of detail of information that should be included in the Environmental Statement (ES).

The Scoping Report (approximately 700 pages) outlines ABP's proposed approach to environmental assessment. The Parish Council's input will help ensure that all relevant issues are properly assessed, including potential effects on designated habitats, local communities, and infrastructure.

Key findings from the Scoping Report review include:

1. Lack of detail on "reasonable alternatives" – no explanation of other potential port sites or configurations.
2. Compensation and mitigation sites for habitat loss have not been identified.
3. Reliance on the outdated 2012 National Policy Statement for Ports (NPSfP).
4. Multiple designated sites (SSSI, SPA, Ramsar) are within or adjacent to the project area, with expert analysis (Hampshire & Isle of Wight Wildlife Trust) indicating that more than 100 hectares of Dibden Bay SSSI would be directly infringed by the proposals.
5. Freeport operations may provide limited UK economic benefit if primarily used for transit trade.
6. Traffic and cumulative effects (A326, Fawley, Freeport schemes) need fuller assessment.
7. The Scoping Report misinterprets the Hythe & Dibden Neighbourhood Development Plan, presenting restrictive policies (BZ1–BZ3) as supportive of port expansion.

The Parish Council has had little time to respond to ABP's EIA Scoping Report, which runs to almost 700 pages. As the proposed development would affect designated wildlife sites of national and international significance,

it would seem to us more appropriate for the scope of the environmental impact assessment to be determined by an independent body rather than by ABP.

### **1.1 Position of Hythe & Dibden Parish Council (Clarification at Scoping Stage)**

Hythe & Dibden Parish Council wishes to make clear that participation in this EIA Scoping consultation does not imply support for the Solent Gateway 2 proposal. The Council has significant concerns about the principle of development on this environmentally designated site and notes that the Applicant has not demonstrated:

- a national need for the scheme,
- the absence of reasonable alternative locations, or
- any imperative reasons of overriding public interest (IROPI).

These tests must be satisfied before any development on this site could be considered in accordance with the Habitats Regulations.

The Council's comments in this document are therefore made without prejudice to its position on the acceptability of the proposal. The comments reflect only what would be required if the Applicant intends to proceed to an Environmental Statement, and should not be interpreted as supporting, endorsing, or accepting the scheme in principle.

## **2.0 Main Issues and Analysis**

The Scoping Report sets out which environmental topics will be assessed ("scoped in") or excluded ("scoped out"). Several key issues appear inadequately addressed or deferred to later stages.

The Parish Council highlights the following areas requiring greater scope and detail:

### **Alternatives:**

The report provides minimal analysis of alternative sites or approaches, contrary to the requirements of the Habitats Regulations. This was decisive in the 2004 Dibden Bay refusal.

### **Habitats and Ecology:**

The site lies within and adjacent to nationally and internationally designated habitats (SSSI, SPA, Ramsar). Indicative plans and expert evidence (Hampshire & Isle of Wight Wildlife Trust) show that the proposals would encroach on more than 100 hectares of Dibden Bay SSSI, one of the richest sites around the Solent for nationally rare and scarce invertebrates and breeding lapwing. Detailed ecological and ornithological studies must be required, alongside a clear and quantified assessment of direct and indirect habitat loss.

### **Compensation and Enhancement:**

No specific compensation locations or mechanisms are identified; these should be established before scoping approval.

### **Traffic and Transport:**

Potential cumulative traffic effects with Fawley refinery, Fawley Waterside and A326 upgrades must be fully assessed.

**Air Quality and Noise:**

Potential impacts on Hythe, Dibden, and surrounding settlements must be quantified.

**Socio-economics and Freeport:**

The report assumes broad economic benefit without addressing Freeport customs implications or limited UK tax return.

**Cumulative Effects:**

Interactions with other Solent Freeport infrastructure and local industrial projects must be included in cumulative assessments.

## **2.1 Misinterpretation of the Hythe & Dibden Neighbourhood Development Plan**

The Scoping Report contains a material error in its interpretation of the Hythe & Dibden Neighbourhood Development Plan (NDP). At Section 3.3.18, the Report selectively quotes Policy BZ1 to suggest that the NDP:

“seeks to ensure that the operational boundaries of the port include sufficient land to meet reasonably anticipated future needs”.

This removes the essential qualifying text that any such boundaries must remain:

“...commensurate with the very significant existing environmental constraints, in order to minimise future pressure for boundary extensions.”

The intent of Policies BZ1–BZ3 is therefore restrictive, not supportive.

The NDP acknowledges operational pressures specifically so that port activity remains within its existing defined limits, and to prevent any expansion into the environmentally designated land at Dibden Bay (SSSI, SPA, Ramsar, and associated habitats).

The Scoping Report’s policy baseline is therefore inaccurate. The Parish Council considers that the baseline review must be corrected to reflect the true position of the adopted Neighbourhood Plan, which does not support the development of Solent Gateway 2.

## **2.2 Transparency, Consultation Quality and ABP’s Stewardship of Designated Land**

**Non-statutory consultation transparency**

The Parish Council is concerned that ABP’s non-statutory consultation did not make clear to the public the scale, extent and certainty of adverse impacts on nationally and internationally designated habitats.

The consultation brochure referred only briefly to “potential environmental impacts” and placed significant emphasis on claimed environmental “enhancements”. There was no clear and unambiguous acknowledgement that the project would directly affect SSSI, SPA and Ramsar land, including the loss of over 100 hectares of Dibden Bay SSSI as identified by the Hampshire & Isle of Wight Wildlife Trust.

This lack of transparency is relevant to the current Scoping Report consultation.

The Planning Inspectorate and the public must be able to rely on the Applicant’s openness and accuracy when describing environmental effects. The Parish Council therefore questions whether the non-statutory consultation met the expected standard of honesty and clarity about designated site impacts.

## **Stewardship of Dibden Bay SSSI and Natural England's assessment**

The Parish Council also notes that ABP has owned the land comprising the Dibden Bay Site of Special Scientific Interest (SSSI) since its designation more than 20 years ago. Natural England's Designated Sites View records a "high" risk from overgrazing livestock, categorised as an "active" pressure, c. Natural England's latest assessment of the condition of the site, dated 24/5/2021, is that the overwhelming majority (225 hectares out of a total of 230 hectares) is in an "unfavourable" condition.

Given the length of ABP's ownership and the persistence of these pressures, it is important that the Environmental Statement sets out a clear explanation of how the site has been managed during this period, what actions were taken to address the pressures reported by Natural England, and whether any deterioration of the designated features could have been avoided.

This raises important questions:

- Has ABP permitted or enabled overgrazing on the SSSI?
- What steps, if any, have been taken to remove or reduce this risk and protect the designated features?
- Has deterioration of the SSSI contributed to making future compensation or biodiversity net gain obligations cheaper or easier for ABP to meet should SG2 be consented?

Given that developers must demonstrate that environmental harm will be fully compensated and that no alternatives exist, the Council considers that ABP's long-term stewardship of designated land is a material issue that should be explicitly assessed in the Environmental Statement. The current degraded condition of much of the SSSI makes this assessment particularly important, both to establish an accurate environmental baseline and to ensure that any loss or deterioration of designated habitats over time has not inadvertently reduced the scale or cost of the Applicant's future compensation responsibilities.

## **2.2A Functional Linkage and the Status of Ramsar Sites**

The Parish Council is aware of the recent Supreme Court judgment in *C.G. Fry & Son Ltd v Secretary of State* (October 2025), clarified that, as a matter of law, Ramsar sites are protected principally through national planning policy (e.g. the NPPF) rather than as 'European sites' under the Habitats Regulations themselves.

However, in the case of Dibden Bay and the wider Solent, the Ramsar site and the Solent & Southampton Water SPA are ecologically inseparable. As highlighted by the Hampshire & Isle of Wight Wildlife Trust, the intertidal habitats at Dibden Bay and along the Solent support internationally important assemblages of wintering waterfowl and waders, including Dark-bellied Brent Geese – a qualifying feature of the SPA.

The same bird populations regularly use both the Ramsar-designated intertidal areas and the SPA-designated areas as a single functional ecological unit, moving freely between them for feeding and roosting. In EIA and Habitats Regulations terms, this means that:

- impacts on the Ramsar land at Dibden Bay are also impacts on functionally linked land supporting SPA qualifying features; and

- any direct loss, disturbance or degradation of Ramsar habitat must be treated as an effect on the SPA population as a whole.

Accordingly, any significant impact on the Ramsar site triggers the strict statutory requirement for an Appropriate Assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, via functional linkage to the SPA.

The Applicant cannot rely on the *C.G. Fry* distinction to treat the Dibden Bay Ramsar land as a lower-tier, “policy only” constraint. In this location, the presence and regular use of the site by SPA-qualifying bird populations give rise to full Habitats Regulations protection through functional linkage, and the Environmental Statement must clearly acknowledge and assess this.

### **2.3 Relationship Between Solent Gateway 2 and the A326 (North) Waterside Improvements**

The Parish Council notes that Solent Gateway 2 (SG2) and the A326 (North) Waterside Improvements scheme are formally being treated as separate projects by Hampshire County Council and ABP. However, the proposal for a new A326 junction immediately south of the Pilgrim Inn is clearly and materially linked to SG2.

This new junction would function as the principal road access to the proposed port development. The Scoping Report does not acknowledge this relationship, nor does it assess the environmental effects that would arise from the junction’s construction or operation. The Parish Council considers this a significant omission.

Under the EIA Regulations, a project cannot be artificially separated in a way that prevents a full assessment of its combined environmental impacts. The access junction and SG2 are operationally interdependent, and the traffic, transport and environmental effects of creating that junction must therefore be included within the Environmental Statement.

The Council therefore requests that the Environmental Statement explicitly assesses:

- the traffic flows generated by SG2 using the new junction;
- the environmental impacts arising from its construction (including land-take, noise, lighting and construction disruption);
- cumulative effects with the wider A326 corridor improvements; and
- the implications of the junction for the New Forest National Park boundary and designated habitats.

Failure to assess these linked impacts would render the EIA incomplete and risk non-compliance with established case law on project-splitting.

Under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, an Applicant must not artificially divide a single project into separate components if doing so would prevent a full and proper assessment of its environmental impacts. Case law is clear that where two elements are functionally, geographically, and operationally interdependent, they must be assessed as one project for EIA purposes (including *Commission v Spain C-227/01*; *Ecologistas en Acción C-142/07*; and domestic authority such as *Larkfleet Ltd v South Kesteven DC [2015]*). As the proposed A326 access junction would serve as the primary gateway for all SG2 road traffic, it is not a separate or unrelated scheme. It is an operational prerequisite of the port development. The Environmental Statement must therefore include the junction and

associated A326 modifications within the assessed development envelope. Failure to do so would constitute unlawful project-splitting and risk the EIA being deemed incomplete or legally deficient.

The Parish Council is also concerned that the Scoping Report appears to artificially separate the Solent Gateway 2 project from the A326 (North) Waterside Improvements scheme, despite clear operational interdependence. The Scoping Report contains no reference to the new A326 access junction proposed south of the Pilgrim Inn, even though this junction would function as the primary road access to the port. By treating the junction as an external, unrelated scheme, the Applicant has excluded from the EIA the construction impacts, land-take, lighting, drainage, severance effects, National Park boundary implications and the operational traffic effects arising from vehicles accessing SG2. The Council therefore requests that the Planning Inspectorate explicitly require the Environmental Statement to assess the A326 access junction as an integral and inseparable element of the SG2 proposal.

Given the evidence of long-term coordination between HCC and ABP, and the extent to which the A326 North Waterside Improvements scheme has already incorporated SG2 trip forecasts, environmental survey data and design constraints, the Parish Council considers that it is not only the Pilgrim Inn junction that must be assessed as part of the SG2 Environmental Statement, but the entire A326 North scheme.

The A326 North project involves significant environmental effects in its own right, including woodland removal, lighting impacts affecting rare bat species, hydrological changes, land-take adjacent to the New Forest National Park, and increased severance. These impacts become indirect environmental effects of SG2 where the scheme is designed, aligned or justified in a way that accommodates port expansion.

Under Regulation 10 of the EIA Regulations and case law on unlawful project-splitting, where a highway scheme is functionally necessary for a NSIP to operate, the whole of that highway scheme must be considered “in combination” with the NSIP, not just the individual access connection.

The Parish Council therefore requests that the Planning Inspectorate require the Environmental Statement to assess:

- the entire A326 North Waterside Improvements scheme,
- all habitat, woodland, lighting, hydrological and species impacts, and
- all cumulative and in-combination effects alongside SG2.

Failure to do so would result in an incomplete and legally non-compliant Environmental Statement.

### **2.3A Requirement to Include the Entire A326 (North) Scheme in the Environmental Assessment**

In addition to the new Pilgrim Inn junction, the Parish Council considers that the Environmental Statement must assess the impacts of the entire A326 (North) Waterside Improvements scheme, not merely the junction that will serve as the primary access point for SG2.

The A326 (North) scheme includes:

- major widening of the A326 dual carriageway
- removal of woodland and semi-natural habitat
- new lighting columns

- new pedestrian and cycling severance structures
- changes to drainage, watercourses and hydrology
- landscape and visual impacts along the National Park boundary

These are not peripheral highway upgrades but significant land-take and construction works with the potential to:

- increase traffic capacity to serve SG2
- alter bat commuting routes and other protected species corridors
- increase night-time lighting and noise spill
- intensify total vehicular flow into and out of the Dibden Bay area
- facilitate long-term port expansion by removing currently constraining highway bottlenecks

**FOI evidence (Appendix D) shows that:**

1. A326 capacity modelling has explicitly incorporated SG2 trip generation data since at least 2020.
2. ABP and HCC have repeatedly described the A326 scheme and SG2 as “closely aligned”.
3. Consultants working for HCC stated in 2023 that the A326 upgrade “helps unlock ABP’s Strategic Land Reserve for future port development.”
4. The Department for Transport viewed ABP’s port expansion plans as material to the A326 business case.
5. ABP was consulted on A326 design choices, including the junction layout and trip quantum assumptions.

Under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, an applicant must not divide interdependent components of a development in a way that artificially reduces the apparent environmental impact.

Case law is clear that where two elements are:

- functionally linked
- operationally dependent
- geographically connected

they must be assessed as a single project for EIA purposes (e.g., *Commission v Spain, Ecologistas en Acción, Larkfleet Ltd*).

The A326 (North) scheme increases strategic road capacity specifically in the location required to service SG2. It therefore forms an enabling component of the port expansion and must be assessed as an integral part of the SG2 project.

The Council requests that the Planning Inspectorate requires the Environmental Statement to include:

- all construction and operational environmental impacts of the A326 (North) improvements
- cumulative effects with SG2

- ecological effects on woodland, bats and protected species
- hydrological and drainage impacts
- landscape and lighting impacts along the National Park boundary
- cumulative carbon and air quality effects

Failure to include the entire A326 (North) scheme would result in an incomplete and legally deficient EIA due to project splitting.

#### **2.4 Evidence of Operational Linkage Between Solent Gateway 2 and the A326 (FOI Disclosures 2020–2025)**

Freedom of Information (FOI) responses received by Hythe & Dibden Parish Councillor Ben Webster, in his personal capacity, from Hampshire County Council (HCC) between June and August 2025 provide clear, contemporaneous evidence that the A326 (North) Waterside Improvements scheme and the proposed Solent Gateway 2 (SG2) development have been planned in close alignment for several years.

Although ABP and HCC now present the two projects as separate, the FOI material shows:

- long-term collaboration between ABP and HCC on A326 design, funding strategy and delivery;
- shared modelling assumptions relating specifically to ABP's proposed Dibden Bay port expansion;
- repeated references to the A326 works as a means of "unlocking" future port development; and
- direct involvement of the Department for Transport (DfT), who regarded ABP's port expansion plans as material to the A326 business case.

This evidence strongly reinforces the Parish Council's position in Section 2.3: that SG2 and the A326 junction are operationally interdependent, and cannot lawfully be assessed in isolation under the EIA Regulations.

Please see Appendix D – *FOI Evidence of HCC–ABP Coordination on A326 and Solent Gateway 2 (2020–2025)* – which provides:

- an introduction explaining the provenance of the FOI/EIR material;
- a summary of key findings;
- a chronological list of quoted extracts from the emails; and
- interpretation and conclusions relevant to the Planning Inspectorate's EIA scoping and project-splitting duties.

#### **2.5 Flood Risk, Coastal Processes and Baseline Data Gaps**

Hythe & Dibden Parish Council has significant concerns about the adequacy of baseline flood-risk and coastal-process information available to underpin the Environmental Statement. Members of the Parish Council and New Forest District Council have, for several years, sought access to consistent flood-modelling data for the Hythe–Eling shoreline. Despite these efforts, the information available from NFDC (coastal authority), HCC (fluvial authority) and the Environment Agency remains fragmented, incomplete or not presented in a unified form.

This presents a material risk to the accuracy of any Environmental Impact Assessment, particularly given that:

- the shoreline between Hythe and Eling is already highly sensitive to storm surge, high tides and long-term sea-level rise
- even modest sea-level rise is expected to affect significant residential and commercial areas
- sediment movement in Southampton Water has been altered over time by navigation dredging
- reclaimed land at Dibden Bay is known to interact with tidal flows and estuarine dynamics
- SG2 involves new dredging, new hard-edged structures, and major changes to the Dibden foreshore

At a recent briefing attended by elected Members from both Hythe & Dibden Parish and New Forest District Council, there was no indication that the statutory bodies currently hold a coherent or coordinated model for understanding coastal-process change along this frontage, nor that such coordination is underway independent of the SG2 proposal.

Given the scale of the development and the sensitivity of the receiving environment, the Council considers that the Environmental Statement must be required to:

1. assemble all existing datasets held across NFDC, HCC, the Environment Agency and other bodies;
2. address current baseline gaps, including sediment transport, tidal flows and future sea-level rise scenarios;
3. integrate long-term hydrodynamic and dredging datasets held by ABP as harbour authority; and
4. produce a single unified coastal-process model capable of assessing direct, indirect and cumulative impacts of SG2 on the Hythe–Eling shoreline.

Without a robust and coordinated baseline, any assessment of flood risk, hydrodynamics, or coastal change associated with the SG2 proposal would be incomplete and potentially misleading.

### **3. Freeport and Transit Trade Considerations**

The Scoping Report implies Solent Gateway 2 will function as an automotive import and storage hub linked to the Solent Freeport.

If operations involve vehicles transiting between European ports, this may generate limited UK value-added activity while still creating local environmental impact.

Under Freeport customs arrangements, goods can be imported, stored, and re-exported without paying UK import duty or VAT.

If the project serves primarily as a transit location rather than supporting substantial domestic manufacturing or value-added activity, the net UK economic benefit may be marginal. This weakens any claim of “imperative reasons of overriding public interest” (IROPI) under the Habitats Regulations.

### **4. Summary Table of Environmental Topics**

Topic	Scoped In/Out	Parish Comment	Recommendation
Alternatives	In	Insufficiently described; lacks site comparison.	Require detailed assessment of reasonable alternatives.
Ecology & Ornithology	In	Acknowledged but compensation unspecified; does not quantify over 100 ha of SSSI land-take at Dibden Bay.	Ensure detailed species/habitat surveys, defined offset sites and explicit quantification of loss.
Air Quality	In	Assessment deferred.	Quantify impacts from HGV and shipping emissions.
Noise & Vibration	In	No Hythe-specific data.	Model and assess impacts on Hythe and Dibden residents.
Planning Policy Baseline	In	Scoping Report misrepresents the Hythe & Dibden Neighbourhood Plan, incorrectly suggesting policy support for expansion.	Baseline policy review must be corrected; NDP intent is restrictive, not permissive.
Socio-economics	In	Benefits overstated; Freeport transit unclear.	Assess net UK economic gain vs. local cost.
Traffic & Transport	In	No cumulative assessment.	Include A326, Fawley Refinery, Fawley Waterside and Freeport projects.
Landscape & Visual	In	Acknowledged.	Assess views from New Forest National Park and Hythe waterfront.
Cultural Heritage	In	Limited.	Include maritime heritage and archaeology.
Cumulative Effects	In	Listed but not detailed.	Ensure assessment includes all Solent developments.
Flood Risk, Coastal Processes & Sea-Level Rise	In	Current flood modelling is incomplete and fragmented across authorities. NFDC, HCC and the EA each hold partial datasets, and Members report long-standing difficulty obtaining coherent coastal modelling for the Hythe–Eling coastline. Significant uncertainty remains about baseline flood risk, sediment movement and storm-surge vulnerability,	Require a unified, authoritative coastal-process and flood-risk assessment, drawing on all statutory datasets and mandating full integration of ABP's long-term hydrodynamic and dredging records.

Topic	Scoped Parish Comment In/Out	Recommendation
		particularly when combined with SG2 dredging and reclamation.

## 5. Hythe & Dibden Parish Council's Formal Response

Hythe & Dibden Parish Council does not accept the need case for Solent Gateway 2 and objects in principle to any development on the designated land at Dibden Bay.

Without prejudice to that position, and in response to the Planning Inspectorate's request for comments on the scope and level of detail of the Environmental Statement, the Council submits the following points on the Scoping Report:

### 1. Alternatives

The Scoping Report fails to adequately address alternative port sites and configurations. A robust assessment of reasonable alternatives is required, in accordance with the Habitats Regulations and the history of the 2004 Dibden Bay refusal.

### 2. Habitats and Ecology

Ecological and habitat impacts on SSSI, SPA and Ramsar sites require comprehensive assessment under the Habitats Regulations, including Appropriate Assessment and consideration of functionally linked land, and a clear quantification of direct land-take – including over 100 hectares of Dibden Bay SSSI as identified by the Hampshire & Isle of Wight Wildlife Trust.

### 3. Compensation and Mitigation

Any proposal that relies on compensatory measures must clearly identify and secure those measures at scoping stage, with a strong presumption that compensation is provided locally, rather than at distant sites, so as to maintain the coherence of the local designated network.

### 4. Socio-economics and Freeport

The socio-economic justification must include full and transparent analysis of the Freeport-related “transit trade” model and demonstrate any real, additional UK public benefit, rather than simply private commercial gain or displacement of activity from other ports.

### 5. Traffic and Cumulative Impacts

Cumulative and traffic impacts must be fully assessed, including interactions with the A326, Fawley Waterside, Fawley Refinery and other relevant Solent and Waterside projects, rather than considering Solent Gateway 2 in isolation.

### 6. Misinterpretation of the Neighbourhood Plan

The Scoping Report contains a significant error in its interpretation of the Hythe & Dibden Neighbourhood Development Plan. Policy BZ1 has been selectively quoted, omitting the text that restricts port expansion due to “very significant existing environmental constraints” (page 60 of the

Scoping Report). The Neighbourhood Plan does not support development of SG2, and the baseline policy summary must be corrected.

## 7. Coastal Processes, Flood Risk and Sea-Level Rise

The Environmental Statement must include a comprehensive assessment of coastal processes, tidal dynamics, sea-level rise and long-term flood risk along the Hythe–Marchwood–Eling shoreline. Members of Hythe & Dibden Parish Council, together with New Forest District Council councillors, have raised significant concerns about gaps in the current baseline datasets held by NFDC, HCC and the Environment Agency. Despite repeated requests over several years, councillors report difficulty obtaining consistent or coordinated coastal flood-modelling for the Hythe to Eling frontage.

Given the scale of the SG2 proposal, its proximity to vulnerable low-lying communities, and the likelihood of dredging, reclamation and altered tidal flows, the Flood Risk Assessment must therefore include:

- an updated and unified coastal model for Hythe, Marchwood, Eling and Totton
- assessment of sediment transport and scouring effects arising from dredging
- long-term sea-level rise and storm-surge scenarios (UKCP18 compliant)
- impacts on coastlines, flood defences and tidal movement in Southampton Water
- potential increased flood risk to residential areas, infrastructure and designated habitats

These requirements are expanded upon in Appendix F – Coastal Processes and Flood Risk Baseline Requirements.

These comments should not be taken as indicating support for the proposed development, but as the Parish Council's best efforts to ensure that, if the application proceeds, the environmental assessment is not artificially constrained.

## Appendix A – Initial Questions to ABP

The following document is reproduced in full from 'HDPC Dibden Bay – SG2 Initial Questions to ABP' as submitted by the Parish Council.

These questions remain relevant to the Scoping Report review and should inform the Parish Council's formal response.

### Hythe & Dibden Parish Working Group

#### Questions for ABP / Solent Gateway 2 Director (Richard Parkinson)

##### A. Transport & Access

- **A326 spur construction:** Can you clarify how the proposed A326 spur will be constructed and tied in, and what measures will be in place to prevent disruption to southern Waterside communities during the works?
- **Traffic modelling:** What modelling has been carried out on the number and type of vehicle movements (cars, HGVs) expected daily via the new A326 junction near the Pilgrim Inn?
- **Journey times:** What are the projected impacts on journey times between Applemore Roundabout and Houndsdown both during construction and once operational?
- **HGV routing:** What measures will ensure port-related HGVs are kept off residential and rural roads through Dibden, Marchwood, Holbury and Blackfield?
- **Crossings delivery:** What commitments can you give that *all* planned pedestrian and cycle crossings on the A326 will be delivered?

##### B. Rail, Bus & Ferry

- **Rail freight share:** What percentage of vehicles in and out of the port will be by rail?
- **Waterside Line Phase 2:** How do you see Solent Gateway 2 supporting the re-opening of the Waterside Line beyond Marchwood to Hythe & Hardley?
- **Rail co-funding:** Has ABP discussed co-funding or lobbying support for passenger rail as part of the scheme? If not can ABP press for the railway to be extended to Hythe for passenger traffic as quid pro quo?
- **Bus services:** Will ABP support restoration of full bus services (e.g. Bluestar 8, 9, evening and night services) to reduce traffic growth?
- **Hythe ferry:** What role do you envisage for the Hythe–Southampton ferry, and is ABP prepared to support Red Funnel's reinstatement of the pontoon and sustainable operation? If not what can be offered for Hythe residents in terms of a protected permanent ferry crossing funded by ABP?
- **Water taxis:** Are water taxis being formally considered, or are they an informal idea at this stage?

##### C. Environment, Climate & Local Impacts

- **Designated land take:** How much of each type of designated land or sea do you intend to develop? How much Site of Special Scientific Interest (SSSI)? How much Special Protection Area (SPA)? How much of the New Forest National Park, including that involved with the A326?
- **Environmental surveys:** ABP refers to “extensive surveys and studies” that have either already been done or are underway to support the legally required environmental assessments. Have any been completed yet? And if so, will ABP publish them now? If not, why not?
- **Foundational principles:** ABP includes a list of 8 “foundational principles” and number 1 is “to enhance the environment and green spaces”. Making that number 1 gives the impression that enhancing the environment is ABP’s number 1 priority. Is that indeed ABP’s number 1 priority?
- **Dredging impacts:** ABP mentions that dredging would take place to allow marine access to the new jetty. Would this dredging impact in any way the Solent and Southampton Water Special Protection Area and Ramsar site and/or the Hythe to Calshot Marshes SSSI? If so, please give all the information you currently have on this impact, such as any preliminary assessments. Where would the dredging spoil be deposited? How much spoil would be extracted?
- **Cruise emissions:** Is ABP aware of research showing cruising is worse for the climate than flying? Please explain how ABP’s proposal to accommodate more cruise growth would be compatible with the UK’s net zero targets and ABP’s own target to be “net zero from our own operations by 2040”.
- **Shore power use:** Please update us on what proportion of ships, including cruise ships, which visit ABP’s Southampton port plugged in to shore power in the past 12 months. (ABP has stated its aim of using shore power to ensure “zero emissions at berth” for cruise ships).
- **Shore power at SG2:** What percentage of total energy consumed in port at Southampton comes from shore power or from the ship’s engines powered by fossil fuels? Does ABP propose to install shore power at SG2? If so please give details.
- **Tree cover:** What sort of range of tree planting do you envisage across the whole piece? How many; what time span? Species? Or is that all detail to come? They will deaden noise.
- **Flooding:** What measures are proposed to protect Totton, Hythe, and foreshore areas from flooding, as raised by Cllr Caroline Rackham?
- **Coastal resilience:** Has the development assessed risks of erosion, flooding, and tidal change to Hythe’s foreshore from altering the water flow and sediment balance? (e.g. Shore Road becoming more exposed in the last 25 years).
- **Air quality:** What modelling has been done on emissions (diesel particulates, NOx, dust) from increased port traffic, and how will Hythe residents be protected from worsening air quality?
- **Noise & light pollution:** What binding measures will limit 24/7 port noise, floodlighting, and vessel operations so that Hythe’s shoreline and residential areas are not subject to constant disturbance?
- **Marine habitat:** How will the reclamation and dredging affect intertidal habitats and species in Southampton Water directly opposite Hythe, and what mitigation or compensation will be guaranteed?
- **Visual and landscape impact:** What protections are in place to prevent the industrialisation of the waterfront view from Hythe, both in terms of skyline height restrictions and screening with natural buffers?
- **Water quality:** What safeguards will be in place to prevent oil, chemical, or run-off pollution from new port operations drifting across to Hythe’s shoreline?

- **Carbon footprint:** What is the projected carbon footprint of Solent Gateway 2, and how does it align with the government's net-zero targets and NFDC's / Hythe's own climate pledges?
- **Cumulative impact:** Has an assessment been done on the combined impact of this scheme with existing Fawley refinery emissions and port traffic, rather than just modelling this project in isolation?
- **Public access & green space:** How will the promised country park and green buffers genuinely shield Hythe from industrial impact, and who guarantees they won't be reduced if costs rise?
- **Traffic emissions monitoring:** How will air quality be continuously monitored once the port is operating, and what trigger points will force action if Hythe's pollution levels exceed safe limits?
- **Noise drift:** What restrictions will remain in force on night-time loading, ship engines at berth, and heavy vehicle movements, once construction ends and normal activity ramps up?
- **Marine ecology health:** What baseline surveys of fish, birds, and intertidal species are being taken now, so changes caused by port operations can be measured and acted on after opening?
- **Visual intrusion:** What ongoing conditions will stop future operators adding extra cranes, silos, or lighting masts that could further industrialise the Hythe view after initial approval?
- **Community accountability:** Will there be a permanent liaison group or independent watchdog including Hythe residents to hold the port to account on environmental performance in the long run?
- **MMO role:** Will the Marine Management Organisation (MMO) have a view and will that view feed into the DCO process?

#### D. Economy

- **Job creation:** ABP's brochure is vague about the number of permanent jobs that would be created and the claim that there would be "several hundred" is caveated: "When Solent Gateway 2 is fully operational we would anticipate a requirement for several hundred new jobs on an ongoing basis, subject to the eventual configuration of the site." Please state how many new jobs to the nearest 100 you expect to be created at SG2 and please explain how the "eventual configuration of the site" might affect that number.
- **Port intensification:** ABP says there is "limited potential for expansion or further intensification" of the existing port estate. Has ABP fully considered this potential and if so will ABP share the results? Or do you consider Dibden Bay is part of the 'port estate', regardless of its environmental designations.
- **National vs ABP need:** What evidence does ABP have that SG2 is necessary to serve the UK's needs as opposed to ABP's needs?
- **Future Development on Southampton estate:** Has APB considered selling off or developing any land on the Southampton side? Is it willing to rule this out?

#### E. Governance & Accountability

- **Country park ownership:** Who will own, manage and fund the proposed country park, both in the short and long term?
- **Public access:** How will public access be managed to ensure it is genuinely open?
- **Monitoring arrangements:** What independent monitoring arrangements will be in place for environmental performance, and will results be publicly available?

- **Community liaison group:** Will a permanent community liaison group be established, and how will Hythe & Dibden be represented?
- **MMO role:** Will the Marine Management Organisation (MMO) have a view and will that view feed into the DCO process? (appreciate this is mentioned twice)
- **Monitoring & enforcement:** Who will independently monitor environmental compliance during and after construction, and will the results be published openly for Hythe residents to scrutinise?

## Appendix B – References

- **Gov.uk – MHCLG / DLUHC, ‘Appropriate assessment’, Planning Practice Guidance, gov.uk:**  
<https://www.gov.uk/guidance/appropriate-assessment>
- **Gov.uk – NSIP HRA Advice:**  
Nationally significant infrastructure projects: advice on habitats regulations assessments” is a live guidance page on gov.uk.  
<https://www.gov.uk/guidance/nationally-significant-infrastructure-projects-advice-on-habitats-regulations-assessments>
- **House of Commons – Dibden Bay Inquiry:**  
Ports and Shipping” written evidence (Ev 51) including Dibden Bay material  
<https://publications.parliament.uk/pa/cm200910/cmselect/cmtran/217/217we51.htm>
- **Institute of Fiscal Studies:**  
**Stuart Adam & David Phillips (2023), “Freeports: What are they? What do we know? And what will we know?**  
<https://ifs.org.uk/publications/freeports-what-are-they-what-do-we-know-and-what-will-we-know>
- **House of Commons Business and Trade Committee – Performance of investment zones and freeports in England (April 2024)**  
Performance of investment zones and freeports in England,” Business and Trade Committee, April 2024  
which challenges job-creation claims and evidencing under-delivery against targets.  
<https://committees.parliament.uk/publications/44455/documents/221158/default/>  
<https://www.parliament.uk/business/committees/business-and-trade/committee/221158/>  
Link to the actual report  
<https://committees.parliament.uk/publications/44455/documents/221158/default/>
- **UK Trade Policy Observatory – The Economics of Freeports**  
Critical analysis of likely displacement, limited additional activity, and risks.  
<https://blogs.sussex.ac.uk/uktpo/tag/free-ports/>
- **TaxWatch UK - Briefing: Free Ports (Apr 2021) by Alex Dunnagan**  
Explores risks of tax evasion, money-laundering, and displacement of jobs rather than creation.  
The risk of the transit/trade model  
<https://www.taxwatch.org.uk/reports/briefing-free-ports-apr-2021>  
[Freeports-Briefing 20210416.pdf](https://www.taxwatch.org.uk/reports/briefing-free-ports-apr-2021.pdf)

## **Appendix C – Summary of the 2004 Dibden Bay Port Inquiry Decision**

### **Decision:**

Application by Associated British Ports for Dibden Bay Container Terminal (Refused by the Secretary of State, April 2004)

### **Main Grounds for Refusal:**

- Ecological impact** – The development would cause significant harm to internationally designated sites (SSSI, SPA, and Ramsar).
- No imperative national need** – The Secretary of State found no overriding public interest sufficient to justify the environmental damage.
- Availability of alternatives** – Other port locations were available for container expansion (notably Felixstowe, Bathside Bay, London Gateway, and Bristol).
- Inadequate mitigation and compensation** – Measures proposed were insufficient to offset the predicted loss of intertidal and coastal habitats.

### **Inspector's conclusion (para 21.180):**

“The combination of top-level environmental protection and the existence of alternative container sites in the South East proved decisive.”

### **Relevance to Solent Gateway 2:**

- The current proposal occupies much of the same area and affects the same designated ecological network.
- No change in environmental designation has reduced protection levels.
- National ports capacity has since increased elsewhere (Immingham, Felixstowe, Thames Gateway).
- Therefore, the reasoning behind the 2004 refusal remains directly applicable.

### **Sources:**

- Report to the Secretary of State: Proposed Dibden Bay Container Terminal (ABP 2004 Inquiry).*
- House of Commons Transport Committee, Ports and Shipping, Written Evidence (2009-10, Ev 51).*  
Parliamentary report available via the House of Commons Transport Committee webpages.

## Appendix D – FOI Evidence of HCC–ABP Coordination on A326 and Solent Gateway 2 (2020–2025)

### Introduction

This appendix summarises information released by Hampshire County Council (HCC) under the Freedom of Information Act (FOI) and Environmental Information Regulations (EIR).

The information was obtained by a local resident (who also serves as a Parish Councillor acting in a personal capacity), not by Hythe & Dibden Parish Council.

The disclosed material shows a sustained and coordinated relationship between Associated British Ports (ABP) and HCC over at least five years, with the shared objective of progressing both:

- the A326 Waterside Improvements Scheme, and
- ABP's Dibden Bay / Solent Gateway 2 (SG2) port development.

The correspondence provides clear evidence that the A326 scheme and SG2 were treated operationally as “closely aligned” projects by both organisations, despite being publicly presented as separate.

This evidence is directly relevant to the Planning Inspectorate’s consideration of project-splitting under the EIA Regulations, particularly Regulation 10 and relevant case law.

### D1. Key Findings from FOI Material

The FOI disclosures reveal that:

1. ABP and HCC have jointly discussed and coordinated A326 improvements since at least 2020, with explicit reference to facilitating port expansion at Dibden Bay.
2. ABP actively lobbied DfT ministers, SPADs and senior officials to support the A326 scheme as part of its wider port-connectivity agenda.
3. HCC repeatedly sought ABP's lobbying support, particularly before meetings with the Department for Transport (DfT).
4. Consultants working for HCC (Stantec, Atkins, Systra) stated in 2023 that the A326 upgrade “*helps unlock ABP's SLR at Dibden for future port development.*”
5. A326 and SG2 were repeatedly described in internal correspondence as “closely aligned”.
6. The first reference to the Pilgrim Inn junction appears in FOI emails on 17 November 2023, months before any public announcement.
7. A326 traffic modelling integrated SG2 traffic assumptions from as early as 2020 using ABP-supplied data.
8. DfT officials indicated that ABP's port expansion plans were relevant to the A326 business case.
9. Environmental baseline surveys for Dibden Bay (SSSI bats, lapwing, dormouse, water vole) were shared between ABP and HCC to inform A326 design.

10. The FOI releases show that the whole A326 North scheme, not just the Pilgrim junction, interacts with SG2 due to woodland loss, bat corridors and traffic redistribution.

Together, the evidence demonstrates that the A326 North scheme is functionally connected enabling infrastructure for SG2 and not an independent project.

## **D2. Extracts from FOI-Released Emails (Chronological)**

Below is a consolidated timeline using material from FOI Batches 1, 2 and 3, which can be provided on request.

### **2020**

#### **7 April 2020 – HCC → ABP**

Modelling work by Systra/Atkins included:

- “trip updated distribution for ABP SLR”
- “updated trip quantum for SGL/Military Port”
- updated Fawley Waterside development assumptions

Clear sign SG2 forecasts were embedded in early A326 modelling.

#### **3 August 2020 – ABP → HCC**

ABP sends a combined A326–SG2 timeline:

“This illustrates how closely aligned the two projects are currently.”

HCC’s reply (4 August):

“This sets out the close alignment between the two projects very clearly.”

#### **21 December 2020 – HCC → ABP**

HCC requests update on ABP’s lobbying of DfT Maritime:

“They indicated they would welcome an update.”

And notes ABP had already provided confidential SG2 trip generation data.

### **2021**

#### **15 January 2021 – ABP → HCC**

ABP confirms:

“DfT are clear on the continued importance of the A326 scheme to our development plans.”

#### **12 April 2021 – ABP → HCC**

ABP requests to include A326 in Solent Freeport seed-funding bids.

#### **16 September 2021 – ABP → HCC**

ABP asks if a formal letter of support for the A326 consultation would be helpful.

## 2022 (Batch 3)

### 11 January 2022 – HCC → ABP

HCC requests financial support from ABP to address a £7.5m funding gap in the A326 scheme.

### December 2021–Early 2022 – HCC → ABP

Request for informal discussions on:

“ABP’s Strategic Land Reserve plans and HCC’s A326 improvement scheme.”

## 2023

### 22 June 2023 – HCC → ABP

HCC proposes a meeting to discuss:

“the interface between A326 improvements and ABP’s Strategic Land Reserve.”

### 10 August 2023 – HCC → ABP

HCC asks ABP for:

“updated trip generation assumptions... and information for the access junction.”

This confirms an access junction was being designed before the Pilgrim Inn junction appeared in public.

### 14 September 2023 – HCC → ABP

Email titled “A326 Assumptions” requesting SG2 trip generation presented “in the meeting”.

### 5 October 2023 – HCC → ABP

HCC seeks ABP’s bat survey reports.

HCC ecologist notes:

“Highly likely these bats cross between the woodlands either side of the A326... early consideration of lighting proposals is required.”

This is evidence the whole A326 corridor interacts with SG2 ecology.

### 20 October 2023 – Stantec ↔ ABP

Stantec shares a report on:

- breeding lapwing
- breeding birds
- bats (incl. barbastelle & Bechstein’s)
- dormouse
- water vole

ABP replies:

“We are content to share baseline assessment work with the HCC transport team in connection with the A326 road proposals.”

This confirms data-sharing for integrated design.

### **11 October 2023 – Stantec → ABP**

“The A326 upgrade... potentially helps unlock ABP’s SLR at Dibden for the future port development.”

### **17 November 2023 – HCC internal**

Earliest reference to:

“the new Pilgrim Junction”

## **2024**

### **16 January 2024 – HCC → ABP**

“We’ll soon have finalised proposals for the new Pilgrim Inn junction... good to run these past you.”  
ABP consulted before public disclosure.

### **24 January 2024 – ABP → HCC**

ABP confirms:

“Our CEO pitched the A326 to the Maritime Minister... and we have contacted a DfT SPAD.”  
And asks if HCC wants wording added to the follow-up email.

## **2025**

### **4 March 2025 – ABP → HCC**

ABP urges HCC to push for A326 inclusion in Transport for the South East strategy.

### **D3. Interpretation and Relevance to the EIA Scoping**

The FOI evidence shows:

- A326 North and SG2 were co-developed with shared objectives
- The Pilgrim Inn junction is an operational access for SG2
- DfT considered SG2 relevant to the A326 business case
- A326 modelling already embedded SG2 traffic assumptions
- Environmental assessments for A326 used SG2 ecological data
- Consultants described A326 as unlocking Dibden Bay for future port development

Therefore:

The A326 (North) scheme and SG2 are functionally interdependent and must be assessed as a single project under the EIA Regulations.

Separating the projects would constitute unlawful project splitting, contrary to:

- Regulation 10
- C-227/01 Commission v Spain
- C-142/07 Ecologistas en Acción

- Larkfleet Ltd v South Kesteven DC [2015]

#### **D4. Conclusion**

The FOI disclosures provide strong evidence that:

- The A326 scheme is an essential enabling component of Solent Gateway 2
- The schemes have been co-lobbied, co-modelled and co-designed for over five years
- Internal correspondence contradicts public statements of independence
- Environmental and transport modelling has been structurally intertwined

Therefore, the Parish Council requests that the Planning Inspectorate require the Environmental Statement to include:

- the entire A326 North scheme, not just the Pilgrim junction
- full ecological, traffic, woodland and National Park-impact assessment
- all cumulative and in-combination effects between A326 and SG2

## Appendix E – Relevant Case Law on Project-Splitting and EIA Scope

### Introduction

This appendix summarises key UK and EU case law relevant to the Planning Inspectorate’s duty to prevent unlawful project-splitting under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.

The cases below establish the legal tests for determining when two related schemes must be assessed as a single “project” for the purposes of Environmental Impact Assessment (EIA). They are provided as background context demonstrating why Hythe & Dibden Parish Council considers the A326 (North) Waterside Improvements and Solent Gateway 2 (SG2) to be functionally interdependent and requiring joint assessment.

### E1. EU and UK Case Law on Artificial Project Separation

The following cases provide the legal foundation for requiring interdependent elements of development to be assessed together.

#### 1. Commission v Spain (C-227/01)

- **Court:** Court of Justice of the European Union (CJEU)
- **Date:** 30 October 2003
- **Official text:** EUR-Lex 62001CJ0227

#### Principle Established

A Member State must not divide a project into several parts in order to avoid or reduce the extent of environmental assessment. The Court held that where works “in reality form a single project”, they must be assessed together, even if promoted by different bodies or delivered in phases.

#### Relevance

SG2 and the A326 junction (and potentially the entire A326 North scheme) cannot be treated separately if they form a single functional project. Environmental impacts must be assessed cumulatively.

#### 2. Ecologistas en Acción (C-142/07)

- **Court:** CJEU
- **Date:** 25 July 2008
- **Official text:** EUR-Lex 62007CJ0142

#### Principle Established

Authorities must assess all components that are “functionally and geographically connected,” even if they have been formally split into separate procedures. The Court expressly stated that phased or segmented works forming “one operation” must undergo an integrated EIA.

### **Relevance**

Where the A326 upgrades (including woodland loss, lighting, drainage and junction works) enable SG2, these must be treated as integral components of a single operation.

### **3. R (Berkeley) v Secretary of State for the Environment [2000] UKHL 36; [2001] 2 AC 603**

- **Court:** House of Lords

### **Principle Established**

An EIA must contain all the information necessary to assess likely significant environmental effects. Authorities must not accept a piecemeal or inadequate assessment. Lord Hoffmann held that environmental effects must be considered “as a whole” and that an EIA must not be “tactically limited”.

### **Relevance**

Restricting SG2’s EIA only to port-side impacts without including the A326 junction or corridor would amount to a tactically limited assessment and therefore unlawful.

### **4. R (Larkfleet Ltd) v South Kesteven DC [2015] EWCA Civ 887**

- **Court:** Court of Appeal

### **Principle Established**

Two components must be assessed as one project where they are:

- functionally linked
- geographically related
- consequential on one another

The judgment emphasised that the “developer’s intention” is not determinative; the objective relationship between components is what matters.

### **Relevance**

The A326 junction is objectively required for SG2 traffic. The court’s test applies regardless of whether HCC and ABP assert that their schemes are separate.

### **5. R (Burridge) v Breckland District Council [2013] EWCA Civ 228**

- **Court:** Court of Appeal

### **Principle Established**

The Court held that a biomass energy plant and the associated pipeline were a single “project” for EIA purposes because they were functionally interdependent; one could not operate as intended without the other.

### **Relevance**

This is directly analogous to the relationship between SG2 and the A326 Pilgrim Inn junction. The port expansion cannot operate at its proposed capacity without the junction providing the primary traffic

“pipeline”. Under *Burridge*, the port and its dedicated access infrastructure must therefore be treated as one project for EIA purposes.

## **6. Morge v Hampshire County Council [2011] UKSC 2**

- **Court:** UK Supreme Court

### **Principle Established**

Where decisions may affect protected species (bats in particular), ecological impacts must be assessed with full regard to the Conservation of Habitats and Species Regulations. Authorities may not rely on partial or deferred assessments.

### **Relevance**

The A326 North works involve lighting and woodland removal in areas with barbastelle and Bechstein’s bats. This case supports assessing the A326 and SG2 cumulatively under the Habitats Regulations.

## **7. Holborn Studios Ltd v London Borough of Hackney [2017] EWHC 2823 (Admin)**

- **Court:** High Court

### **Principle Established**

Even where EIA screening relates to part of a scheme, the authority must consider the “real-world” context in which the development occurs and must not ignore interconnected impacts.

### **Relevance**

Even if ABP argues the A326 scheme is a separate project, the Planning Inspectorate is required to consider its real-world relationship with SG2.

## **E2. Key Legal Principles Derived from the Case Law**

Across these cases, five consistent principles emerge:

1. Functional interdependence

If one scheme cannot operate as intended without the other, they are a single project for EIA purposes.

2. Geographic connection

Physical contiguity or adjacency creates a presumption of combined assessment.

3. Shared objectives or cumulative effects

Where two developments together enable an intended outcome (e.g., port access), they cannot be assessed separately.

4. Avoidance of tactical project-splitting

Authorities must prevent developers or public bodies from dividing a project to minimise apparent impacts.

## 5. Full and integrated environmental assessment

All significant effects—direct, indirect, cumulative—must be included in a single Environmental Statement.

### E3. Where These Cases Can Be Read

- Commission v Spain (C-227/01)  
EUR-Lex: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A62001CJ0227>
- Ecologistas en Acción (C-142/07)  
EUR-Lex: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A62007CJ0142>
- R (Berkeley) v Secretary of State for the Environment [2000] UKHL 36; [2001] 2 AC 603  
BAILII: <https://www.bailii.org/uk/cases/UKHL/2000/36.html>
- R (Larkfleet Ltd) v South Kesteven DC [2015] EWCA Civ 887  
BAILII: [https://www.bailii.org/cgi-bin/format.cgi?doc=/ew/cases/EWCA/Civ/2015/887.html&query=\(title:\(+R+\)\)+AND+\(title:\(+\(Larkfleet+\)\)+AND+\(title:\(+Ltd+\)\)\)](https://www.bailii.org/cgi-bin/format.cgi?doc=/ew/cases/EWCA/Civ/2015/887.html&query=(title:(+R+))+AND+(title:(+(Larkfleet+))+AND+(title:(+Ltd+))))
- R (Burridge) v Breckland DC [2013] EWCA Civ 228  
BAILII: <https://www.bailii.org/ew/cases/EWCA/Civ/2013/228.html>
- Morge v Hampshire CC [2011] UKSC 2  
BAILII: <https://www.bailii.org/uk/cases/UKSC/2011/2.html>
- Holborn Studios Ltd v London Borough of Hackney [2017] EWHC 2823 (Admin)  
[Holborn Studios Ltd, R \(On the Application Of\) v London Borough of Hackney \[2017\] EWHC 2823 \(Admin\) \(10 November 2017\)](https://www.bailii.org/ew/cases/EWHC/2017/2823.html)

### E4. Conclusion

The case law demonstrates that where two schemes are:

- operationally connected
- geographically linked
- jointly modelled or designed
- intended to function together

they must be assessed as one “project” under the EIA Regulations.

Therefore, given the clear interdependence evidenced in the FOI disclosures (Appendix D), the A326 (North) Waterside Improvements scheme, including the Pilgrim Inn junction and the wider corridor works, must be included within the environmental assessment for Solent Gateway 2.

## **Appendix F – Flood Risk, Coastal Process Modelling and Baseline Data Coordination**

### **F1. Background**

For several years, elected Members representing Hythe & Dibden and neighbouring areas have sought comprehensive flood-risk data for the Hythe–Eling frontage. Despite repeated requests, the information available from NFDC, HCC and the Environment Agency remains fragmented.

### **F2. Current Situation**

NFDC is the coastal authority - responsible for the coast and beaches.

HCC is the fluvial authority - responsible for rivers and surface water.

The Environment Agency holds strategic flood-risk datasets - responsible for major flooding from sea and main rivers.

However, none of these bodies appears to hold, or has provided, a consolidated coastal-process model for this shoreline. Members report difficulty obtaining coherent modelling, including tidal surge scenarios, sediment movement and long-term sea-level rise impacts.

### **F3. Relevance to Solent Gateway 2**

Dibden Bay lies within a sensitive estuarine system where:

- previous dredging has altered hydrodynamics
- reclaimed land interacts with tidal flows
- even small changes can affect flood risk at Hythe, Frost Lane, Marchwood, Totton and Eling

SG2 involves dredging, new marine infrastructure and extensive landform changes. These have the potential to alter:

- tidal propagation
- sediment transport pathways
- wave exposure
- shoreline recession
- risk to homes, businesses and critical infrastructure

In short, the Applicant must prove that these major works will not increase the frequency or severity of flooding for local residents and businesses.

### **F4. Requirement for Unified Data**

To ensure a sound EIA, the Environmental Statement must be required to:

1. compile all existing statutory datasets
2. fill gaps in baseline modelling
3. integrate ABP's long-term hydrodynamic and dredging datasets
4. provide a unified coastal-process and flood-risk model for the entire Hythe–Eling frontage
5. assess cumulative and long-term flood risk under UKCP18 climate scenarios

## **F5. Conclusion**

The lack of coordinated baseline flood-risk data represents a material risk to the integrity of the SG2 environmental assessment. The Planning Inspectorate must ensure that a complete and unified dataset is assembled at scoping stage to enable a legally compliant EIA.

S/council business/members/committees working groups/2025/dibden bay/scoping report responses/ final



**From:** [JNCC Offshore Industries Advice](#)  
**To:** [Solent Gateway 2](#)  
**Cc:** [JNCC Offshore Industries Advice](#)  
**Subject:** RE: TR0310002 – Solent Gateway 2 – EIA Scoping and Consultation - JNCC  
**Date:** 11 November 2025 16:21:02  
**Attachments:** [image003.png](#)  
[image004.png](#)  
[image01.png](#)

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Good Afternoon,

Thank you for consulting JNCC on the Solent Gateway 2 EIA Scoping and Consultation, which we received on 10/11/2025.

Natural England is now authorised to exercise the JNCC's functions as a statutory consultee in respect of certain applications for inshore and offshore waters (0-200nm) adjacent to England.

As operations associated with this project are located in inshore English waters, therefore Natural England should provide a full response.

As such JNCC have not reviewed this application and will not be providing further comment.

Please contact me with any questions regarding the above comments.

Kind regards,

[REDACTED]  
*Offshore Industries Advice Officer*  
*Marine Management Team*  
JNCC, Inverdee House, Baxter Street, Aberdeen, AB11 9QA  
Tel: [REDACTED]  
Working pattern: Monday to Friday  
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**From:** Solent Gateway 2 <[solentgateway2@planninginspectorate.gov.uk](mailto:solentgateway2@planninginspectorate.gov.uk)>  
**Sent:** 10 November 2025 15:29  
**To:** Solent Gateway 2 <[solentgateway2@planninginspectorate.gov.uk](mailto:solentgateway2@planninginspectorate.gov.uk)>  
**Subject:** TR0310002 – Solent Gateway 2 – EIA Scoping and Consultation

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Dear Sir/ Madam

Please see attached correspondence on the proposed Solent Gateway 2.

The Applicant for the Proposed Development intends to make an application for Development Consent under the Planning Act 2008. The Applicant has sought a Scoping Opinion from the Planning Inspectorate, on behalf of the Secretary of State, as to the scope and level of detail of the information to be provided within the Environmental Statement that will accompany its future application.

The Planning Inspectorate has identified you as a consultation body to inform the Scoping Opinion and is therefore inviting you to submit comments by **8 December 2025**. The deadline is a statutory requirement that cannot be extended.

Further information is included within the attached letter.

Kind regards,

Georgia Pathy



Planning  
Inspectorate

**Georgia Pathy** [REDACTED]  
Environmental Advisor  
Planning Inspectorate  
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**From:** [REDACTED]  
**To:** [Solent Gateway 2](#)  
**Cc:** [REDACTED]  
**Subject:** Marchwood Power Limited Response - Solent Gateway 2  
**Date:** 20 November 2025 11:14:19

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Your Reference : TR0310002

Dear Sir/Madam,

We have reviewed the information provided in your communication of 10<sup>th</sup> November 2025 and the associated online materials available for this development.

We can confirm that Marchwood Power Limited do not have any comments at this time.

Sincerely,

[REDACTED]  
General Manager  
Marchwood Power limited

[REDACTED]  
Marchwood Power Limited  
Main: [REDACTED]

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Marchwood Power Limited, Oceanic Way, Marchwood Industrial Park, Marchwood, Hampshire SO40 4BD

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4th December 2025

Via email: [solentgateway2@planninginspectorate.gov.uk](mailto:solentgateway2@planninginspectorate.gov.uk)

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (The EIA Regulations) – Regulations 10 and 11**

**Application by Associated British Ports (ABP) (the applicant) for an Order granting Development Consent for Solent Gateway 2 (the proposed development)**

Dear Planning Inspectorate

Thank you for your letter dated 10th November 2025 inviting comments on the Scoping Report for the proposed Solent Gateway 2 (SG2) Development. The Scoping Report has been considered by representatives of UK Technical Services Navigation, and the Maritime & Coastguard Agency (MCA) would like to respond as follows:

The MCA has an interest in the works associated with the marine environment, and the potential impact on the safety of navigation, access to ports, harbours and marinas and any impact on our search and rescue obligations. The MCA would expect any works in the marine environment to be subject to the appropriate consents under the Marine and Coastal Access Act 2009 before carrying out any marine licensable works. We note that the project will be promoted as a Nationally Significant Infrastructure Project (NSIP) under the provisions of the Planning Act 2008. As such, Associated British Ports (ABP) intend to submit to the Planning Inspectorate an application for a Development Consent Order (DCO) for authority to develop the proposed development.

We note the proposals for SG2 are to develop a Roll-on Roll-off (Ro-Ro) (automotive handling) facility that would provide the infrastructure to support the handling of a variety of wheeled and tracked

vehicles; the Landside Terminal for SG2 would be located within land owned by the Port of Southampton between Marchwood Military Port, on the western shore of the River Test.

The marine facilities proposals include (but are not limited to):

- A piled jetty structure, including a jetty approach, berthing structure, mooring dolphins, floating pontoon and linkspan
- Dredging of vessel manoeuvring area and berth pockets
- Shoreline protection
- Lighting and navigation aids
- Shore power infrastructure

It is our understanding that the site falls within the jurisdiction of a Statutory Harbour Authority (SHA) – the Port of Southampton (ABP), who are also the applicant. The SHA is responsible for maintaining the safety of navigation within their waters during the construction and the operational phase of the project.

The MCA will expect the project to carry out a Navigation Risk Assessment (NRA) on the impact of the works on shipping and navigation. We note the applicant's commitment in Chapter 10 to carry out an NRA, which will be provided to support the DCO application for the project. This must be considered and agreed by ABP in its role as the Statutory Harbour Authority (SHA) and in accordance with the Ports & Marine Facilities Safety Code (PMSC) and its Guide to Good Practice. We note a hazard workshop will be held to bring together relevant navigational stakeholders for the area to discuss the potential impacts on navigational safety associated with the proposed development, which the MCA fully supports. The NRA will establish how the phases of the project are managed to a point where risk is reduced and considered to be 'as low as reasonably practicable' (ALARP). The NRA will be provided as an appendix to the Environmental Statement (ES), and the outputs will inform the Project's ES chapter for the commercial and recreational navigation topic. The MCA would expect no effects to be scoped out of the assessment with regards to shipping and navigation, pending the outcome of the Navigation Risk Assessment and further stakeholder consultation. Tables 10.4 and 10.5 confirms that at this stage, no impact pathways are proposed to be scoped out.

We understand that as, the location of the jetty is not finalised, the dredge extent shows the possible envelope of dredging scale. Dredged material will be disposed of at sea at licensed sites off the Isle of Wight, the vessels used for the dredging have been considered in the impact pathways for the Scoping Report. We welcome that capital dredging for the Marine Facilities could be scheduled to avoid direct overlap with planned maintenance dredging and disposal campaigns.

Consultation will be undertaken by ABP using an Evidence Plan Process. We welcome that early engagement has taken place with Southern IFCA and that they have agreed with the impact pathways scoped out for Commercial fishing.

We note that there are two RNLI lifeboat stations that operate within the SHA, as well as engaging with these two RNLI stations, the MCA would also recommend consultation with the Royal National Lifeboat Institution Headquarters to ensure their operational capability is maintained during the construction and operation phases of the project.

To address the ongoing safe operation of the marine interface for this project, we would like to point the developers in the direction of the PMSC and its Guide to Good Practice. They will need to liaise and consult with the SHA and develop a robust Safety Management System (SMS) for the project under this code.

The sections that we feel cover navigational safety under the PMSC and its Guide to Good Practice are as follows:

From the Guide to Good Practice, section 10 Conservancy Duty, a Harbour Authority has a duty to conserve the harbour so that it is fit for use as a port, however other non-statutory organisations may be required to fulfil similar duties. The Harbour Authority also has a duty of reasonable care to see that the harbour is in a fit condition for a vessel to be able to use it safely. Section 10.14 Regulating harbour works covers this in more detail and have copied the extract below from the Guide to Good Practice.

#### 10.14 Regulating harbour works

Some harbour authorities have the powers to license works where they extend below the high watermark and are thus liable to affect navigation. Such powers do not, however, usually extend to developments on the foreshore.

Some Harbour Authorities are statutory consultees for planning applications, as a function of owning the seabed, and thus being the adjacent landowner. Where this is not the case, Harbour Authorities should be alert to developments on shore that could adversely affect the safety of navigation. In any case Harbour Authorities should ensure that the MMO or appropriate licensing authority consults them regarding any applications for works or developments in or adjacent to the harbour area.

Where necessary, consideration should be given to requiring the planning applicants to conduct a Risk Assessment in order to establish that the safety of navigation is not about to be put at risk. Examples of where navigation could be so affected include:

high constructions, which inhibit line of sight of microwave transmissions, or the performance of port radar, or interfere with the line of sight of aids to navigation

high constructions, which potentially affect wind patterns lighting of a shore development in such a manner that the night vision of mariners is impeded, or that navigation lights, either ashore and onboard vessels are masked, or made less conspicuous.

There is a British Standards Institution publication on Road Lighting, BS5489. Part 8 relates to a Code of practice for lighting which may affect the safe use of aerodromes, railways, harbours and navigable Inland waterways.

I hope you find this information useful at Scoping Stage.

Yours faithfully,

[Redacted]

[Redacted]  
Marine Licensing Project Lead  
UK Technical Services Navigation



# Marine Management Organisation

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(Email only)

Planning Inspectorate Reference: TR0310002  
Our Reference: DCO/2026/00016

**08 December 2025**

Dear Sir/ Madam,

**Formal scoping request under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 for the proposed Solent Gateway 2 Project by Associated British Ports (ABP).**

Thank you for your scoping opinion request of 10 November 2025 and for providing the Marine Management Organisation (MMO) with the opportunity to comment on the Solent Gateway 2 Environmental Impact Assessment (EIA) scoping request.

## **The MMO's role in Nationally Significant Infrastructure Projects**

The MMO was established by the Marine and Coastal Access Act 2009 to contribute to sustainable development in the marine area and to promote clean, healthy, safe, productive and biologically diverse oceans and seas. The responsibilities of the MMO include the licensing of construction works, deposits and removals in English inshore and offshore waters and for Welsh and Northern Ireland offshore waters by way of a marine licence<sup>1</sup>. Inshore waters include any area which is submerged at mean high water spring (MHWS) tide. They also include the waters of every estuary, river or channel where the tide flows at MHWS tide. Waters in areas which are closed permanently or intermittently by a lock or other artificial means against the regular action of the tide are included, where seawater flows into or out from the area. In the case of Nationally Significant Infrastructure Projects (NSIPs), the Planning Act 2008 enables Development Consent Order's (DCO) for projects which affect the marine environment to include provisions which deem marine licences<sup>2</sup>.

<sup>1</sup> Under Part 4 of the Marine and Coastal Access Act 2009

<sup>2</sup> Section 149A of the 2008 Act

As a prescribed consultee under the 2008 Act, the MMO advises developers during pre-application on those aspects of a project that may have an impact on the marine area or those who use it. In addition to considering the impacts of any construction, deposit or removal within the marine area, this also includes assessing any risks to human health, other legitimate uses of the sea and any potential impacts on the marine environment from terrestrial works. Where a marine licence is deemed within a DCO, the MMO is the delivery body responsible for post-consent monitoring, variation, enforcement and revocation of provisions relating to the marine environment. As such, the MMO has a keen interest in ensuring that provisions drafted in a deemed marine licence (DML) enable the MMO to fulfil these obligations. Further information on licensable activities can be found on the MMO's website<sup>3</sup>. Further information on the interaction between the Planning Inspectorate and the MMO can be found in our joint advice note<sup>4</sup>.

Please find attached the scoping opinion of the MMO. In providing these comments, the MMO has sought the views of our technical advisors at the Centre for Environment, Fisheries and Aquaculture Science (Cefas) and the MMO Coastal Office –South East Area.

The MMO reserves the right to make further comments on the project throughout the preapplication process and may modify its present advice or opinion in view of any additional information that may come to our attention. This representation is also submitted without prejudice to any decision the MMO may make on any associated application for consent, permission, approval or any other type of authorisation submitted to the MMO either for the works in the marine area or for any other authorisation relevant to the proposed development.

If you require any further information, please do not hesitate to contact me using the details provided below.

Yours sincerely



Marine Licensing Case Manager

D [REDACTED]  
E [REDACTED] [@marinemanagement.org.uk](mailto:@marinemanagement.org.uk)

<sup>3</sup> <https://www.gov.uk/planning-development/marine-licences>

<sup>4</sup> <https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2013/04/Advice-note-11-Annex-B-MMO.pdf>



# Scoping Opinion

Infrastructure Planning (Environmental Impact Assessment)  
Regulations 2017 (the 2017 EIA Regulations)

**Title: Solent Gateway 2**

**Applicant: Associated British Ports**

**MMO Reference: DCO/2025/00016**

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## 1. Proposal

Thank you for your letter dated 10 November 2025 consulting the MMO on the EIA Scoping report submitted by ABP in respect to an application for development consent under the Planning Act 2008 for the Solent Gateway 2 Project.

### 1.1 Project Description

The Port of Southampton is a major international gateway into and out of the UK and is owned and operated by APB (the Applicant). The Applicant is seeking to promote a new development - Solent Gateway 2 (SG2) to assist in securing the Port's future and the sustainable growth of the regional and national economy. SG2 would be a Roll-on Roll-off (Ro-Ro) (automotive handling) facility that would provide the infrastructure to support the handling of a variety of wheeled and tracked vehicles. The proposed Project would involve the construction of a harbour facility in England that is expected to be capable of handling the embarkation or disembarkation of at least 250,000 Ro-Ro units.

The marine facilities comprise of the following components:

- a piled jetty structure, including a jetty approach, berthing structure, mooring dolphins, floating pontoon and linkspan;
- dredging of vessel manoeuvring area and berth pockets;
- shoreline protection;
- lighting and navigation aids;
- shore power infrastructure; and
- water services.

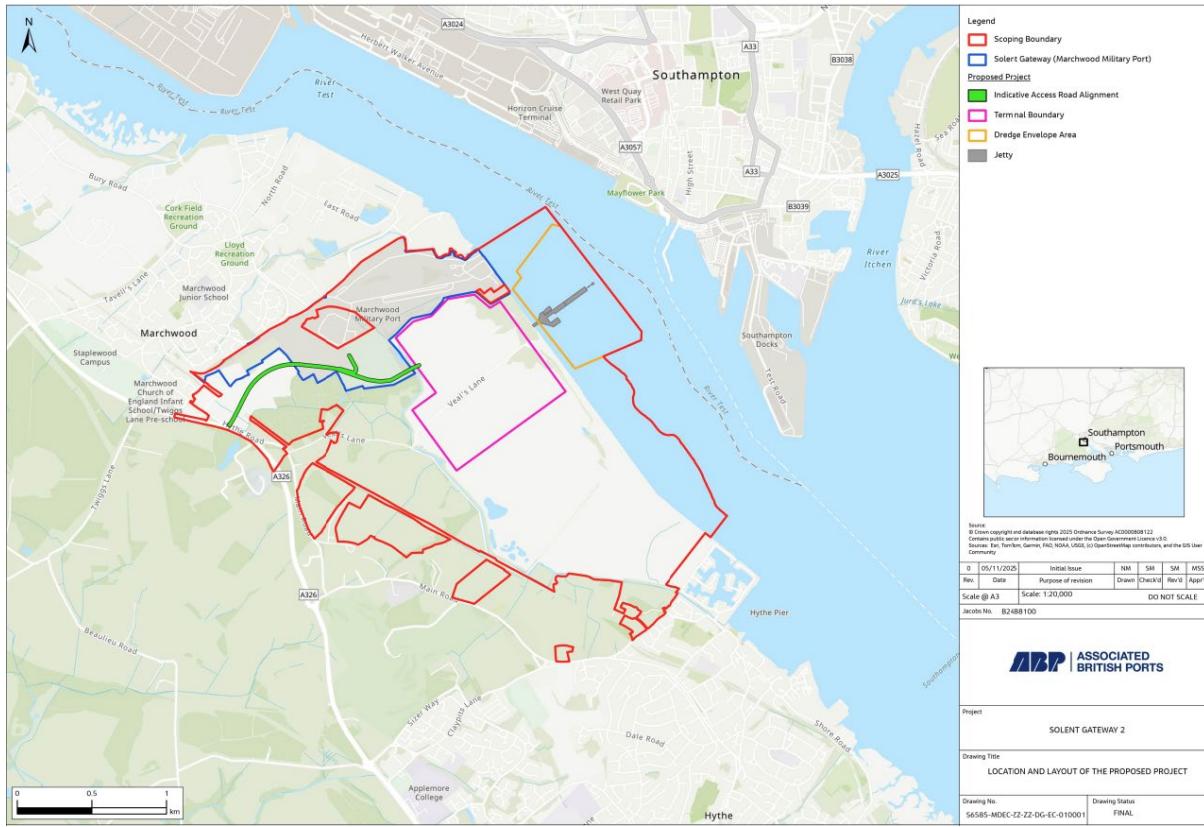
Capital dredging is necessary to achieve a maximum dredge depth of approximately - 14.8m Chart Datum, ensuring vessels can reach the berths regardless of tide levels or loading conditions. The jetty location is still to be determined; however, the Applicant has provided an overall envelope area for where the location will likely be. There will be requirement for repairs to be conducted on the shore protection structures, and these will later be confirmed through the design process.



## 2. Location

The SG2 project is located within the Port of Southampton (figure1). The Landside Terminal for SG2 would be located within land owned by the Port of Southampton between Marchwood Military Port (currently operated by ABP under concession from the Ministry of Defence (MoD) as Solent Gateway Limited (SGL)) and Hythe Marina Village, on the western shore of the River Test.

**Figure 1: The Scoping Boundary of Solent Gateway 2**



### **3. Scoping Opinion**

Pursuant of regulations 10 and 11 of the 2008 Act and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017(the EIA Regulations), ABP have requested a Scoping Opinion from the MMO.

In so doing a Scoping Report entitled 'Solent Gateway 2 EIA Scoping Report' has been submitted to the MMO for review.

The MMO agrees with the topics outlined in the Scoping Report and in addition, we outline that the following aspects be considered further during the EIA and must be included in any resulting Environmental Statement (ES).

#### **3.1 General Comments**

- 3.1.1 The MMO considers that the approach to the EIA as outlined in Section 4 of the scoping report is in line with the expected approach and industry standards.
- 3.1.2 The approach to the Cumulative Effects Assessment (CEA), is in line with industry standard approaches.

#### **3.2 Nature Conservation**

- 3.2.1 The MMO notes the Applicant has included a number of Marine Protected Areas and habitats and species of importance within the Scoping report and believes these are appropriate. The MMO notes Marine Conservation Zones are included, and we may provide comments once the impacts of SG2 have been presented.
- 3.2.2 The MMO defers to Natural England as the Statutory Nature Conservation Body (SNCB) on the suitability of the scope of the assessment with regards to Marine Protected Area (MPAs).

#### **3.3 Benthic Ecology**

- 3.3.1 The MMO considers that the relevant impacts to marine benthic receptors have been scoped into the assessment. Table 7.3 includes appropriate justification for the scoping decision to include 'benthic habitats and species' and 'the potential introduction and spread of non-native species' as receptors with potential impact pathways.
- 3.3.2 In addition to the justification provided for the Invasive Non-Native Species (INNS) element, the MMO also requests that the Applicant considers the potential for colonisation of project infrastructure by INNS during operation. The construction of the new jetty will likely provide suitable habitat for INNS to settle, become established, and spread, and this should be assessed appropriately in the context of INNS presence in the wider region.



3.3.3 The MMO requests that the Applicant also considers additional sample collection, for example, scrape sampling of hard structures, to determine the composition of colonising invertebrates and identify INNS within the site boundary in advance of construction works.

3.3.4 Additionally, the MMO notes that there are several relevant INNS that have become established in the region. The MMO requests that the Applicant includes a comprehensive list of known INNS from the area to enable appropriate assessment and the MMO has provided some references to papers for review (Ashelby et al., 2004; Ashelby, 2005; Ashelby, 2006).

3.3.5 The MMO considers that the approach of the scoping assessment and data gathering to be broadly appropriate. The MMO notes that a benthic characterisation survey was conducted in summer 2025 to characterise the benthic habitat and to establish a suitable baseline in advance of construction. The MMO agrees with the approach summarised in Section 7.8.3 of the scoping report whereby subtidal samples were collected and processed by a Northeast Atlantic Marine Biological Analytical Quality Control scheme participating laboratory. However, the MMO requests that the Applicant should include additional information for example, sample locations, processing laboratory, sample collection and processing standards, in following assessments for the MMO to review.

3.3.6 Overall, the MMO considers that scoping report contains relevant justification for the scoping decisions regarding benthic receptors for assessment in the Environmental Impact Assessment. The content of the scoping report provides the necessary reassurance that potential impacts to benthic receptors will be assessed accordingly and the MMO does not have any comments that require a response from the Applicant currently. However, the MMO recommends that the Applicant:

- i) considers conducting an appropriate survey to determine the presence wall dwelling Invasive Non-Native Species,
- ii) includes additional information on the benthic survey conducted in 2025 for review in the preliminary environmental information report (PEIR), and
- iii) reviews relevant literature to determine the diversity of INNS in the Solent area.

## 3.4 Coastal Processes

3.4.1 The MMO notes that direct impacts to sediments and habitats from the structures and from the associated plant and vessels are not mentioned explicitly. The MMO requests that the EIA addresses whether such changes that arise during the construction phase (e.g., bathymetric impacts from vessels associated with piling) are different in character from the operational effects or



change the baseline before operational effects can occur i.e., construction effects on the sediments that are not simply a subset of the operations impacts nor later erased at another stage of the development. Whether any such impacts need to be considered will not be known until more complete designs are available, but the worst case should be included in the assessment.

- 3.4.2 The mitigation proposal made is to site the jetty as close to the marine channel as possible (subject to safe navigation) to minimise capital dredging and intertidal loss. The MMO welcomes both these aims. It remains to be defined how they will be achieved and whether they need to be balanced, so it is not possible to comment further at this time. The MMO requests that the Applicant notes that the assessment of intertidal loss should include any consequential effects on upstream or downstream habitats arising from hydrodynamic changes due to the jetty placement.
- 3.4.3 The MMO notes that already active projects will be considered part of the baseline. This is a standard approach but its effect in 'shifting baselines' is also well known. The substantial historical coastal process data resources listed in Table 5.1 suggest that an estimate of 'baseline shift' in the wider locality might be possible. The MMO considers that it would be of benefit to indicate whether the impact of development can be compared with any detectable changes historically. The scoping report presents a baseline description as an invariable 'state' but the Future Baseline section 5.4.24 discusses natural and human-induced variability, cyclic patterns and trends (plus climate change and sea level rise). This variability should be key to developing the magnitude of impact.

## 3.5 Fish Ecology and Fisheries

- 3.5.1 The MMO notes that the Applicant has not provided a preliminary construction programme or other indication of the anticipated start date or likely duration of the marine works associated with this project. This information should be presented clearly in the PEIR so that the overlap between periods of piling and dredging works and periods of sensitivity for fish receptors can be understood.
- 3.5.2 The report lists a number of suitable data sources to inform the assessment for fish receptors including the Ellis et al., (2012) Spawning and Nursery Grounds of Selected Fish Species in UK Waters report and accompanying maps, Environment Agency (EA) fish monitoring reports for the Solent region (Environment Agency, 2024), and the EA's Transitional and Coastal Waters (TraC) Fish Monitoring data (Environment Agency, 2025). The MMO considers that these are appropriate sources for this purpose but are not wholly inclusive of the data sources for fish receptors available for this region. The MMO has provided a list of additional sources in under points 3.5.2.1 to 3.5.2.4 below which the MMO recommends the Applicant consults in their assessment.



3.5.2.1 In addition to the use of Ellis *et al.* (2012), Coull *et al.* (1998) is an appropriate supporting source of information for identifying the key spawning and nursery areas, as well as defining key spawning seasons of fish receptors.

3.5.2.2 Salmonid and freshwater fisheries statistics reports which are produced annually and provide data for commercial net and trap fisheries capturing salmon, sea trout, eel, smelt and lamprey, as well as recreational salmon and sea trout fisheries. Available online via Salmonid and freshwater fisheries statistics: reports - GOV.UK. The MMO requests that the Applicant consults the reports for the years 2019-2024 at a minimum.

3.5.2.3 JNCC has produced a report that collates extensive baseline environmental and biological information, which has a chapter on fish species found in Sussex and specifically including Chichester harbour (<https://data.jncc.gov.uk/data/6473ed35-d1cb-428e-ad69-eb81d6c52045/pubs-csuk-region-08.pdf>).

3.5.2.4 Cefas has conducted an annual seabass pre-recruit survey in the Solent since 1983. This survey provides abundance indices for seabass and captures other fish species (<http://data.cefas.co.uk/#/View/18912>).

3.5.3 The MMO notes that point 7.8.5 of the scoping report indicates that the Applicant intends to undertake a site-specific otter trawl survey to provide further baseline fish data, which will be focused on subtidal areas within and near to the proposed SG2 location. The MMO requests that the proposed scope and methodology of this otter-trawl survey be shared with the MMO so that we can review the proposed methodology ahead of the survey being completed to ensure the sampling gear and survey coverage are appropriate. This should be provided at least 10 weeks prior to the survey commencing.

3.5.4 The MMO notes that table 7.3 presents the potential impacts during construction for each of the marine ecology topics included in the scoping report. For fish ecology receptors, the impact pathways identified are:

- direct loss or changes to fish populations and habitat as a result of dredging,
- changes in water and sediment quality as a result of dredging, and
- underwater noise as a result of marine construction (including piling, dredging and vessel movements).

However, the Applicant has not scoped in impacts likely to arise due to increased suspended sediment concentrations caused by dredging, potential for resuspension of contaminated sediments or entrainment of fish and fish eggs by dredging gear during construction works. These pathways associated with the proposed scheme have potential to affect fish receptors and the MMO

requests these impact pathways to either be scoped into the PEIR for assessment or to be suitably justified if scoped out.

3.5.5 The MMO notes that the report does not identify that the proposed works will be undertaken within the MMO restricted Bass Nursery Area. As a result of declining stocks, seabass have been placed under special protection measures since 2015. These were introduced as scientific advice identified the need to drastically reduce catches of this species, following an increase in the fishing pressure and a reduction in reproduction (ICES, 2015; ICES, 2017). As they possess a swim bladder which is not directly involved in hearing (Group 3; Popper et al., 2014), seabass have a medium sensitivity to underwater noise (UWN), including being able to sense changes in pressure and like most fish, will detect the particle motion element of sound (Everley et al., 2016).

The acute effects of pile-driving noise on the antipredator response of European seabass were investigated by Everley et al. (2016) and the study indicated that harbour and piling noise playback tracks significantly impaired the startle response of seabass. Spiga et al., (2017) also found that seabass exposed to drilling and piling noise exhibited reduced predator inspection behaviour and increased stress as measured by ventilation rate. Other studies have found increases in metabolic rate and decreased feeding in fish exposed to piling playback (Bruintjes et al., 2014).

The MMO requests that the Applicant takes notice that Sussex Inshore Fisheries Conservation Authority (SIFCA) implement a prohibition on commercial and recreational fishing for seabass within any part of the harbour between 30 April and 1 November of any year in order to protect juvenile bass using the nursery grounds. Consequently, the ES should carefully consider potential impacts to seabass in more detail, for example, whether any of the piling activities are likely to disturb or impact upon adults or juveniles present within Southampton harbour. At a minimum, the MMO requests that the Applicant should provide an indication of the predicted noise levels that will be generated by piling specifically for this project, and an indication of how far piling noise is likely to travel from the source. This could be through the use of a simple logarithmic spreading model to predict the propagation of sound levels from the source of underwater noise associated with the proposed works.

3.5.6 The MMO notes that the Applicant has not provided the piling parameters for the project, such as the size or number of piles anticipated or provided details of the timing, frequency, duration and predicted energy levels that will be generated by impulsive piling activity. Whilst the MMO would not expect to see a detailed method statement in a scoping report such as this, this information will be key for determining whether the Applicant's ES appropriately assesses the risk of underwater noise to sensitive fisheries receptors.



3.5.7 The MMO requests that the Applicant examines the sensitive periods for migratory fish species and plan to undertake piling works outside of these sensitive migratory seasons. The MMO also considers that it would also be beneficial for migratory fish if percussive piling were conducted during daylight hours only. For adult salmon these periods are between March to October, inclusive, and late March – early May for salmon smolts. Similarly, piling works should be carried out outside of the upstream migration of European eel elvers, which occurs during March to September inclusive. European eels and elvers typically migrate at night, and so scheduling piling activities to be carried out in daylight hours will offer additional protection by providing a period of 'quiet' overnight to allow for upstream and downstream migrations.

3.5.8 The MMO notes that the Applicant has advised that both vibro- and percussive piling techniques are being considered in order to drive the piles which will form the foundation for the Solent Gateway 2 jetty. Where percussive piling is necessary to achieve the required design depth, a soft-start procedure should be implemented to encourage any fish present to move away from the area. It should be noted that a soft start procedure should be implemented for a minimum of 20 minutes and should piling cease for a period greater than 10 minutes, then the soft start procedure must be repeated once piling is recommenced. The Applicant should ensure that these follow the JNCC guidelines (JNCC 2010).

## 3.6 Shellfish

3.6.1 The MMO notes that the Applicant has identified that the proposed dredge footprint and Marine Facilities overlap with the Southampton Water Shellfish Water Protected Area (Defra, 2022a), including the Eling classification zone located within the Southampton Water bivalve mollusc production area (Cefas, 2025a; 2025b). The MMO considers that the Applicant has identified relevant shellfish species including cockle *Cerastoderma edule*, oyster *Ostrea edulis* and clam species; all shellfish ecology is assessed within the benthic assessment, and shellfisheries are considered in Section 9 of the scoping report.

3.6.2 The MMO notes that the impacts of marine piling have been scoped out of the assessment in relation to habitat disturbance and sediment and water quality; however, the MMO further notes that the number or duration of piling activities has not yet been determined. As such, it is difficult to determine if the scoping out of these impacts is justified. The MMO requests to see a preliminary programme of works to determine the likely duration of piling activities within the PEIR.

3.6.3 As a minor presentational comment, the MMO notes that the section for the report relating to shellfish receptors was incorporated into the benthic chapter whilst there are similarities, the MMO requests shellfish ecology is considered



independently, particularly due to the works being conducted around areas of protected shellfish grounds and inshore shellfisheries are considered separately.

### **3.7 Commercial and recreational fisheries**

- 3.7.1 The MMO notes that the Applicant has proposed to scope out commercial and recreational fisheries. The MMO has provided comments on the impact to fish and shellfish ecology above which should be taken into account within the ES. These assessments could provide information on the impact to wider fisheries. The MMO agrees that based on the evidence provided commercial and recreational fisheries do not take place within the project area (although do take place near the disposal site).
- 3.7.2 As other stakeholders may provide comments on the impact to fisheries the MMO believes this is for the Planning Inspectorate to decide if this can be scoped out and if enough justification has been provided.

### **3.8 Marine Mammals**

- 3.8.1 The MMO has no comments relating to marine mammals at present. The MMO notes that Underwater Noise is the main concern and the comments relating to modelling and details of piling for fish above and Underwater noise below will be relevant for Marine Mammals.
- 3.8.2 The MMO defers to Natural England as the Statutory Nature Conservation Body (SNCB) in relation to all other potential impacts to marine mammals.

### **3.9 Underwater noise**

- 3.9.1 The MMO requests that for piling required below the waterline, the Applicant provides an indication of the predicted noise levels that will be generated by piling. As mentioned in point 3.5.6 this could be through the use of a simple logarithmic spreading model to predict the propagation of sound levels from the source of underwater noise associated with the proposed works.

Alternatively, case studies where underwater noise modelling or noise monitoring has been carried out for piling in a similar environment, for example, an estuary of similar size, depth, using similar pile sizes could be used. In establishing the predicted noise levels and range of effect, the MMO requests that the Applicant should refer to the Popper et al. (2014) 'guidelines' for hearing thresholds in fish. This paper classifies fishes according to their hearing capabilities and assigns hearing thresholds for noise generating activities such as impact piling and 'continuous noise sources' including vibro-piling and dredging (Atlantic salmon would be classified as Group 3 as they possess a swim bladder not directly involved in hearing).



Information on the range of effect is needed to establish how much of the study area will be affected by underwater noise, and whether the range is large enough to cause an acoustic 'barrier' to fish movement and migration. The discussion should therefore consider what proportion of Southampton Water will be affected by noise in relation to the range of effect from piling.

### **3.10 Seascapes / Landscape**

3.10.1 The MMO defers to Historic England, Natural England (as the SNCB) and relevant local planning authorities on the suitability of the scope of the assessment with regards to Seascapes and Landscape.

### **3.11 Archaeology / Cultural Heritage**

3.11.1 The MMO defers to Historic England on the suitability of the scope of the assessment with regards to Archaeology and Cultural Heritage impacts.

### **3.12 Navigation / Other Users of the Sea**

3.12.1 The MMO defers to the Maritime Coastguard Agency (MCA) and Trinity House (TH) on the suitability of the scope of the assessment with regards to navigation of vessels.

### **3.13 Water Quality**

3.13.1 The MMO defers to The Environment Agency on the suitability of the scope of the assessment with regards to water quality.

### **3.14 Seabed / Land / Soil Quality and Disposal**

3.14.1 The MMO notes Sediment analysis has routinely been undertaken throughout Southampton Water. The Applicant will be scoping in both capital and maintenance dredging and the MMO believes this is appropriate.

3.14.2 The MMO welcomes that the Applicant has already engaged in relation sediment sampling and analysis for the project and welcomes continued engagement, noting this should be presented within the ES.

3.14.3 The MMO also requests that chemicals that could be used within construction and operation are identified and a chemical risk review to include information regarding how and when chemicals are to be used, stored and transported in accordance with recognised best practice guidance. Management of chemicals should be included within the ES.

3.14.4 As part of the ES a full disposal site characterisation report should be completed for the disposal at Nab Tower, further information can be found: Deposit of any substance or object - GOV.UK.<sup>5</sup>

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<sup>5</sup><https://www.gov.uk/guidance/deposits#:~:text=You%20may%20need%20a%20marine,qualify%20for%20self%2Dservice%20licensing>

### **3.15 Population and Human Health**

3.15.1 The MMO defers to the Local Authority and UK Health Security Agency on the suitability of the scope of the assessment with regards to population and human health impacts.

### **3.16 Cumulative Impacts & In-Combination Impacts**

3.16.1 The MMO has commented on cumulative impacts and in-combination impacts in each chapter where applicable and appropriate.

### **3.17 Risk of Major Accidents and Disasters Relevant to the Project (including those caused by Climate Change)**

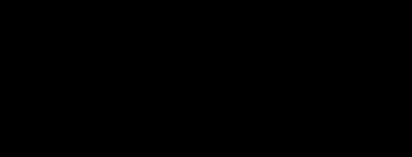
3.17.1 The MMO defers to the Local Planning Authority (LPA), MCA, TH and the UK Health Security Agency (UKHSA) on the suitability of the scope of the assessment with regards to risk of major accidents and disasters.



## 4. Conclusion

The topics highlighted in this scoping opinion should be assessed during the EIA process and the outcome of these assessments should be documented in the EIA report in support of the DML and the planning application. This statement, however, should not necessarily be seen as a definitive list of all EIA (and Habitats Regulations Assessment (HRA)) requirements. Given the scale and program of these planned works, other work may prove necessary.

Yours sincerely

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 Marine Licensing Case Manager

D   
E [@marinemangement.org.uk](mailto:@marinemangement.org.uk)



## 5. References

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# Defence Infrastructure Organisation

Ministry of Defence  
Safeguarding Department  
St George's House  
DIO Headquarters  
DMS Whittington  
Lichfield  
Staffordshire  
WS14 9PY

E-mail: [DIO-safeguarding-statutory@mod.gov.uk](mailto:DIO-safeguarding-statutory@mod.gov.uk)

[www.mod.uk/DIO](http://www.mod.uk/DIO)

08 December 2025

Planning Inspectorate  
Environmental Services  
Operations Group 3  
Temple Quay House  
2, The Square  
Bristol, BS1 6PN

## By email only

Your reference: TR0310002  
Our reference: DIO 10069263

Dear Sir/Madam,

Town and Country Planning (Environmental Impact Assessment)  
Regulations 2017 Town and Country Planning Act 1990- request for EIA  
Scoping Opinion by Associated British Ports (ABP) for an Order granting  
Development Consent for Solent Gateway 2

### **MOD site: Marchwood Sea Mounting Centre (Marchwood SMC)**

Thank you for consulting the Ministry of Defence (MOD) on the above scoping consultation.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the Ministry of Defence (MOD) as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites or training resources such as the Military Low Flying System.

The applicants for this proposal, Associated British Ports (ABP), are seeking an EIA Scoping Opinion in relation to a planning application for the development of Solent Gateway 2 (SG2) which would consist of a Roll-on Roll-off (Ro-Ro) (automotive handling) facility and associated portside infrastructure that would provide the handling of various wheeled and tracked vehicles.

The scoping area for this development directing abuts the perimeter of Marchwood Sea Mounting Centre (Marchwood SMC). The MOD monitors the management and use of land to maintain

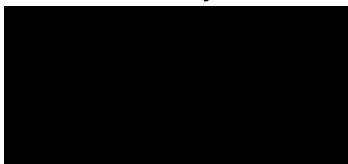
explosives licencing requirements and public safety in accordance with statutory safeguarding zones surrounding this site.

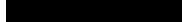
**As the proposals are in proximity to a defence site of this nature, the MOD statutory explosives safeguarding zones surrounding Marchwood SMC will need to be taken into account in the designs for this development and therefore be scoped in for this application.**

**The MOD will need to be consulted again via the above multiuser email address in order to complete the appropriate safeguarding assessments as this development progresses.**

I trust this is clear however should you have any questions please do not hesitate to contact me.

Yours sincerely

A large black rectangular redaction box covering a signature.

 Safeguarding Manager  
DIO safeguarding

**From:** [box.assetprotection](#)  
**To:** [Solent Gateway 2](#)  
**Subject:** FW: TR0310002 – Solent Gateway 2 – EIA Scoping and Consultation  
**Date:** 11 November 2025 08:17:17  
**Attachments:** [image001.png](#)  
[image003.png](#)  
[image002.png](#)  
[TR0310002 Solent Gateway 2 Project Letter to Stat Cons.pdf](#)

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Good morning,

Thank you for your email.

Regarding EIA Scoping and Consultation for Solent Gateway 2 there are no National Gas assets affected in this area.

If you would like to view if there are any other affected assets in this area, please raise an enquiry with [www.lsbud.co.uk](#). Additionally, if the location or works type changes, please raise an enquiry.

Please note this response is only in reference to National Gas Transmission assets only.

Kind regards

[REDACTED]  
Asset Protection Assistant

[REDACTED]  
[\[REDACTED\]@nationalgas.com](#)  
[box.assetprotection@nationalgas.com](#)



National Gas Transmission, Warwick Technology Park, Gallows Hill, Warwick, CV34 6DA  
[nationalgas.com](#) | [Twitter](#) | [LinkedIn](#)

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**From:** Solent Gateway 2 <[solentgateway2@planninginspectorate.gov.uk](mailto:solentgateway2@planninginspectorate.gov.uk)>  
**Sent:** 10 November 2025 15:29  
**To:** Solent Gateway 2 <[solentgateway2@planninginspectorate.gov.uk](mailto:solentgateway2@planninginspectorate.gov.uk)>  
**Subject:** TR0310002 – Solent Gateway 2 – EIA Scoping and Consultation

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Dear Sir/ Madam

Please see attached correspondence on the proposed Solent Gateway 2.

The Applicant for the Proposed Development intends to make an application for Development Consent under the Planning Act 2008. The Applicant has sought a Scoping Opinion from the Planning Inspectorate, on behalf of the Secretary of State, as to the scope and level of detail of the information to be provided within the Environmental Statement that will accompany its future application.

The Planning Inspectorate has identified you as a consultation body to inform the Scoping Opinion and is therefore inviting you to submit comments by **8 December 2025**. The deadline is a statutory requirement that cannot be extended.

Further information is included within the attached letter.

Kind regards,

Georgia Pathy



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National Grid House  
Warwick Technology Park  
Gallows Hill, Warwick  
CV34 6DA

**nationalgrid**

Lead Development Liaison Officer  
[REDACTED]@nationalgrid.com  
[REDACTED]

Development Liaison Support Officer  
[REDACTED]@nationalgrid.com  
[REDACTED]

Customer Connections Site Solutions (CCSS)  
Land, Planning and External Affairs (LPEA)  
National Grid Electricity Transmission (NGET)  
[www.nationalgrid.com](http://www.nationalgrid.com)

SUBMITTED ELECTRONICALLY:  
solentgateway2@planninginspectorate.gov.uk

08 December 2025

Dear Sir/Madam

**RE: APPLICATION BY Associated British Ports (ABP) (THE APPLICANT) FOR AN ORDER GRANTING  
DEVELOPMENT CONSENT FOR THE Solent Gateway 2 (THE PROPOSED DEVELOPMENT)**

**SCOPING CONSULTATION RESPONSE**

We refer to your letter dated 10<sup>th</sup> November 2025 in relation to the above proposed application.

This is a response on behalf of National Grid Electricity Transmission PLC (NGET).

NGET has no existing apparatus within or in close proximity to the proposed site boundary but would like to be kept informed as the proposal progresses.

We enclose a plan showing our nearest infrastructure.

If you require any further information, please do not hesitate to contact the Land Development Liaison team.

Yours faithfully,

[REDACTED]

Lead Development Liaison Officer  
Customer Connections Site Solutions (CCSS)  
Land, Planning and External Affairs (LPEA)

[REDACTED]

Development Liaison Support Officer  
Customer Connections Site Solutions (CCSS)  
Land, Planning and External Affairs (LPEA)



Figure 1: NGET Assets

**From:** [REDACTED]  
**To:** [Solent Gateway 2](#)  
**Cc:** [Planning SE](#); [REDACTED]  
**Subject:** TR0310002 NH/25/13663 Application by Associated British Ports (ABP) (the applicant) for an Order granting Development Consent for Solent Gateway 2 (the proposed development)  
**Date:** 08 December 2025 12:23:45

---

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**Proposal:** Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (The EIA Regulations) – Regulations 10 and 11. Application by Associated British Ports (ABP) (the applicant) for an Order granting Development Consent for Solent Gateway 2 (the proposed development)

**Your ref:** TR0310002

**Our Ref:** NH/25/13663

Dear Stephanie

Thank you for the opportunity to comment on the EIA scoping assessment for the application by Associated British Ports (ABP) (the applicant) for an Order granting Development Consent for Solent Gateway 2.

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such National Highways works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

In the case of this development proposal, our interest is in the M27, M271, M3, A31 and A34. In particular, we will be concerned with both the construction and operational traffic impact added to any junctions on these roads.

We look forward to engagement with the applicant to assess and identify an appropriate transport strategy to support delivery of proposed growth at Solent Gateway. National Highways requires that key environmental topics are assessed on an SRN specific basis. We note that traffic and transport impacts will be assessed in this way, other topics including air quality, biodiversity, carbon emissions, climate resilience and noise all require an SRN-specific assessment, in addition to the project wide assessments.

We look forward to continuing to participate in future discussions as these proposals develop. We can be contacted for further information or to arrange a meeting via our inbox: [PlanningSE@nationalhighways.co.uk](mailto:PlanningSE@nationalhighways.co.uk).

Kind Regards

[REDACTED], Area 3 Spatial Planner

National Highways | Bridge House | 1 Walnut Tree Close | Guildford | Surrey | GU1 4LZ

Tel: [REDACTED] | Mobile: [REDACTED]

Web: <http://www.highways.gov.uk>

GTN: [REDACTED]

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Date: 08 December 2025  
Our ref: 533281  
Your ref: TR0310002



Solentgateway2@planninginspectorate.gov.uk

**BY EMAIL ONLY**

Consultations  
Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

T 0300 060 900

Dear Stephanie Newman,

**Natural England's Response To Consultation Under The Planning Act 2008 (As Amended) And The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11.**

**Proposal:** Solent Gateway 2

**Location:** Port of Southampton's Strategic Land Reserve

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in the consultation dated 10 November 2025.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

A robust assessment of environmental impacts and opportunities based on relevant and up to date environmental information should be undertaken prior to an application for a Development Consent Order (DCO). We provide detailed advice regarding the direct loss of designated sites of international and national conservation interest below, as well as advice on matters scoped out of the assessment. Annex A to this letter provides Natural England's further general advice on the scope of the Environmental Impact Assessment (EIA) for the proposed development.

Natural England have been engaged by the applicants through our pre-application advice service.

**Designated nature conservation sites**

**International and European sites**

Where a plan or project is likely to have a significant effect upon a European Site, either individually or in combination with other plans or projects, a Habitats Regulations Assessment (HRA) is required by regulation 63 of Conservation of Species and Habitats Regulations 2017 ('the Habitats Regulations').

The project is likely to result in the direct loss of habitats within internationally designated nature conservation sites: the Solent and Southampton Water Special Protection Area (SPA), the Solent and Southampton Water Ramsar, and the Solent and Dorset Coast SPA.

In addition to this direct loss of areas within the designated sites, there would be direct loss of terrestrial habitats which are functionally linked to the Solent and Southampton Water SPA. Land which is frequently used by the SPA Qualifying Features is deemed functionally linked because it supports the functionality and integrity of the designated sites. It contributes to the achievement of the SPA's conservation objectives and is therefore afforded protection in the HRA process. The Solent Wader and Brent Goose Strategy identifies this network of sites and provides further information on their classification or importance.

The Scoping Report scopes out the New Forest SAC, SPA, Ramsar and SSSI. We note that the impact pathway of recreational disturbance is not considered here. Given the plans to include an on site 'country park', the ES should further examine how this might influence recreation in the area, including the New Forest.

The project may also impact on the Qualifying Features of the River Itchen SAC and the Rivers Test Compensatory SAC Habitat and the Meon Compensatory SAC Habitat. The Qualifying Feature for the River Meon compensatory habitat is Atlantic salmon. Natural England can provide a shapefile of the compensatory SAC habitat, along with information upon request. Further consideration is needed on potential impacts to the Test, Itchen and Meon salmon metapopulation. We advise that impacts to the SAC features and the compensatory habitat is scoped into the assessment.

We note that Otter as a Qualifying Feature of the River Itchen SAC are scoped out. The Environment Agency state that evidence of otter has been identified within the scoping boundary (Scoping consultation response, December 2025). We advise that the ES includes potential impact to otter into the assessment, both as an SAC feature, and in the wider environment.

Evidence Plans are a useful mechanism NSIP applicants can use to agree what information should be provided to the Planning Inspectorate and Natural England when undertaking Habitats Regulations Assessment (HRA). We have agreed to work with the applicant on their HRA Evidence Plan Process. Agreeing the evidence-needs of the project early prior to applying for Development Consent should help reduce delays in the process. More information on Evidence Plans is available [here](#).

The ES should thoroughly assess the potential for the proposal to affect internationally designated sites of nature conservation importance / European sites, including marine sites where relevant. This includes Special Protection Areas (SPA), Special Areas of Conservation (SAC), listed Ramsar sites, candidate SAC and proposed SPA.

European site conservation objectives are available at <http://publications.naturalengland.org.uk/category/6490068894089216>.

### **Sites of Special Scientific Interest**

Sites of Special Scientific Interest (SSSI) are protected under the Wildlife and Countryside Act 1981 (as amended). Further information on the SSSI and its special interest features can be found at [www.magic.gov.uk](http://www.magic.gov.uk).

The proposal is likely to lead to the direct loss of areas of Dibden Bay SSSI and Hythe to Calshot Marshes SSSI.

The ES should include a full assessment of the direct and indirect effects of the development on the features of special interest within relevant SSSIs and identify appropriate mitigation measures to avoid, minimise, reduce or, as a last resort, compensate for any adverse

significant effects.

### **Water Quality, Marine Ecology and Freshwater**

It is noted that Chapters 6 and 7 of the ES Scoping Report (Marine Water and Sediment Quality, Marine Ecology) do not consider impacts to designated sites. The Solent Maritime Special Area of Conservation (SAC) is not treated as a receptor in the same way that designated sites are in other parts of the document (e.g. Chapter 12). We would recommend that this approach is updated to be consistent with the assessment of potential impacts to other designated sites.

Changes to sedimentation and water quality through marine piling works has been scoped out of the assessment. While the justification for this may be reasonable, we advise that this is scoped into the assessment and further evidence is provided to support this justification.

Freshwater impacts are considered in Chapter 12, Terrestrial Ecology but we recommend that a specific chapter of the ES considers impacts to freshwater ecology.

For any further advice on this consultation please contact the case officer [REDACTED] at [REDACTED]@naturalengland.org.uk and copy to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours faithfully,

[REDACTED]  
Senior Officer  
Thames Solent Team

## Annex A – Natural England’s Advice on EIA Scoping

### General principles

Regulation 11 of the Infrastructure Planning Regulations 2017 - (The EIA Regulations) sets out the information that should be included in an Environmental Statement (ES) to assess impacts on the natural environment. This includes:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases.
- Appropriately scaled and referenced plans which clearly show the information and features associated with the development.
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen.
- A description of the aspects and matters requested to be scoped out of further assessment with adequate justification provided<sup>1</sup>.
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation etc.) resulting from the operation of the proposed development.
- A description of the aspects of the environment likely to be significantly affected by the development including biodiversity (for example fauna and flora), land, including land take, soil, water, air, climate (for example greenhouse gas emissions, impacts relevant to adaptation, cultural heritage and landscape and the interrelationship between the above factors.
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium, and long term, permanent and temporary, positive, and negative effects. Effects should relate to the existence of the development, the use of natural resources (in particular land, soil, water and biodiversity) and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment.
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.
- An outline of the structure of the proposed ES.

### Cumulative and in-combination effects

The ES should fully consider the implications of the whole development proposal. This should include an assessment of all supporting infrastructure.

An impact assessment should identify, describe, and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment (subject to available information):

- a. existing completed projects
- b. approved but uncompleted projects
- c. ongoing activities
- d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and
- e. plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.

### Environmental data

Natural England is required to make available information it holds where requested to do so. National datasets held by Natural England are available at <http://www.naturalengland.org.uk/publications/data/default.aspx>.

Detailed information on the natural environment is available at [www.magic.gov.uk](http://www.magic.gov.uk).

Natural England's SSSI Impact Risk Zones are a GIS dataset which can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the [Natural England Open Data Geoportal](#).

Natural England does not hold local information on local sites, local landscape character, priority habitats and species or protected species. Local environmental data should be obtained from the appropriate local bodies. This may include the local environmental records centre, the local wildlife trust, local geo-conservation group or other recording society.

## **Biodiversity and geodiversity**

The assessment will need to include potential impacts of the proposal upon sites and features of nature conservation interest as well as opportunities for nature recovery through biodiversity net gain (BNG).

We advise this include the emerging Local Nature Recovery Strategy (LNRS) for Hampshire which will be the key mechanism for planning and mapping local delivery of the Nature Recovery Network (NRN). The NRN refers to a single, growing national network of improved joined-up, wildlife rich places which will benefit people and wildlife [Local nature recovery strategies GOV.UK \(www.gov.uk\)](#).

Ecological Impact Assessment (EIA) is the process of identifying, quantifying, and evaluating the potential impacts of defined actions on ecosystems or their components. EIA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal. [Guidelines](#) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM).

## **Regionally and Locally Important Sites**

The Environmental Statement should consider any impacts upon local wildlife and geological sites, including local nature reserves. Local Sites are identified by the local wildlife trust, geoconservation group or other local group. The ES should set out proposals for mitigation of any impacts and if appropriate, compensation measures and opportunities for enhancement and improving connectivity with wider ecological networks. They may also provide opportunities for delivering beneficial environmental outcomes.

## **Protected species**

The conservation of species protected under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017 is explained in Part IV and Annex A of Government Circular 06/2005 [Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System](#).

Applicants should check to see if a mitigation licence is required using NE guidance on licencing [NE wildlife licences](#). Applicants can also make use of Natural England's (NE) charged service [Pre Submission Screening Service](#) for a review of a draft wildlife licence application. NE then reviews a full draft licence application to issue a Letter of No Impediment (LONI) which explains that based on the information reviewed to date, that it

sees no impediment to a licence being granted in the future should the DCO be issued. This is done to give the Planning Inspectorate confidence to make a recommendation to the relevant Secretary of State in granting a DCO. See [Advice Note Eleven, Annex C – Natural England and the Planning Inspectorate | National Infrastructure Planning](#) For details of the LONI process.

The ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). Natural England does not hold comprehensive information regarding the locations of species protected by law. Records of protected species should be obtained from appropriate local biological record centres, nature conservation organisations and local groups. Consideration should be given to the wider context of the site, for example in terms of habitat linkages and protected species populations in the wider area.

The area likely to be affected by the development should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and, where necessary, licensed, consultants.

Natural England has adopted [standing advice](#) for protected species, which includes guidance on survey and mitigation measures. A separate protected species licence from Natural England or Defra may also be required.

## **Priority Habitats and Species**

Priority Habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. Lists of priority habitats and species can be found [here](#). Natural England does not routinely hold species data. Such data should be collected when impacts on priority habitats or species are considered likely.

Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land. Sites can be checked against the (draft) national Open Mosaic Habitat (OMH) inventory published by Natural England and freely available to [download](#). Further information is also available at Buglife's Brownfield Hub [here](#).

An appropriate level habitat survey should be carried out on the site to identify any important habitats present. In addition, ornithological, botanical, and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present.

The Environmental Statement should include details of:

- Any historical data for the site affected by the proposal (e.g. from previous surveys)
- Additional surveys carried out as part of this proposal
- The habitats and species present
- The status of these habitats and species (e.g. whether priority species or habitat)
- The direct and indirect effects of the development upon those habitats and species
- Full details of any mitigation or compensation measures
- Opportunities for biodiversity net gain or other environmental enhancement

## Ancient Woodland, ancient and veteran trees

The ES should assess the impacts of the proposal on the ancient woodland and any ancient and veteran trees, and the scope to avoid and mitigate for adverse impacts. It should also consider opportunities for enhancement.

Ancient woodland is an irreplaceable habitat of great importance for its wildlife, its history, and the contribution it makes to our diverse landscapes. Paragraph 180 of the NPPF sets out the highest level of protection for irreplaceable habitats and development should be refused unless there are wholly exceptional reasons, and a suitable compensation strategy exists.

The Environmental Statement should include details of where impacts might occur from this development proposal on the local ancient woodland and how these can be mitigated. Information that might require consideration to inform this work includes:

- Any historical data for the site affected by the proposal (e.g. from previous surveys);
- Additional surveys carried out as part of this proposal, likely to include detailed habitat and species surveys;
- The habitats and species present;
- The status of these habitats and species (eg whether priority species or habitat);
- The direct and indirect effects of the development upon those habitats and species; and
- Full details of any mitigation or compensation that might be required.

Natural England maintains the Ancient Woodland [Inventory](#) which can help identify ancient woodland. The [wood pasture and parkland inventory](#) sets out information on wood pasture and parkland.

The [ancient tree inventory](#) provides information on the location of ancient and veteran trees. Natural England and the Forestry Commission have prepared [standing advice](#) on ancient woodland, ancient and veteran trees.

## Biodiversity net gain

The Environment Act 2021 includes NSIPs in the requirement for BNG, with the biodiversity gain objective for NSIPs defined as at least a 10% increase in the pre-development biodiversity value of the on-site habitat. It is the intention that BNG should apply to all terrestrial NSIPs accepted for examination from May 2026. This includes the intertidal zone but excludes the subtidal zone (an approach to marine net gain is being developed but this will not form part of mandatory BNG). Projects that span both offshore and onshore will be subject to BNG requirements for the onshore components only. Some organisations have made public BNG commitments, and some projects are already delivering BNG on a voluntary basis.

## Landscape and visual impacts

The National Policy Statement for Ports includes requirements for the consideration of landscape impacts. The environmental assessment should refer to the relevant [National Character Areas](#). Character area profiles set out descriptions of each landscape area and statements of environmental opportunity.

The EIA should include a full assessment of the potential impacts of the development on local landscape character using [landscape assessment methodologies](#). We encourage the use of Landscape Character Assessment (LCA), based on the good practice guidelines

produced jointly by the Landscape Institute and Institute of Environmental Assessment. LCA provides a sound basis for guiding, informing, and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character.

A landscape and visual impact assessment should also be carried out for the proposed development and surrounding area. Natural England recommends use of the methodology set out in *Guidelines for Landscape and Visual Impact Assessment 2013* ((3rd edition) produced by the Landscape Institute and the Institute of Environmental Assessment and Management. For National Parks and AONBs, we advise that the assessment also includes effects on the 'special qualities' of the designated landscape, as set out in the statutory management plan for the area. These identify the particular landscape and related characteristics which underpin the natural beauty of the area and its designation status.

The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. This should include an assessment of the impacts of other proposals currently at scoping stage or beyond.

To ensure high quality development that responds to and enhances local landscape character and distinctiveness, the siting and design of the proposed development should reflect local characteristics and, wherever possible, use local materials. Account should be taken of local design policies, design codes and guides as well as guidance in the [National Design Guide](#) and [National Model Design Code](#). The ES should set out the measures to be taken to ensure the development will deliver high standards of design and green infrastructure. It should also set out detail of layout alternatives, where appropriate, with a justification of the selected option in terms of landscape impact and benefit.

The National Infrastructure Commission has also produced Design Principles [Design Principles for National Infrastructure - NIC](#) endorsed by Government in the National Infrastructure Strategy.

### **Connecting people with nature**

The ES should consider potential impacts on access land, common land, public rights of way and, where appropriate, the England Coast Path and coastal access routes and coastal margin in the vicinity of the development, in line with NPPF paragraph 104 and there will be reference in the relevant National Policy Statement. It should assess the scope to mitigate for any adverse impacts. Rights of Way Improvement Plans (ROWIP) can be used to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

Measures to help people to better access the countryside for quiet enjoyment and opportunities to connect with nature should be considered. Such measures could include reinstating existing footpaths or the creation of new footpaths, cycleways, and bridleways. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Access to nature within the development site should also be considered, including the role that natural links have in connecting habitats and providing potential pathways for movements of species. The environment around the development is sensitive to recreational disturbance so careful consideration of access management will be required.

Relevant aspects of local authority green infrastructure strategies should be incorporated where appropriate.

### **Air quality**

The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly, or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The ES should take account of the risks of air pollution and how these can be managed or reduced. This should include taking account of any strategic solutions or SNAPS, which may be being developed or implemented to mitigate the impacts of air quality. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System ([www.apis.ac.uk](http://www.apis.ac.uk)).

Natural England has produced guidance for public bodies to help assess the impacts of road traffic emissions to air quality capable of affecting European Sites: [Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations - NEA001](#).

Information on air pollution modelling, screening and assessment can be found on the following websites:

- SCAIL Combustion and SCAIL Agriculture - <http://www.scail.ceh.ac.uk/>
- Ammonia assessment for agricultural development  
<https://www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit>
- Environment Agency Screening Tool for industrial emissions  
<https://www.gov.uk/guidance/air-emissions-risk-assessment-for-your-environmental-permit>
- Defra Local Air Quality Management Area Tool (Industrial Emission Screening Tool) – England <http://www.airqualityengland.co.uk/laqm>

**Place Development**

Assistant Director: [REDACTED]

Planning Inspectorate  
Temple Quay House  
2 The Square, Bristol,  
BS1 6PN

My Ref: ENQ/25/20440

Your Ref: TR0310002

Date: 08 December 2025

Dear Sirs

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (The EIA Regulations) – Regulations 10 and 11**

**Application by Associated British Ports (ABP) (the applicant) for an Order granting Development Consent for Solent Gateway 2**

Thank you for your letter dated 10 November 2025 which outlines that the Planning Inspectorate has received a request to adopt a Scoping Opinion regarding its proposal for a new port facility between Marchwood and Hythe in the New Forest, Hampshire. This proposal is known as Solent Gateway 2 and is expected to be a nationally significant infrastructure project (NSIP). The request from Associated British Ports (ABP) is supported with a Scoping Report dated November 2025, and is annotated to be Version 1.

The key components of the proposed project are summarised in Table 1.1 that lies within the Scoping Report (the Report). Figure 2.1 with the Report shows the Location and Layout of the Proposed Project.

Paragraph 2.1.4 of the report indicates that off-site locations, which have not yet been identified, will come forward as part of habitat compensation, mitigation, and enhancement measures. This suggests that the full extent of the application site has not been finalised. Consequently, it is noted that the study area for certain topics may need to be adjusted at a later stage.

The Planning Inspectorate has identified New Forest District Council as a consultation body who must be consulted before the adoption of the Scoping Opinion.

The comments of the council, in response, are enclosed as Appendix One to this letter. We trust these assist the Planning Inspectorate in forming its opinion.

**[newforest.gov.uk](http://newforest.gov.uk)**

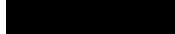
Appletree Court, Beaulieu Road, LYNDHURST, SO43 7PA

In reviewing the material submitted, there are a number of additional observations from officers that are not directly related to this scoping response. It is proposed that these are sent separately to ABP directly, with a copy sent to the Planning Inspectorate for information.

Finally, we can confirm that New Forest District Council is collaborating closely with Hampshire County Council and New Forest National Park Authority on our respective contributions to these proposals. A joint lead officer has been appointed, enabling the three host authorities to work collectively and engage with ABP throughout the pre-application stage of the project.

Yours sincerely



 Assistant Director for Place Development,

For ease of reference, the response below follows the same format as the Report itself with the chapter heading and then the comment as appropriate.

**Sections 1-4:**

No comments

**Section 5: Coastal Processes and Geomorphology**

5.2 – Relevant Policy, Legislation and Guidance - It is suggested that the following additional items are also considered for inclusion:

- North Solent Solent Management Plan (SMP)
- National Coastal Erosion Risk Mapping (NCERM)
- National Flood Risk Assessment (NaFRA2)
- Marine Management Organisation

5.4 – Description of Existing Environment

5.4.13-5.4.16 – Waves - the statement in 5.4.14 suggesting that waves in the Solent help form features such as Hurst Spit is considered incorrect from a geomorphological perspective. While this may have been intended as an illustrative example, it does not accurately reflect the processes involved (perhaps Calshot Spit would be more appropriate?). There is general agreement with the statement in 5.4.16 that based on existing evidence, wave climate is likely to be a secondary impact, compared to tidal forcing.

5.5 - Potential impacts – Table 5.2 – this references capital dredge disposal potentially occurring at the Nab Tower disposal site. It is likely that any dredged material should be assessed for potential Beneficial Use of Dredge Sediment (BUDS) at suitable sites prior to considering this option.

In particular, the Scoping Report should take account of work between New Forest District Council (NFDC), Environment Agency (lead) (EA), Hampshire County Council (HCC), and Natural England (NE) on a 100-year Coastal Defence Strategy for the coastline between Hurst Spit and Lymington. This strategy is expected to generate schemes and projects that may require similar sediment to support Managed Realignment initiatives. These initiatives include habitat creation and mitigation projects. Such works may seek locally sourced sediments to adjust ground elevation and create suitable areas for saltmarsh and mudflat development. Further information is available at: [Hurst Spit to Lymington Strategy](#)

Whilst the Project proposes shoreline protection, as listed in Table 1.1 (Summary of the main elements of the proposed project), the implications of the hardening of the coastline should also be considered and addressed in Table 5.2 (Potential Impacts during Construction) or indeed Table 5.3 (Potential Impacts during Operation).

**Section 6: Marine Water and Sediment Quality**

No comment.

## **Section 7: Marine Ecology**

No comment.

## **Section 8: Coastal Ornithology**

General – The council has not seen survey methodologies, details of any constraints or limitations and full details of survey findings. As such, the information presented is taken at face value but an assessment of this and the conclusions drawn from it would be reviewed when made available. Further comments relevant to scoping may follow.

Some concerns are raised about the adequacy and currency of some of the baseline surveys. Surveys should be current. Where more aged data is proposed to be used, full justification would be required to be provided in accordance with CIEEM guidance on the lifespan of ecological survey/reports. It is noted that the importance criteria would be updated to reflect any additional baseline data collected.

Designated Sites - Officers are generally in agreement with the scoping in relation to designated sites and their qualifying/interest features. It is noted that some aspects are yet to be defined, such as in relation to air quality and the affected road network.

### **8.4. Description of Existing Environment**

#### **Table 8.1 – Key data sources**

- BP Dibden Bay Daylight Waterbird Surveys and Pre-Dawn (Nocturnal) Waterbird Surveys – It is noted that it is proposed that the data captured over the last 5 years would be used as the baseline. Whilst not against this in principle, it would be useful to understand the longer-term trends and understand how the 20-25 data relates to 2016-2020 - Is it comparable? Are there any particular outliers which need addressing?
- Breeding Lapwing Survey and Terrestrial Breeding Bird Surveys (2016 & 2018) – have more recent breeding bird surveys been completed?

8.4.29 – Breeding coastal waterbirds – the general commentary on the declining number of breeding lapwing is noted. However, additional context is required. What have site management practices been over this time period? Stocking rates? How has this affected (or not) lapwing numbers on-site?

Table 8.6 – Potential impacts during operation and proposed scope of 04ES – with reference to the noise and visual disturbance to coastal waterbirds impacts, it is noted that this is scoped in for berth operations and landside operations. The indicative early layout plans show footpaths around the remaining reclaimed area and along the foreshore. As such, it is recommended that recreation disturbance should be included and scoped in.

## **Section 9: Commercial and Recreational Fisheries**

No comment.

### **Section 10: Commercial and Recreational Navigation**

No comment.

### **Section 11: Ground Conditions and Contamination**

11.3.10 – 11.3.13 – Contamination - The council has undertaken an initial inspection of the district for potentially contaminated land in accordance with requirements under Part IIA of the Environmental Protection Act 1990. There are no current formal actions associated with this legislation and/or known pollutant linkages concerned with the site in question (or sites with adjoining boundaries).

However, due to the former potentially contaminative activities on the site, i.e. reclamation, the site has been ‘prioritised’ whereby receptors are potentially at risk. It is not considered likely that a significant possibility of significant harm (SPOSH) is present given existing land use, however if land use was to change then further site investigation is required.

11.8.1 – 11.8.6 – Approach to Assessment and Data Gathering Officers note that a phased risk-based approach is to be conducted in accordance with the Environment Agency's technical guidance, Land Contamination Risk Management (LCRM). It also notes that a Geo-Environmental Desk based study, Preliminary Risk Assessment (PRA) and landside intrusive ground investigation is proposed. This will inform a remediation strategy, if necessary, with mitigation measures implemented prior to occupation/operation.

Tables 11.3 & Table 11.4 - All receptors mentioned above should be scoped into the EIA as assumptions cannot be made until further up to date information and data is gathered through the phased risk-based approach process for the Solent Gateway 2 site.

### **Section 12: Terrestrial Ecology**

General - the council has not seen survey methodologies, details of any constraints or limitations and full details of survey findings. As such, the information presented is taken at face value but an assessment of this and the conclusions drawn from it would be reviewed when made available. Further comments relevant to scoping may follow.

It is also noted that reference has been made to CIEEM guidelines on the lifespan of ecological surveys/reports for several species groups. Some concerns are raised about the adequacy and currency of some of the baseline surveys including for badger, bat activity and radiotracking surveys, invertebrates and bird surveys (notably for crepuscular species and for New Forest SPA qualifying species where 2018 surveys are referenced). We note that the importance criteria would be updated as appropriate to reflect any additional baseline data collected.

- 12.2.3 - Environment Act 2021 not 2001

### Designated Sites

Officers are generally in agreement with the scoping in relation to designated sites and their qualifying/interest features noting that some aspects are yet to be defined such as in relation to air quality and the affected road network (ARN).

12.2 –Relevant Policy, Legislation and Guidance - It is suggested that the following additional items are also considered for inclusion:

- New Forest Local Plan Part 1, July 2020:
  - Strategic Objective SO2: Biodiversity and environmental quality
  - Policy STR1(iii): Achieving sustainable development
  - Policy ENV1: Mitigating the impacts of development on International Nature Conservation sites
  - Policy ENV3(v): Design quality and local distinctiveness
  - Policy ENV4: Landscape character and quality
  - Policy DM2: Nature conservation, biodiversity and geodiversity

### 12.4 – Description of Existing Environment

12.4.1 – Data sources – It's noted that Invertebrate surveys from 2016, 2018 & 2019 do not appear to have been updated. Given SSSI designation for supporting nationally important assemblage of invertebrates (including beetles, bees, wasps and flies) proportionate update surveys would be expected.

12.4.22 – Noting that six badger setts have been identified from surveys, officers note that no survey methodology has been provided. On a site this large where badger presence is recorded, it would be expected that bait marking surveys have been undertaken to fully understand territories and how many badger social groups would likely be impacted from works themselves or potential future recreational uses. It is not currently known where setts are located in relation to the construction area / recreation uses. While not a species of conservation concern, should they be considered as 'important' features and included in the assessment? Surveys would also be expected to be of a suitable level of detail to underpin any necessary mitigation.

12.4.23-12.4.33 – Bats - Bat survey data is predominantly from 2018 & 2020. Some update surveys have been undertaken in 2025, but this seems only to have been done for buildings. It would be expected that the 2018 and 2019 survey data (e.g. activity surveys and trapping surveys) would also be updated in support of the application in line with CIEEM guidelines on the lifespan of ecological surveys/reports. Given the presence of Annex II species roosting on-site, updating radiotracking surveys would be expected. This would also assist with identifying tree roosts, noting that these have not been completed yet

## Appendix 1 – New Forest District Council comments on SG2 Scoping Report

Hampshire Bat Group (HBG) are undertaking surveys / taking interest in Annex II bat species across the Waterside. It is recommended that they are engaged with as part of any on-going stakeholder engagement.

12.4.31 – Bats - The species and classification of the twelve roosts are not provided. Off-site roosts are likewise referenced (unknown species /roost type). Full consideration should still be provided for the off-site roosts and how these roosting bats utilise land within the scoping boundary.

12.4.49 – No habitat map is provided to see locations and extent of habitats recorded on site.

Table 12.5

- Preliminary valuation of importance of terrestrial ecology receptors - Annex 1 habitat: 1330 Atlantic salt meadows (also HoPI coastal saltmarsh) - Whilst a small contribution to the total area of this habitat in SACs in Hampshire, officers would expect this to be of greater than County importance. Additional justification regarding extent/quality/ role in wider ecological network required.
- Habitats of Principal Importance (HOPI): Wet woodland, lowland mixed deciduous woodland, coastal and floodplain grazing marsh, lowland dry acid grassland, reedbeds, coastal saltmarsh and mesotrophic lakes, saline lagoon - without seeing supporting survey information, officers are unclear as to the justification for HOPI being scoped out of the EIA wholesale by virtue of being assigned Local Importance. HOPI are identified as being the most threatened and require conservation action and are part of the UK Biodiversity Action Plan. It would be expected that the starting point would be that HOPI would be considered to be of national importance in policy terms. If importance is reduced (due to extent, quality, role in wider ecological network) then this needs justifying. It may be that some, but not all HOPI are scoped out. Individual consideration of the importance of HOPI within the scoping boundary should be explored and justification provided.
- Habitats of Principal Importance (HOPI): Hedgerows - Have any of the hedgerows on-site been assessed to be 'Important' under the Hedgerow Regulations? If so, it would be reasonable to expect these to be of greater than Local Importance.
- Great crested newt (GCN) – recorded as absent from scoping boundary – Based on officer's access to NatureSpace GCN risk modelling, the highest risk zone recorded on-site is 'red' which corresponds to "highly suitable habitat - the most important areas for great crested newts". Officers note the current assessment that the site is considered unlikely to support GCN, however they would seek to fully assess the data available and identify any limitations e.g. pond access. Presently this information is not currently being presented. Amphibians, including GCN are currently scoped out.

## 12.6 – Potential Impacts

Table 12.6

- Other breeding birds and reptiles – Given the recognition in paragraph 12.8.3 regarding protected species and the potential exists for breach of the legislation, should they be considered as 'important' features and included in the assessment?
- Bird surveys – it is noted that the Report references baseline surveys in 2018 recording only individual non-breeding hobby and nightjar on single occasions. On this basis, the Report concludes that the Project does not support functionally linked land for qualifying bird species. It is unclear whether targeted surveys have been undertaken for crepuscular species or whether the records are incidental e.g. recorded during bat surveys? Have there been any update surveys since 2018 for New Forest qualifying bird species? This would need to be a conclusion drawn from up-to-date survey information.

### **Section 13: Traffic and Transport**

13.4.2 – additional survey locations are advised at Eling Tide Mill & Causeway. HGVs travelling to and from SG1 and Marchwood Military Port are occasionally being directed to Eling Causeway and Tide Mill, Totton and Eling - 1179062 | Historic England which are Grade II\* listed. The bridge has a maximum gross weight limit of 2 tonnes.

Paragraph 13.5.3 indicates that the proposed A326 improvement scheme will form the future baseline scenario. Paragraph 2.3.32 states that it is assumed the A326 works are permitted and constructed prior to the operation of Solent Gateway 2. These works still have several hurdles to negotiate before any spade in the ground. A planning application is not even under consideration at the present time. The council is aware of and supports the Hampshire County Council (as Highway Authority) view that ABP should be considering both options relating to the assessment of vehicle movements and access. These are firstly, a scheme with the A326 improvement works completed and secondly, the option without any A326 improvements (effectively relying on the existing road network). It should be noted that the second option would also have implications on a range of other related topics that have not presently been considered.

### **Section 14: Noise and Vibration**

14.2 – Relevant policy, legislation and guidance

14.2.7 – The Significant Observed Adverse Effect Level (SOAEL) and the Lowest Observed Adverse Effect Level (LOAEL) should be clearly quantified and defined for

## Appendix 1 – New Forest District Council comments on SG2 Scoping Report

both construction and operational noise, citing relevant guidance for specific noise sources.

### 14.4 – Description of Existing Environment

14.4.2 – Noise Sensitive Receptors - Additional receptor locations should be identified in relation to impacts from changes to road noise from A236, both from operational and construction traffic. Possible receptor locations closest to the new road alignment and junction with A326 include dwellings to the East in St Contest Way, Twiggs Lane and Marchwood Infant School, and to the South of the Scoping boundary a dwelling on the entrance to Marchwood Park (North Lodge).

Table 14.4

- Potential impacts during construction and proposed scope of the EIA - Residential and non-residential NSR –
  - Direct disturbance as a result of vibration emitted by construction activities - Construction vibration impacts should be assessed for all activities which are a potentially significant source of vibration, such as piling and vibratory rollers/compactors, within 100m of any identified potentially sensitive receptors.
  - Indirect disturbance as a result of noise level changes due to changes in road traffic flows

Table 14.5

- Potential impacts during operation and proposed scope of the EIA - Residential and non-residential NSR –
  - Indirect disturbance as a result of noise or vibration from vessels outside the marine facilities - Import and export activities, maintenance dredging – taking this out of EIA scope is not agreed with. Moored vessels can generate significant noise from sources such as auxiliary engines and deck fans. This is a well-documented issue within the Port of Southampton, where complaints are common. ABP acknowledges the problems associated with certain existing vessels. Consequently, these indirect noise impacts must be comprehensively assessed and, where necessary, mitigated.

### 14.8 Approach to Assessment and Data Gathering for ES

14.8.1 – Additional Baseline data collection - In addition to the guidance outlined within this section, baseline data collection should have regard to BS 8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings (British Standards Institution, 2014c) and Guidelines for Community Noise (World Health Organisation, 1999) on desirable internal and external noise criteria for dwellings and other receptors, including night-time LA max criteria given proposed 24 hour use of the development site.

14.8.4 - Unattended measurement duration should be a minimum of 7 days (ideally longer to ensure that significant periods of data are not compromised by poor

weather) and encompass both weekday and weekends. Where access to selected residential receptors is not possible, alternative sites should be identified in preference to shortened attended/ unattended measurements to ensure that any data is robust. Seasonal variations to noise levels in the locality may impact baseline data, therefore consideration should be given to this in the survey methodology.

## **Section 15: Air Quality**

15.2.2 Relevant Policy, Legislation and Guidance - It is suggested that the following additional items are also considered for inclusion:

- New Forest District Council Air Quality Strategy, adopted 2025 - highlights local priority areas such as transport emissions and planned development. The emphasis of the Air Quality Strategy is to improve local air quality beyond national air quality objectives to improve the health of local residents.

### **15.4 – Description of Existing Environment**

The scoping report does not appear to acknowledge that New Forest District Council (NFDC) had declared an Air Quality Management Area (AQMA) in Totton for the likely exceedance of the annual mean air quality objective for nitrogen dioxide due to vehicle emissions idling at closed railway gates in Junction Road, Totton.

The AQMA was declared in 2005 following initial monitoring (in response to the proposed development of 'Dibden Bay' on the same site of the proposed development during the late 1990's) which noted concerns on the pollutant concentrations. The AQMA was subsequently revoked in 2016 following reductions in monitored pollutant concentrations.

Should freight traffic increase as a result of the proposed Project, vehicle time and numbers of vehicles idling at rail crossings are likely to increase, resulting in increases in localised pollutant concentrations. These emissions require appropriate assessment as part of the ES.

The scoping opinion also does not appear to acknowledge the Ministerial Direction placed on NFDC in 2017 by Government following its plan to tackle roadside nitrogen dioxide concentrations. This was for a stretch of the A35 leading into the Southampton City Council (SCC) administrative area.

Whilst this may have led to the formation of a Clean Air Zone (CAZ), extensive modelling determined a 'business as usual' scenario would not exceed pollutant limit concentrations for nitrogen dioxide. Should traffic volumes increase on this particular route, there may be a risk of an exceedance of this limit value, which considers public exposure on a footpath (ie transient) rather than exposure at a more fixed location such as a residential property.

Therefore, with regards to the proposed development the A35 into SCC area across the Redbridge Causeway needs careful consideration in terms of the UK Plan to

Tackle Roadside NO2 Concentrations and should be included and appropriately assessed within the ES.

The ES needs to ensure the traffic data is accepted in terms of figures before the impact on air quality is assessed.

Table 15.2 – Potential impacts during construction

- Health impacts from exhaust emissions from construction activities (NO2, NH3, SO2, PM10 and PM2.5 - due to the complexities of the proposed development in terms of construction traffic movements and the potential split between road, rail and shipping, it is not agreed that the requirement to undertake a detailed air quality modelling assessment is reliant on the EPUK and IAQM guidance criteria. It is requested that a detailed air quality dispersion model is undertaken for all modes of traffic movements to and from the proposed site, based on the traffic figures and routes agreed with the Highway Authority. The model should take a conservative approach.
- Construction rail emissions – it is not agreed that this should be scoped out of the EIA. Table 13.2 (traffic - construction) advises there may be construction freight on the railway which could lead to driver delays at railway crossings. If this is the case, the subsequent impact on local air quality needs to be scoped into the air quality assessment in terms of emissions from rail and the traffic idling at railway crossings.
- Health impacts from stationary combustion plant emissions (NO2, PM10 and PM2.5) - The scope should also include the consideration of any stationary plant that may result in emissions to air, such as concrete batching plant.
- Health impacts from exhaust emissions from operational activities (NO2, SO2, PM10 and PM2.5) – operational road traffic emissions - due to the complexities of the proposed development in terms of operational traffic movements (imports and exports) and the split between road, rail and shipping, it is not agreed that the requirement to undertake a detailed air quality modelling assessment is reliant on the EPUK and IAQM guidance criteria. It is requested that a detailed air quality dispersion model is undertaken for all modes of traffic movements to and from the proposed site, based on the traffic figures and routes agreed with the Highway Authority. The model should take a conservative approach.
- Health impacts from exhaust emissions from operational activities (NO2, SO2, PM10 and PM2.5) – operational rail traffic emissions - As above it is requested that a detailed air quality dispersion model is undertaken. The assessment is required to include emissions from road users idling at all railway crossings along the rail network when crossing gates are closed due to the increases in vehicle numbers waiting at the closed gates for longer periods of time.
- Health impacts from exhaust emissions from operational activities (NO2, SO2, PM10 and PM2.5) – operational vessel emissions – as above for road emissions

### 15.8 - Approach to Assessment and Data Gathering for ES

15.8.2 - Additional monitoring should ideally be undertaken for 12 months (rather than 6 months) to ensure seasonal variations are assessed. Passive monitoring is agreed for nitrogen dioxide, but it is not for sulphur dioxide. DEFRA Technical Guidance TG22(25) advises that the reference method for monitoring sulphur dioxide is with using an MCERTs approved ultraviolet fluorescence analyser. The additional monitoring methodology and locations require agreement with NFDC and SCC

15.8.8 - Air quality modelling -The receptor locations for air quality assessment should be agreed with NFDC and SCC, this may include future receptor locations for sites identified for future development, for example at SS1 to the north of Totton.

15.8.9 - Air quality modelling - The modelling methodology will require agreement with the local authority to ensure the correct model and transport emissions are selected, as well as weather data, model verification, traffic data etc. Air quality modelling should only be undertaken once transport data and routes are agreed with the Highway Authority.

15.8.10 – Air quality modelling - The model should include the impact on the A35 (Redbridge Causeway) CAZ assessment and the associated limit values.

## Section 16: Landscape, Seascapes and Visual

Table 16.1 – Key data sources – would suggest the following additional data sources are included:

- New Forest District Council Landscape Character Assessment, July 2000.  
Link here: [NFDC Landscape-Character-Assessment-July-2000](#)

16.4.23 - refers to the Zone of Theoretical Visibility (ZTV) and assumes a maximum height of multi decks at 25m above finished ground level of 6m above AOD. The text refers to figure 16.1 but this appears to be a typo and it should be Figure 16.6. To provide some context to this finished ground level figure, it is suggested that existing site levels should be included in the description section.

16.6.13 – Overview of potential visual effects – receptor locations should also include recreational water activities on Southampton Water, such as recreational sailors, swimmers and anglers

16.7 – mitigation - the option of reducing the height of the multi decks should be discussed. Conversely, the “need” for buildings of this height should be justified.

16.7.2 – mitigation - would suggest an alternative word to ‘screening’ when considering mitigation measures as it implies the quality of design can be

## Appendix 1 – New Forest District Council comments on SG2 Scoping Report

compromised. Would suggest consideration of ‘visual buffer’ or ‘filtered views’ or similar.

16.7.3 – specific landscape and visual mitigation measures - woodland on top of bunding is not a local feature, or a component of the relevant LCA's - unless used as a creative and distinct feature potentially? Although a convenient way of disposing of excavated material, also to note that planting on top of bunds is slower to establish – so mitigation effect is as delayed as planting at existing ground levels

Table 16.4 – Proposed data collection and guidance for LVSIA

- suggests that the New Forest District Landscape Character Assessment is superseded – it is unclear what is considered to have superseded this. The LCA is currently being reviewed but is not likely to substantially change baseline data)
- Add LUC Waterside studies: LUC 2024 Waterside Study Landscape, Settlement Gaps and Green and Blue Infrastructure

16.9.4 – Project specific methodology - 5<sup>th</sup> bullet point re use of ZTV – use of ZTV mapping relates to visual effects, rather than landscape character

16.9.5 – potential inclusion of private residencies is welcomed, albeit important to consider relative sensitivity of those visual receptors

16.9.6 - Viewpoints should be agreed at next stage, but do consider views from users at Westquay, Ikea and Itchen Toll Bridge.

Table 16.5 – Preliminary representative viewpoint locations - consideration should be given to an additional viewpoint from footpath 126/10/2 south of the proposed Terminal, specifically from the location where the footpath rises up onto the reclaimed land and a field gate offers open and expansive views northward.

16.9.14 - Typically, receptors within or looking towards nationally designated landscape, areas, and features (including, National Parks, Registered Historic Parks, and Gardens, Scheduled Monuments, Grade I and II\* listed buildings and conservation areas) would be considered to have High Visual Sensitivity. Receptors within, or looking towards features of local importance (including Grade II listed buildings, and Non-Designated Heritage Assets including Hants Garden Trust Parks and Gardens) are considered to have Medium Visual Sensitivity.

16.9.19 – it is suggested that the ZTV studies should include tall light masts or temporary structures during construction from the outset, together with any light pollution spread. A reference to installation of solar panels on the roofs of the multi decks is recalled. If this is intended, the potential visual impact will need to be considered.

16.9.22 - Also suggest including year 5 post completion photomontages.

## **Section 17: Archaeology and Cultural Heritage**

General - the Scoping Boundary proposed (Section 17.3 & Fig. 17.1), will include the settings of any cultural heritage in the footprint or within the zone of visual or noise influence, is deemed appropriate.

The potential impacts likely to arise from the scheme, set out in Table 17.2, are considered to be comprehensive. Both direct and indirect impacts are Scoped in, including those during operation.

### Relevant policy, legislation and guidance

17.2.2 – would suggest that this needs to also include reference to paragraphs 215 and 216-219 of the NPPF which refer to non-designated heritage assets and significance of heritage assets.

17.2.3 – would suggest considering including the Historic England Advice Note 12, Statements of heritage significance, analysing significance in heritage assets.

17.3 – study area - It is usual to map all Heritage Assets within 2km of the Scoping Boundary - these could be considered for inclusion within Fig 17.1. Changes to their setting also have the potential to impact the significance of heritage assets.

### 17.4 Description of Existing Environment

Table 17.1 – Data sources - the majority of the data sources used to gather the baseline information on archaeology and cultural heritage and inform the scoping study, though informative, are significantly out of date. The Hampshire Historic Environment Record (HER) (as per NPPF Para. 207) should have been a key source of up to date heritage information along with the National Heritage List for England (NHLE) (which was included). Not using the appropriate sources, even if enhanced by the older sources, has resulted in an under estimation of the known and potential heritage assets within the study area.

National Heritage Lists for England - Heritage Assets within 2km of the Scoping Boundary need to be identified. Conservation Areas are Designated Heritage Assets which are not shown. Non-Designated Heritage Assets also need to be identified.

17.4.4 – Welcome recognition that though the potential for encountering material with archaeological significance is reduced as much of the land is reclaimed, it should not be assumed to be entirely absent. This is emphasised by the recent (2020) discoveries of buried deposits (prehistoric palaeochannels which can trap and preserve cultural and environmental material) and peat within the Marchwood Military Port development (within the Scoping Boundary but not referred to in this EIA Scoping Report), and as stated in Para 17.4.13 the presence of the Hamble Terrace indicates that deposits with Middle Palaeolithic archaeological potential may be present.

17.4.6 - It is not clear what heritage assets were scoped into and out of this assessment in order to focus on potential impacts on the historic core of Southampton (Conservation Area), Marchwood Priory, Dun Clagh and the Marchwood Infants School (Listed Buildings) and Marchwood Park (locally important historic landscape). It is stated: "Similarly, there are no designated heritage assets within the currently proposed Scoping Boundary (Figure 17.1)" but the Scoping Boundary is not the same as the Study Area which is usually a 2km radius.

Though the Terminal Boundary is not within the New Forest National Park the site is on its boundary. However, there is no reference to the cultural heritage and how it relates to this wider terrestrial area.

17.4.10 – 17.4.11 – Figures 17.2, 17.3 & 17.4 - Archaeological, boats and wrecks Non-Designated Heritage Assets have been identified in the Study Area. However other Non-Designated Heritage Assets including historic parks and gardens and built structures need to be identified. For example, the Hythe Pier Toll Boundary Stone and historic wall appear to be Non-Designated Heritage Assets, they lie within the Scoping Boundary.

17.4.18 - refers to WW2 gun emplacement and bombing decoys both removed but there is no indication if any residual presence such as foundations/anchor points are still present.

17.4.19 - However, despite the older data sources, the EIA Scoping Report has identified the wide variety of cultural heritage assets that are and could be in the marine and terrestrial environs that should be considered.

17.5 – Future baseline - the continued deterioration of the Beetles which are in a very exposed position should be acknowledged.

17.6 – Potential Impacts – the list in Tables 17.2 and 17.3 omits reference to cultural heritage. There is the potential for the total or partial loss of Non-Designated Heritage Assets

17.7.9 - The WSI already prepared should be reviewed by the NFDC Archaeological Advisor prior to the terrestrial Ground Investigation works being undertaken.

Table 17.4 – Data sources to inform the Archaeology and Cultural Heritage Assessment - would expect to see New Forest e.g. New Forest Landscape Character Assessment, also included as data sources. Also: Historic Ordnance Survey mapping . Historic Tithe mapping, Historic and modern aerial photography, LiDAR coverage of the Site Conservation Area Appraisals and Character Statements, Neighbourhood Plans,

17.8.2 - It is not clear whether a site walkover has already been carried out to identify Non-Designated Heritage Assets

17.8.16 - Due to the sites proximity to the New Forest National Park, it is suggested that the NFNPA Archaeologist is also included in the list of the archaeological curators to be consulted for matters above mean low water.

## **Section 18: Water Resources and Flood Risk**

18.4 – Surface Water Drainage Features - A more detailed outline of the current drainage pattern should be provided. This should take account of the implications of the establishment of the reclaimed land which appears to be blocking the original flows eastward and now directs all surface water flows southward via the North Dibden Stream. This stream runs along the western edge of the reclaimed land. This has implications on the condition of the footpath that is intended to be upgraded to a cycle route/footpath which suffers from poor waterlogged conditions during certain times of the year, rendering it unsuitable for all year round use by all members of the community.

Table 18.2 (Potential Impacts during construction) – consideration should be given to including the implications of making the cycle route/FP an all year round facility within this table. Consideration should also be given in Table 18.3 to the merits of recognising the potential impacts arising during construction of works necessary to develop the country park element of the Project.

Table 18.3 (Potential Impacts during Operation) – suggest that the design of the surface water system also needs to consider the implications of routing of water in one direction or another. Out to sea means a potential impact on intertidal mudflats. Directing the surface water inland to utilise North Dibden Stream could exacerbate an already poor situation as noted regarding the footpath. Improvements to the combined cycle route/footpath through a combination of changing level or drainage improvement work could have consequential impacts on surrounding vegetation.

## **Section 19: Infrastructure and Other Users**

This would be a suitable chapter to consider any new infrastructure requirements that the Terminal operation would require. Specifically, the provision of an additional power supply.

## **Section 20: Tourism and Recreation**

20.4 – the overview of the existing environment and data sources in this section utilises significantly out-of-date data and studies which don't reflect the breadth and depth of available data and studies. Of particular note, but by no means exhaustive, is the data quoted in 20.4.7 which references a 2006 study. Work undertaken to understand the potential for recreational disturbance impacts on the designated sites

within the New Forest as part of accommodating residential development (and associated population increases) in the catchment of the designated sites would ideally be taken into account in preparing the EIA.

Table 20.1 – Key data sources – there are a significant number of additional studies that have been prepared by the County Council, District Council and National Park Authority relating to tourism and recreation which should be considered here, including those associated with preparing new local plans for respective Plan Areas. It is suggested that ABP gets in touch with the respective authorities to identify the studies that should be included. A greater understanding of baseline data on tourism and visitor numbers is ideally needed here.

Table 20.3 – would suggest that consideration is given to recognising potential amenity and public health impacts of project in relation to provision of country park itself, not just the potential positive impacts of improvement to the public rights of way network and public transport or negative impacts arising from delays in traffic.

## **Section 21: Human Health**

No specific comments on this chapter, noting that comments are made elsewhere on potential human impacts including air quality, noise and lighting.

## **Section 22: Socioeconomics and Population**

Table 22.1 – Key data sources – there are a significant number of additional studies that have been prepared by the County Council, District Council and National Park Authority relating to economic development and more general plan making which should be considered here. These cover topics including employment land needs, skills development, economic profiles and demographic forecasting. It is suggested that ABP gets in touch with the respective authorities to identify the studies that should be included.

Table 22.3 – should consider also including HCC Small Area Population Forecasts

Tables 22.4 (Potential Impacts Construction) & 22.5 ((Potential Impacts Operation) - should include consideration of loss of back up land for Commoners. Consideration should also be given to referencing the most specific direct employment opportunities created in park with regard management, maintenance, and visitor services. Plus further indirect employment through hospitality, retail, and local supply chains.

22.8.2. – consideration should be given to addressing New Forest back-up grazing .

### **Section 23: Agriculture and Land Use**

23.4.4. - There is significant reliance on data from the previous application. However, it is noted that this proposal includes land that was not part of the earlier scheme.

Figure 23.1 (Provisional Agricultural Land Classification) - appears to show the majority of the proposed application site as classified as urban. This appears to conflict with 23.4.7 where a Grade 5 classification for the majority of the site is referenced.

23.5 – Future Baseline - it would be beneficial if this included a review on the use of the land within the proposed application site as relief grazing for Commoners

### **Section 24: Major Accidents and Disasters**

No comment.

### **Section 25: Climate Change**

Tables 25.4 & 25.5 - would suggest that these should also include the implications around rising sea level, and its potential impact on construction and operation ,

### **Section 26: Waste**

No comment.

### **Section 27: Potential Cumulative Effects**

27.2.3 - based on the criteria outlined, it is noted that the A326 improvement scheme would not at the present time be included in any cumulative effects assessment. It is assumed this is a dynamic situation and the scheme would feature in the event of a planning application being submitted in 2026.

Figure 27 - There are a number of large development projects (both commercial and residential in nature) outside of the zone of influence identified which may share road links. Therefore, it is important that such cumulative effects are considered as well as those within the study area. This should include the NFDC Strategic Sites 1 (potential Tier 1 development north of Totton) and 4 (potential Tier 2 development at the former Fawley Power Station site).



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8 December 2025

Dear Sir/Madam

**Planning Act 2008 (as amended) and the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (The EIA Regulations) – Regulations 10 and 11**

**Application by Associated British Ports (ABP) for an Order granting Development Consent for Solent Gateway 2**

Thank you for your letter dated 10 November 2025 confirming that the Planning Inspectorate has received a Scoping Report from Associated British Ports (ABP) regarding its proposal to develop a new port facility between Marchwood and Hythe in the New Forest, Hampshire. This proposal is known as Solent Gateway 2 and will be considered through the 'Nationally Significant Infrastructure Project' (NSIP) process.

The key components of the proposed project are summarised in Table 1.1 within the Scoping Report. Figure 2.1 of the Report shows the location and layout of the proposed project. Paragraph 2.1.4 within the Report notes that off-site locations yet to be identified will be brought forward in association with habitat compensation, mitigation and enhancement proposals. It therefore appears that the full extent of the application site is yet to be fully disclosed. Accordingly, the study area for some of the topics is open to future adjustment.

The Planning Inspectorate has identified the New Forest National Park Authority as a consultation body who must be consulted before the adoption of the Scoping Opinion. Consequently, we welcome the opportunity to provide feedback on the published Scoping Report. We can also confirm that the New Forest National Park Authority is working closely with Hampshire County Council and New Forest District Council on our respective inputs into the Solent Gateway 2 proposals. Through the appointment of a joint lead officer, the three

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host authorities are working together and with ABP during the pre-application stage of the Solent Gateway 2 project.

The New Forest National Park Authority has reviewed the 23 topic sections in the Scoping Report and offers the Planning Inspectorate the following feedback. For ease of reference, the response below follows the same format as the Report itself with the chapter heading and then the feedback comment as appropriate. The feedback from the New Forest National Park Authority focuses on the areas within the remit of the Authority and follows a review of the Report by the Authority's specialist officers.

### **General Feedback:**

Section 245 of the Levelling Up & Regeneration Act 2023 introduces a strengthened legal duty on 'relevant bodies' to seek to further the two statutory National Park purposes in making decisions that could affect National Parks. Further information on this legal duty is available at [Guidance for relevant authorities on seeking to further the purposes of Protected Landscapes - GOV.UK](#) and the Planning Inspectorate are defined as a 'relevant body' for the purposes of applying the strengthened duty. As this proposal progresses the consideration of potential impacts on the New Forest National Park will be key to ensure compliance with the strengthened duty and also the major development test set out in paragraph 190 of the NPPF (2024).

The description of the proposed development in the EIA should be clear with references (consistent across the topic chapters) to which parts of the scheme lie within the New Forest National Park boundaries and with consistent references to distances to key designations. It would be very helpful to include the New Forest National Park boundary on all drawings and to include mapping of key information.

In Section 3.2 on 'National Policy & Legislation', there is a lack of reference to relevant legislation for National Parks, which is important given the requirements outlined above.

In paragraph 3.3.10 we welcome reference to Policy 34 of the adopted Hampshire Mineral & Waste Plan which refers to the safeguarding of land located north west of Hythe (as identified in the Port of Southampton Master Plan) for consideration as a minerals or waste wharf. It should be noted that this wording in Policy 34 has been carried through to the emerging Hampshire Minerals & Waste Plan, which is currently at the stage of consultation on the main modifications with adoption anticipated in summer 2026.

## **Section 5: Coastal Processes and Geomorphology**

### **NFNPA Feedback:**

Ecologically, the scheme has effects on internationally and internationally designated sites, results in significant loss of a nationally designated SSSI, as well as sites of county and local importance. Many of the features of these sites are mobile and are functionally linked to the New Forest National Park's designated site features and special qualities.

The scoping includes reference to suitable ecological standards for ecological impacts assessment and survey such as those published by CIEEM and Bat Conservation Trust. We support that approach. However, it is not readily apparent whether all the surveys programmes for habitats and species will be in line with the acceptable timescales outlined in such guidance. For confidence in the conclusions of the ES, it should be based on up-to-date evidence that is in accordance with national best practice on survey lifespan.

The Scoping omits any reference to the British Standard BS 42020:2013 *Biodiversity — Code of practice for planning and development*. This is pertinent to the approach to survey work and design process and the Authority would wish to see due regard given to it and its inclusion in the scoping. The approach to the mitigation hierarchy is of particular importance within the ES.

In relation to analysis of significance, regard should be given to GUIDELINES FOR ECOLOGICAL IMPACT ASSESSMENT IN THE UK AND IRELAND Terrestrial, Freshwater, Coastal and Marine. Version 1.3 updated September 2024 – Section 5.28 which states, “*A matrix approach is commonly used in EIA by disciplines other than ecology to assign significant residual effects to categories (e.g. major, moderate, minor). In many cases, its use is required to provide consistency across all the topics of an Environmental Statement. If using this approach, it is very important to make a clear distinction between evidence-based and value-based judgements so that decision-makers and other stakeholders are aware of the level of subjective evaluation that has been used. Spurious quantification should be avoided in which numerical scores or significance rankings/categories are used without a clear definition of the criteria and thresholds that underpin them.*

Currently the approach outlined in the scoping in respect of some ecological matters such as Habitats of Principal Importance, hedgerows and legally protected amphibians seems to result in a low significance and exclusion from further consideration without adequate rationale and evidence. The National Park Authority believes that further evidence and rationale is required and recommend that without it, a higher level of significance is ascribed.

Given the potential interchange and functional support of the National Park's ecological special qualities and areas impacted by both the built development and the Country Park and access routes, the Authority believes additional survey work for birds (daytime and nocturnal e.g. nightjar) is merited to ensure it is up-to-date and sufficient in scope.

The Authority considers that due to degradation of the development site (i.e. Dibden Bay SSSI) as a result of inappropriate management over recent years, it is important that the ES considers longer time frames in its establishment of ecological baselines and assessment of impact significance. The ES should consider previous evidence for the importance function of the site such as wigeon, which was derived from survey work relating to the previous application in 2000 and that still has relevance to impacts on the site today.

## **Section 6: Marine Water and Sediment Quality**

NFNPA Feedback: No comment.

## **Section 7: Marine Ecology**

NFNPA Feedback: No comment.

## **Section 8: Coastal Ornithology**

NFNPA Feedback:

We consider there to be insufficient details of the survey methodology available at this time to assess adequacy of the evidence base – sources overall seem adequate. Consideration of longer-term datasets should be included to assess changes in site condition over time. This is relevant to paragraph 8.4.29 for example - the degradation of the habitat related to its management should be material to the assessment. Management is under the control of the applicant and the SSSI is in unfavourable condition as a result.

The matters 'scoped in' in Table 8.5 are considered reasonable and appropriate. An outdated citation is provided for the Solent Waders and Brent Goose strategy (Table 8.1) and regard should be given to the most current version (2024).

In section 8.6.6 there is no detail available for the methodology for this study. The survey and capture effort therefore cannot be supported at this time. Recommend that previous movement studies (e.g. 1999) are also brought within the scope of evidence utilised in order to augment and provide trend analysis of behaviour.

## **Section 9: Commercial and Recreational Fisheries**

NFNPA Feedback: No comment.

## **Section 10: Commercial and Recreational Navigation**

NFNPA Feedback: No comment.

## **Section 11: Ground Conditions and Contamination**

NFNPA Feedback: No comment.

## **Section 12: Terrestrial Ecology**

NFNPA Feedback:

The following feedback is provided on specific areas of this section.

- 12.3 Study Area - potential air quality impacts where an NSN is within 200m of the Affected Road Network (ARN): As ARN yet to be defined, currently the Authority believes the inter-relationship between New Forest designated site grazing through commoning, and animal accidents potentially resulting from increased use of Forest roads (either as a result of development directly, or avoidance of the operational areas by others) needs to be considered within scope of ES.

- 12.4.1: Given the importance of invertebrates to the SSSI designation, more recent data than 2018 and 2019 is required.
- 12.4.7: It should be noted that the criteria for SINC selection has undergone an expert review and an update is to be published by Hampshire Biodiversity Information Centre (the biological records centre for the area) in early 2026.
- Amphibians: No reference is made to District Licensing modelling and risk zones - these should inform the assessment even though survey work to date (details of which including extent) are currently unknown.
- Bats: While understandable, the restriction of consideration to the scoping boundary does not aid understanding of species movements and assessment of significance. Liaison with local species groups and recorders, as well as other scheme proponents (e.g. HCC A326) is encouraged as they may be able to aid contextual data and evidence.
- Table 12.5: Annex 1 habitat: 1330 Atlantic salt meadows is classed as 'county importance'. We do not support this categorisation, 'national' seems more appropriate. Table 12.5 also identifies the preliminary valuation of importance of terrestrial ecology receptors and states hedgerows are a common and widespread habitat and so hedgerows on site are considered to be of local importance. We do not support this categorisation, given historic national losses and protection afforded in law as a result. We recommend that at least a county importance is used within the ES.
- This section of the Environmental Statement will need to evidence why future site changes would not be capable of being mitigated by appropriate site management.
- Table 12.7 Potential impacts during operation and proposed scope of the EIA: The National Park Authority welcomes and supports the inclusion of (i) increased recreational pressures on the Dibden Bay SSSI and SINC designations; and (ii) air quality changes leading to degradation of qualifying habitats or habitats supporting qualifying features. Impacts on reptiles have been 'scoped out' and are only considered for vehicle movement. Built development will impact the population, one of which (slow worm) has been classed as 'exceptional'. We believe that the rationale for this conclusion merits further consideration.

## Section 13: Traffic and Transport

### NFNPA Feedback:

Although the New Forest National Park Authority is not a statutory highway authority – this responsibility rests with Hampshire County Council for this area of the National Park – we would like to provide the following feedback.

Paragraph 13.5.3 of the Report indicates that the proposed A326 road improvement scheme will form the future baseline scenario. Paragraph 2.3.32 states that it is assumed the A326 works are consented and constructed prior to

the operation of Solent Gateway 2. In response we would highlight that a planning application had yet to be submitted for the A326 scheme and the application will need to justify major works within the New Forest National Park (to be considered against paragraph 190 of the NPPF, 2024).

Further details on the A326 proposals are available at [A326 Waterside Improvements Update-2025-12-04-EMH2050 Decision Day](#) and at this stage – prior to an application having been submitted and with no consent in place – we consider that the assessment for the Solent Gateway 2 project should not assume the A326 proposals will definitely be in place. There are key details of the A326 proposals that require addressing before it could be considered a committed scheme. For example, the current cost estimate to deliver the scheme is £187m based on the preferred scheme, an increase compared to the £125m reported in January 2024 which was based on the feasibility design.

In relation to paragraph 13.2.3 of the Report the National Park Authority would suggest that reference should also be made of the adopted New Forest National Park Local Plan (2019), the Waterside Transport Strategy, the New Forest Local Walking & Cycling Infrastructure Plan, the Waterside Local Cycling & Walking Infrastructure Plan and the Hampshire County Council's Countryside Access Plan 2025 – 2030.

#### **Section 14: Noise and Vibration**

NFNPA Feedback: No comments.

#### **Section 15: Air Quality**

NFNPA Feedback: No comment.

#### **Section 16: Landscape, Seascapes and Visual**

##### NFNPA Feedback:

There are no specific paragraphs on arboriculture in the scoping report, and the National Park Authority would request a tree & woodland survey at a detailed stage. This will need to include an Arboricultural Impact Assessment and an Arboricultural Method Statement with a Tree Protection Plan in accordance with British Standard 5837:2024 –Trees in relation to design, demolition and construction – Recommendations.

The woodland to the north of Veal's Lane (including Post Copse, The Plantation, Horseclose Copse and Veal's Row) is all protected by Tree Preservation Order No. 32/08. These are the only protected trees within the application site and within the National Park boundary. There are currently no direct threats to this woodland, although details of the indicative transect for Ammonia Monitoring (drawing title: Noise sensitive receptors and proposed baseline measurement location, Figure 14.1, page 315) needs clarification.

The proposed new access road and associated ground works will need to be looked at in more detail. A significant area of developing woodland will need to be removed for the Terminal which will have an impact on the local environment and wider views across the water. This is outside the National Park boundary

and careful consideration will need to be given to any mitigation, compensation and enhancement for this loss.

In terms of wider landscape considerations, the National Park Authority would highlight that the visual impact of the proposed two multi storey structures of a substantial height on the site proposed to sit on a raised ground level of several metres, will need to be carefully assessed in terms of inter-visibility between their location and locations at the National Park boundary and from further away within the interior of the National Park. Assessments will also need to be made in circumstances where the proposed two multi-storey structures do not have a roof structure, with vehicles and external lighting being potentially placed on the top floor of these structures, creating possible light escape at night and reflection of the sun from vehicles, during the day, at height, that may be visible from within the National Park boundary. If the multi storey structures are planned to have roofs and solar panels are considered to be fixed to those roofs, an assessment should be made of potential glinting of the sun from the solar panels, at height, and visibility of this at the National Park boundary and from further away within the interior of the National Park. Landscape and visual impacts within the National Park of these elements of the proposals may be significant and consequently worthy of inclusion in the EIA.

With regard to the wider landscape, tranquillity and dark night skies, we offer the following feedback on the Report:

- Table 16.1 Key data sources and guidelines. We recommend that in addition to the listed New Forest National Park landscape related documents at 16.1(p. 360) that the New Forest National Park Local Plan (2016-2036) is listed as data that would be useful for the EIA, specifically referencing policies that are relevant to landscape considerations, specifically SP7 Landscape Character, SP15 Tranquillity and SP17 Local Distinctiveness.
- At 16.3.3 (p. 361) '*Although no significant effects would be expected beyond 5km of the Scoping Boundary, it may be necessary to assess specific receptors across a wider area (most likely within the NFNPs) to confirm that assertion.*' We suggest that in addition to potential daytime impacts emanating from the site, night time skyglow effects caused by the proposals may be visible from beyond 5km of the Scoping Boundary, within the National Park boundary, so these potential impacts should be assessed using worst case scenario external lighting coverage at the site, taking into account, height, intensity and brightness of such lighting.
- Fig.16.1 (p.362) Study Area and Photographic Viewpoint Locations: Proposed locations 12,13,14,19, 20 and 21 are within the National Park, locations 16,17 and 18 are on the Park boundary. It is suggested that more locations are chosen within the National Park boundary and ones that are further away from the site. At present, locations 13 and 14 are proposed between 4 and 5km beyond the centre of the site and it is suggested that more photographic viewpoint locations are chosen at that distance and beyond within the National Park boundary, also assessing views of the night time sky when proposed fully operational lights are activated at the site to

enable night time activity and items such as tall cranes having lights on top. These suggestions also relate to Fig. 16.6 (p.372) ZTV and Representative Viewpoint Locations, where only Viewpoint location 13 is shown, not 14. It is noted that the suggestion is that these viewpoints are preliminary and it is expected that more viewpoints, from within the National Park, will be forthcoming in due course. This suggestion is supported.

- Fig. 16.4 (p.369) New Forest National Park & NFDC Landscape Character Areas: As per the New Forest National Park Landscape Character Assessment (LCA12- Hythe and Ashurst Forest Farmlands), reference should be made to the Landscape Type in which the site sits as being 'Ancient Forest Farmlands'. Also the close proximity to the Scoping Boundary of the Landscape Type of 'Historic Parkland', being Marchwood Priory. The headings within LCA12, e.g. 'Key positive landscape attributes', 'Vision', 'Future landscape management guidelines' are a useful guide to the scope and detail of the assessment expected regarding the part of the National Park that falls within the Scoping Boundary.
- At 16.6.3 (p.374) we suggest that the effect of any lighting of the proposed road access to the site is assessed. Tall light columns with bright LED light fittings that are operational all night could have an impact further away than is referred to, in the New Forest National Park, in the form of direct line visual contact and/or skyglow.
- At 16.6.6 (p.375) the proposed night time lighting assessment is supported, but at 16.6.7 caution is drawn to the statement 'The LVSIA will not, however, assess LCAs featured within the study area that are either remote from the proposed Project and/or would clearly not be subject to potential significant effects.' As the definition of 'remote' is not given and also the possibility of sky glow being visible from within the National Park, should be assessed, potentially at some distance from the site (i.e. more than 4 or 5 kms).
- At 16.6.15 and 16.6.16 (p.376) the principle of liaising closely with the New Forest National Park Authority in relation to the LVSIA, for both daytime and night time impact, is supported.
- At Table 16.2 (pages 378-381) Potential impacts during construction and proposed scope of the EIA: We make the general comment that the part of LCA12 that falls within the Scoping Boundary and is located in the National Park should be listed as a 'Receptor' and potential impacts assessed, not just the part that falls within the New Forest District Council area. It is noted the New Forest National Park 'Special Qualities' are to be scoped into the EIA and this is supported. This needs to include impacts on landscape issues, visibility, night time light pollution and tranquillity, day and night.
- 16.7 Mitigation: We agree with proposed data sets to be used to inform the LVSIA. Would suggest that the most up to date and available dark night skies mapping is also used to help inform the LVSIA.

- At Table 16.5 (p. 392-394) Preliminary representative viewpoint locations. It is noted that Table 16.5 lists potential representative viewpoint locations and that location 14 in the NFNPA (as seen in Fig. 16.1 (p.362) Study Area and Photographic Viewpoint Locations) is omitted. This viewpoint in the National Park (and other potential representative viewpoints) should be considered for inclusion as part of the choice of viewpoints to inform the LVSIA.
- Use of ZTV mapping 6.9.19 -‘ZTV studies will include analysis based on the tallest proposed built structures. Separate studies may also be appropriate to determine the ZTV for tall lighting masts or temporary features, including tall plant and cranes used during construction.’ This approach is supported as good practise, however night time impacts should also be considered if the facility is to be lit to facilitate 24 hour operation and also require security and Health & Safety requirements for all night lighting.

## Section 17: Archaeology and Cultural Heritage

### NFNPA Feedback

#### (i) Archaeology

NFNPA Feedback: The Scoping Boundary proposed (Section 17.3 & Fig. 17.1), will include the settings of any cultural heritage in the footprint or within the zone of visual or noise influence, is deemed appropriate.

The potential impacts likely to arise from the scheme, set out in Table 17.2, are considered to be comprehensive. Both direct and indirect impacts are scoped in, including those during operation.

The majority of the data sources (outlined in section 17.4) used to gather the baseline information on archaeology and cultural heritage and inform the scoping study, though informative, are significantly out of date. The Hampshire Historic Environment Record (HER) (as per NPPF para. 207) should have been a key source of up-to-date heritage information along with the National Heritage List for England (NHLE) (which was included). Not using the appropriate sources, even if enhanced by the older sources, has resulted in an under estimation of the known and potential heritage assets within the study area. However, despite the older sources, the EIA Scoping Report has identified the wide variety of cultural heritage assets that are and could be in the marine and terrestrial environs that should be considered.

Though the Terminal Boundary is not within the New Forest National Park the site is on its boundary. However, there is no reference to the cultural heritage and how it relates to this wider terrestrial area.

Much of the proposed development area is reclaimed land but paragraph 17.4.4 correctly highlights that though the potential for encountering material with archaeological significance is reduced, it should not be assumed to be entirely absent. This is emphasised by the recent (2020) discoveries of buried deposits (prehistoric palaeochannels which can trap and preserve cultural and

environmental material) and peat within the Marchwood Military Port development (within the Scoping Boundary but not referred to in this EIA Report), and as stated in paragraph 17.4.13 the presence of the Hamble Terrace indicates that deposits with Middle Palaeolithic archaeological potential may be present.

The National Park Authority supports the commitment that a heritage statement will be included within the EIA, to address the impact on the setting on Designated and Non-Designated Heritage Assets and known and potential archaeological remains, and to recommend an appropriate mitigation strategy. The mitigation proposed in the EIA Scoping Report (sec. 17.7) includes avoidance "Archaeological Exclusion Zones" (AEZ) for wrecks or crashed aircraft identified in marine areas and the implementation of a protocol for archaeological discoveries during works as well as Watching Briefs, Trial Trenching and Excavations. A WSI (Written Scheme of Investigation) will be produced to detail the mitigation to be taken.

Ahead of this a Desk-Based Assessment (DBA) will be conducted and we support the stated (up to date) sources (Table 17.4) of heritage information. Due to the sites proximity to the New Forest National Park, we would advise that the Authority's Archaeologist is also included in the list (para 17.8.6) of the archaeological curators to be consulted for matters above mean low water.

We agree the project has (paragraph 17.7.6) the potential to have a positive effect in contributing to an understanding of the archaeology of "Southampton, Dibden and of Southampton Water" and the New Forest. However, public engagement and heritage interpretation (on site, digital and/or other) is key to a true public understanding of our shared cultural heritage in this area.

Paragraph 17.4.18 refers to WW2 gun emplacement and bombing decoys both removed but no indication if any residual presence such as foundations/anchor points remaining. In 17.5 Future Baseline the continued deterioration of the Beetles which are in a very exposed position should be acknowledged.

(ii) Cultural Heritage – including the built environment of the National Park

In paragraph 16.4.17 it is recommended that consideration is also given to non-designated historic parklands, like Marchwood House and Parkland, which forms part of the cultural heritage of the National Park and could be impacted.

In paragraph 17.2.2 the statement has only noted that an assessment will be undertaken to meet the requirements of Chapter 16 of the NPPF, in particular paragraphs 202 to 214. This should be amended to paragraphs 202 to 221. The assessment should also take into consideration the cultural heritage of the National Park and reference paragraph 189 of the NPPF.

In paragraph 17.2.3 the applicant will also need to consider the National Parks & Access to the Countryside Act 1949 and the Environment Act 1995 which specifically relate to the National Park's purposes in relation to cultural heritage. Historic England's Advice Note 12: Statements of Heritage Significance, Analysing Significance in Heritage Assets will also need to be considered.

In section 17.3 it is unclear how large the study area will be. We would advise that an assessment of the significance of any Designated and Non-Designated heritage assets affected should be undertaken, including any contribution made by their setting, in a 2km (at least) area from the site boundary. The level of detail should be proportionate and no more than sufficient to understand the potential impact of the proposal on their setting as set out in the National Planning Policy Framework (2024) and Policy SP16 of the New Forest National Park Authority Local Plan (2019).

Paragraph 17.3.3 of the statement notes that indirect impacts from changes to the setting of heritage assets due to new infrastructure in the landscape may occur, for which we agree, however there is also a risk to direct impacts to setting or possible Non-Designated Heritage Assets (like the sea wall).

The new structures proposed on the land are understood to be constructed on raised land levels, multiple storey's high. The impact these structures may have on the setting of the assets that form part of the cultural heritage of the National Park should be scoped into the assessment. It is also noted that the site plan is currently indicative, however considering the new link road is proposed to join the transport network opposite the Grade II\* listed Marchwood House and its non-designated historic parkland, an assessment on the proposed impacts this new transport link and increased traffic on its setting should be scoped in.

In terms of advising on the submitted statement, the National Park Authority recommends that in paragraph 17.4.1 – and specifically table 17.1 – data sources should also include the New Forest National Park's Local List for information on Non-Designated Heritage Assets that form part of the cultural heritage of the National Park. Information from the Hampshire HER has not been listed, nor Conservation Area Character Appraisals from New Forest District Council. We recommend that these should be 'in scope'.

Figure 17.1 – Conservation Areas - have not been annotated and are considered Designated Heritage Assets. Non-Designated Heritage Assets, which have been mapped for archaeology under fig 17.2, have not been identified from a built heritage perspective. These should be scoped into the final report. Linked to this, in paragraph 17.4.19 – changes to the settings of Non-Designated Heritage Assets which could impact their significance should be taken into consideration within the final report, as they form part of the cultural heritage of the National Park.

Table 17.4 – Data sources should also include National Park Authority's Local List and Landscape Character Assessment, Hampshire Garden's Trust for Non-Designated historic parks and gardens, historic mapping (Ordnance Survey, Tithe Maps), Lidar, Neighbourhood Plans, historic aerial photographs, the Christopher Tower Library, online national and local heritage websites.

## **Section 18: Water Resources and Flood Risk**

NFNPA Feedback: No comments.

## **Section 19: Infrastructure and Other Users**

NFNPA Feedback: No comments.

## **Section 20: Tourism and Recreation**

### **NFNPA Feedback:**

We recommend that in section 20.2 the statutory duty placed on 'relevant bodies' to seek to further the two statutory National Park purposes should be mentioned. This is relevant to the second purpose relating to the understanding and enjoyment of the special qualities of the National Park. In section 20.4.6 the report makes no mention of Longdown Activity Farm or the New Forest Wildlife Centre which are close to the site, or Beaulieu Village Motor Museum, Bucklers Hard or Exbury Gardens (a little further away)

## **Section 21: Human Health**

### **NFNPA Feedback:** No comment

## **Section 22: Socioeconomics and Population**

**NFNPA Feedback:** Paragraph 22.4.30 refers to commoners in the New Forest relying on back up land to support grazing of animals. Table 12.4 (Potential Impacts Construction) and Table 12.5 (Potential Impacts Operation) should include consideration of loss of back up land for New Forest commoners. In addition, the list for further aspects to be assessed in paragraph 22.8.2 should include the New Forest grazing issue.

## **Section 23: Agriculture and Land Use**

### **NFNPA Feedback:**

There is a reliance on data from the previous application. However, it is noted that this proposal includes land that was not part of the earlier scheme. Figure 23.1 (Provisional Agricultural Land Classification (ALC)) appears to show the majority of the proposed application site classified as urban. It is queried whether this should instead be shown as Grade 5 (e.g. para 23.4.7), as this is the use is acknowledged within paragraph 22.4.30

Within the future data gathering section, it would be beneficial if this included information on the use of the land within the application site as back up grazing land for New Forest commoners, as well as the opportunities to potentially open up land for grazing use as part of the future management of the undeveloped parts of the site (including the proposed nature reserve and open space).

## **Section 24: Major Accidents and Disasters**

### **NFNPA Feedback:** No comment.

## **Section 25: Climate Change**

### **NFNPA Feedback:** No comments

## **Section 26: Waste**

### **NFNPA Feedback:**

In paragraph 26.2.4 reference should be made to the adopted New Forest National Park Local Plan. In paragraph 26.4.4 reference and consideration also

to be given to the emerging policies of the updated Hampshire Minerals and Waste Plan regarding waste and the circular economy.

## **Section 27: Potential Cumulative Effects**

### **NFNPA Feedback:**

Based on the criteria outlined in paragraph 27.2.3 (guidance on plans and projects to be considered) the A326 improvement scheme would not at the present time be included in any cumulative effects assessment. It is assumed this is a dynamic situation and the scheme would feature in the event of a planning application being submitted in 2026.

The proximity of the National Park and the potential for a range of elements to impact on the special qualities must be given sufficient weight throughout the report. This includes cumulative and in-combination impacts from the construction phase on the special qualities (particularly the disturbance to bird communities, impact on tranquillity, local impacts of traffic generation etc). The proximity of the National Park must be given due weight. However, the reference to New Forest National Park at page 28, section 3.3.8 for example, does not express any particular significance to the designation. Possible in-combination impacts on the special qualities of the National Park should influence future mitigation measures. For example, the design and function of the country park should help to ameliorate impacts on the National Park.

All specialist chapters should be cross-referenced to other relevant disciplines. Consideration of the potential for interactions between the different aspects of the environment is essential to the preparation of a robust assessment.

## **Conclusion**

The New Forest National Park Authority trusts that the feedback we have provided will aid the Planning Inspectorate and we would be happy to clarify and of the points raised in our response if that would be helpful.

While preparing our response it has become apparent there are comments relevant to the overall scheme, but which do not necessarily fall under the category of scoping responses. Accordingly, we will collate these with the other host authorities of New Forest District Council and Hampshire County Council and share these with ABP outside this formal scoping consultation response.

Yours faithfully,

[REDACTED]

[REDACTED]  
Interim Head of Planning & Place

**From:** [Before You Dig](#)  
**To:** [Solent Gateway 2](#)  
**Cc:** [Before You Dig](#)  
**Subject:** RE: EXT:TR0310002 – Solent Gateway 2 – EIA Scoping and Consultation  
**Date:** 11 November 2025 12:50:46  
**Attachments:** [image003.png](#)  
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**From:** Solent Gateway 2 <[solentgateway2@planninginspectorate.gov.uk](mailto:solentgateway2@planninginspectorate.gov.uk)>

**Sent:** 10 November 2025 15:29

**To:** Solent Gateway 2 <[solentgateway2@planninginspectorate.gov.uk](mailto:solentgateway2@planninginspectorate.gov.uk)>

**Subject:** EXT:TR0310002 – Solent Gateway 2 – EIA Scoping and Consultation

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Dear Sir/ Madam

Please see attached correspondence on the proposed Solent Gateway 2.

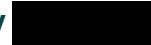
The Applicant for the Proposed Development intends to make an application for Development Consent under the Planning Act 2008. The Applicant has sought a Scoping Opinion from the Planning Inspectorate, on behalf of the Secretary of State, as to the scope and level of detail of the information to be provided within the Environmental Statement that will accompany its future application.

The Planning Inspectorate has identified you as a consultation body to inform the Scoping Opinion and is therefore inviting you to submit comments by **8 December 2025**. The deadline is a statutory requirement that cannot be extended.

Further information is included within the attached letter.

Kind regards,

Georgia Pathy

**Georgia Pathy** 



Planning  
Inspectorate

Environmental Advisor  
Planning Inspectorate  
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**Planning and Economic Growth**

Civic Offices  
Guildhall Square  
Portsmouth  
PO1 2AU

Phone: [REDACTED]

Our Ref: Solent Gateway 2 -  
EIASCO  
Your Ref: TR0310002

Date: 14<sup>th</sup> November 2025

By Email Only to: [solentgateway2@planninginspectorate.gov.uk](mailto:solentgateway2@planninginspectorate.gov.uk)

For the attention of: Georgia Pathy

**LOCATION: Port of Southampton, Solent Gateway 2, Land between Marchwood military Port and Hythe Marina Village on west shore of River Test.**

**Proposal: New Ro-Ro cargo facility with new two-berth jetty, dredging, landside terminal space, new access road and environmental enhancements.**

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (The EIA Regulations) – Regulations 10 and 11 - EIA Scoping request**

Thank you for consulting Portsmouth City Council with regard to the EIA Scoping request to the Secretary of State under Regs 10 and 11 of the Infrastructure Planning EIA Regulations.

The City Council is a consultation body for the purposes of the Regulations.

The submitted ABP Solent Gateway 2 EIA Scoping report (dated November 2025) is considered to be robust, covering the key environmental considerations for formal assessment. The City Council as LPA would recommend the following be taken into consideration in the Secretary of State's response:

- The topic chapters must not be isolated topic chapters in the ES, but must cross-reference one another as appropriate, with suitably clear sign-posting methodology provided. For example, Water Quality and Water resources will need to 'talk' to chapters on ground contamination, and the risks of leachate contamination by both vertical and horizontal pathways.
- The EIA must be closely aligned to the HRA for the project, with appropriate consistency of assessment boundaries and project objectives. The findings of the HRA and associated mitigation and, if required, compensation measures will need to tie in

- to the Ecology and other topic chapters of the EIA as appropriate.
- It is assumed that the proposed habitat losses associated with the new jetty would trigger an HRA Derogation and the City Council will be keen to understand the approach of the applicants to matters of alternative solution, IROPI and compensatory measures in due course.

Yours faithfully

  
New Neighbourhoods Team Leader



## **EIA Scoping Report – Solent Gateway 2 Development Consent Order**

**Royal Mail response – 05/12/2025**

Under section 35 of the Postal Services Act 2011, Royal Mail has been designated by Ofcom as a provider of the Universal Postal Service. Royal Mail is the only such provider in the United Kingdom. The Act provides that Ofcom's primary regulatory duty is to secure the provision of the Universal Postal Service. Ofcom discharges this duty by imposing regulatory conditions on Royal Mail, requiring it to provide the Universal Postal Service.

Royal Mail's performance of the Universal Service Provider obligations is in the public interest and should not be affected detrimentally by any statutorily authorised project. Accordingly, Royal Mail seeks to take all reasonable steps to protect its assets and operational interests from any potentially adverse impacts of proposed development.

Royal Mail and its advisor BNP Paribas Real Estate have reviewed the EIA Scoping Report dated 07 November 2025. This infrastructure proposal has been identified as having potential for impact on Royal Mail operational interests. However, at this time Royal Mail is not able to provide a formal consultation response due to insufficient information being available to fully assess the level of risk to its operation and the potential mitigations for any risk.

Therefore, Royal Mail wishes to reserve its position to submit a consultation response/s at a later stage in the application process, if required.

In the meantime, any further consultation information on this infrastructure proposal and any questions of Royal Mail should be sent to:

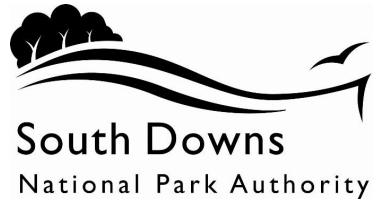
**[REDACTED]@royalmail.com, Senior Planning Lawyer, Royal Mail Group Limited, 185 Farringdon Road, London, EC1A 1AA**

**[REDACTED]@struttandparker.com, Planner, Strutt & Parker/ BNP Paribas Real Estate, B1 Brooklands, Clarendon Road, Cambridge, CB2 8EE**

**[REDACTED]@realestate.bnpparibas, Director, BNP Paribas Real Estate**

Please can you confirm receipt of this holding statement by Royal Mail.

**End**



Georgia Pathy  
Planning Inspectorate

Our Ref: SDNP/25/04664/ADJAUT  
Contact Officer: [REDACTED]  
Tel. No.: [REDACTED]

19th November 2025

Dear Sir/Madam,

**Neighbouring Authority Consultation**

**Applicant:** Georgia Pathy, Planning Inspectorate  
**Proposal:** TR0310002 - Solent Gateway 2 - EIA Scoping and Consultation

**Location:** Solent Gateway 2,

Thank you for your correspondence received 10 November 2025, consulting us as a neighbouring authority on the above noted development proposals.

Although the application site is located outside of the National Park, the Council has a statutory duty to consider the Purposes of the National Park when making its determination.

The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage,
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social wellbeing of the local community in pursuit of these purposes.

Section 245 of the Levelling-Up and Regeneration Act 2023 (S.245 duty) amends and strengthens the Section 11A (2) duty of the National Parks and Access to the Countryside Act 1949 upon relevant authorities, which includes the National Park Authority itself, to 'seek to further the specified purposes of Protected Landscapes'.

The National Park's comments on the development are as follows:

The SDNPA has no comment to make.

Yours faithfully

[REDACTED]

Director of Planning  
South Downs National Park Authority

**Contact Officer**



@southdowns.gov.uk

**From:** [REDACTED]  
**To:** [Solent Gateway 2](#)  
**Subject:** Consultation response to ES Scoping  
**Date:** 04 December 2025 14:18:57

---

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Dear Sir /Madam,

Please find below our response to ES scoping with regards to Solent Gateway 2, Hampshire.

The main factors for consideration were additional noise, air and light pollution, increased flood risk, impact on visiting and local wildlife (birds and aquatic). The potential construction of a spur road, combined with delays within the Town that may occur if rail movements increase, could result in additional vehicle emissions and associated pollution. The proposed nature reserve was a positive addition and should be designated as dog-free in order to protect ground-nesting bird species.

Kind regards

[REDACTED]  
Planning Administrator

Totton & Eling Town Council  
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Totton  
Southampton  
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**Date:** 04 December 2025 14:31:58  
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[TR0310002 Solent Gateway 2 Project Letter to Stat Cons.pdf](#)

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Good afternoon Georgia,

I can confirm that Trinity House has no comments to make concerning the scoping report.

Trinity House will agree any aids to navigation marking requirements with the developer in due course.

Kind regards,

[REDACTED]  
Navigation Services Manager | Navigation Directorate | Trinity House  
[REDACTED]@trinityhouse.co.uk | [REDACTED]  
[www.trinityhouse.co.uk](#)



TRINITY HOUSE

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**From:** Solent Gateway 2 <[solentgateway2@planninginspectorate.gov.uk](mailto:solentgateway2@planninginspectorate.gov.uk)>  
**Sent:** 10 November 2025 15:52  
**To:** Navigation <[navigation.directorate@trinityhouse.co.uk](mailto:navigation.directorate@trinityhouse.co.uk)>  
**Cc:** [REDACTED]@trinityhouse.co.uk; Solent Gateway 2  
<[solentgateway2@planninginspectorate.gov.uk](mailto:solentgateway2@planninginspectorate.gov.uk)>  
**Subject:** TR0310002 – Solent Gateway 2 – EIA Scoping and Consultation

**FAO** [REDACTED]  
**Navigation Services Officer**

Dear Sir/ Madam

Please see attached correspondence on the proposed Solent Gateway 2.

The Applicant for the Proposed Development intends to make an application for Development Consent under the Planning Act 2008. The Applicant has sought a Scoping Opinion from the Planning Inspectorate, on behalf of the Secretary of State, as to the scope and level of detail of the information to be provided within the Environmental Statement that will accompany its future application.

The Planning Inspectorate has identified you as a consultation body to inform the Scoping Opinion and is therefore inviting you to submit comments by **8 December 2025**. The deadline is a statutory requirement that cannot be extended.

Further information is included within the attached letter.

Kind regards,

Georgia Pathy



Planning  
Inspectorate

**Georgia Pathy** [REDACTED]

Environmental Advisor  
Planning Inspectorate  
[www.gov.uk/pins](http://www.gov.uk/pins)

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DPC:76616c646f72





# UK Health Security Agency

Environmental Hazards and Emergencies Department  
Seaton House, City Link  
London Road  
Nottingham, NG2 4LA

[nsipconsultations@ukhsa.gov.uk](mailto:nsipconsultations@ukhsa.gov.uk)  
[www.gov.uk/ukhsa](http://www.gov.uk/ukhsa)

Your Ref: TR0310002  
Our Ref: CIRIS 93983

Ms Stephanie Newman  
Senior Environmental Advisor  
Environmental Services  
Operations Group 3  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

5<sup>th</sup> December 2025

Dear Ms Newman

## **Nationally Significant Infrastructure Project Solent Gateway 2, PINS Reference TR0310002, Scoping Consultation Stage**

Thank you for including the UK Health Security Agency (UKHSA) in the scoping consultation phase of the above application. ***Please note that we request views from the Office for Health Improvement and Disparities (OHID) and the response provided below is sent on behalf of both UKHSA and OHID.*** The response is impartial and independent.

The health of an individual or a population is the result of a complex interaction of a wide range of different determinants of health, from an individual's genetic make-up to lifestyles and behaviours, and the communities, local economy, built and natural environments to global ecosystem trends. All developments will have some effect on the determinants of health, which in turn will influence the health and wellbeing of the general population, vulnerable groups and individual people. Although assessing impacts on health beyond direct effects from for example emissions to air or road traffic incidents is complex, there is a need to ensure a proportionate assessment focused on an application's significant effects.

Having considered the submitted scoping report we wish to make the following comments:

### **Environmental Public Health**

We recognise the promoter's proposal to include a health section. We believe the summation of relevant issues into a specific section of the report provides a focus which ensures that public health is given adequate consideration. The section should summarise key

information, risk assessments, proposed mitigation measures, conclusions and residual impacts relating to human health. Compliance with the requirements of National Policy Statements and relevant guidance and standards should also be highlighted.

In terms of the level of detail to be included in an Environmental Statement (ES), we recognise that the differing nature of projects is such that their impacts will vary. UKHSA and OHID's predecessor organisation Public Health England produced an advice document *Advice on the content of Environmental Statements accompanying an application under the NSIP Regime*<sup>1</sup>, setting out aspects to be addressed within the Environmental Statement<sup>1</sup>. This advice document and its recommendations are still valid and should be considered when preparing an ES. Please note that where impacts relating to health and/or further assessments are scoped out, promoters should fully explain and justify this within the submitted documentation.

The applicant has not made any reference in the EIA Scoping Report to berthing of vessels that use low-carbon fuel sources such as ammonia. Berthing of vessels which use low-carbon fuel sources would require additional impact assessment for various topics including air quality, water quality, and major accidents & disasters. If Solent Gateway 2 is likely to receive such vessels, any related potential impacts should be included within the ES.

Our position is that pollutants associated with road traffic or combustion, particularly particulate matter and oxides of nitrogen are non-threshold; i.e., an exposed population is likely to be subject to potential harm at any level and that reducing public exposure to non-threshold pollutants (such as particulate matter and nitrogen dioxide) below air quality standards will have potential public health benefits. We support approaches which minimise or mitigate public exposure to non-threshold air pollutants, address inequalities (in exposure) and maximise co-benefits (such as physical exercise). We encourage their consideration during development design, environmental and health impact assessment, and development consent.

Yours sincerely,

On behalf of UK Health Security Agency

*Please mark any correspondence for the attention of National Infrastructure Planning Administration.*

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<sup>1</sup>

<https://khub.net/documents/135939561/390856715/Advice+on+the+content+of+environmental+statements+accompanying+an+application+under+the+Nationally+Significant+Infrastructure+Planning+Regime.pdf/a86b5521-46cc-98e4-4cad-f81a6c58f2e2?t=1615998516658>

**Date:** 1 December 2025  
**Application:** 252765



**WOKINGHAM  
BOROUGH COUNCIL**

Georgia Pathy

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Development Management &  
Compliance  
P.O. Box 157  
Shute End, Wokingham  
Berkshire, RG40 1BN  
Tel: (0118) 974 6000  
Minicom No: (0118) 974 6991

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Dear Georgia Pathy,

**ADJOINING LOCAL AUTHORITY CONSULTATION RESPONSE**

**Application Number:** 252765

**Site Address:** Solent Gateway 2

**Proposal:** Consultation from Planning Inspectorate for the following proposal:  
Application by Associated British Ports (ABP) (the applicant) for an Order granting  
Development Consent for Solent Gateway 2 (the proposed development)

I refer to your consultation request registered on 10 November 2025. I can confirm  
that the Local Planning Authority raises **no objection** to the proposal and trust the  
application will be considered in accordance with the relevant planning policies.

Yours sincerely,

Head of Development Management - Place & Growth