

Hampshire Water Transfer and Water Recycling Project

Environmental Statement – Appendix 13.1 Landscape and visual legislation and planning policy

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The Southern Water logo consists of three stylized, wavy blue lines of varying lengths, positioned to the right of the text 'Southern Water'.

Contents

- 1 Legislation and policy 1**
 - 1.1 Introduction 1
 - 1.2 Legislation 1
 - 1.3 International policy 3
 - 1.4 National policy 4
 - 1.5 Local policy 12
- References 39**

1 Legislation and policy

1.1 Introduction

1.1.1 This appendix details the relevant legislation and national and local planning policies considered as part of the Landscape and Visual Impact Assessment (LVIA), reported in Environmental Statement (ES) Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6). The purpose of this information is two-fold:

1. To identify legislation and policy that could influence the methodology of the LVIA. For example, a policy may require the assessment of an impact or the use of a specific methodology.
2. To identify legislation and policy that could influence the sensitivity of receptors (and therefore the significance of effects) and the design of the Hampshire Water Transfer and Water Recycling Project (hereafter referred to as the ‘Proposed Development’), including any requirements for mitigation and opportunities for enhancement.

1.2 Legislation

European Landscape Convention

1.2.1 The United Kingdom is a signatory of the European Landscape Convention (ELC) [1]. The United Kingdom Instrument of Ratification was deposited on 21 November 2006 and the Convention entered into force for the United Kingdom on 1 March 2007 (Treaty Series No. 36 (2012)).

1.2.2 This Treaty requires landscape to be integrated into “*regional and town planning policies and in cultural, environmental, agricultural, social and economic policies, as well as any other policies with possible direct or indirect impact on landscape*”.

1.2.3 Local planning authorities and other bodies, including the South Downs National Park Authority (SDNPA), have prepared detailed evidence bases and policies which relate to the conservation of the landscape. This information has informed both the design of the Proposed Development and the LVIA, and is presented, detailing its relevance to the assessment, in section 13.2 of ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6).

1.2.4 Article 1 of the ELC [1] defines landscape as “*an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors*”. Thus, while the physical features of the landscape are important, the ELC recognises that the landscape is more than the sum of its parts. There is an inextricable link with the way that people use the landscape and that it is perceived at scale as an area. This underpins the definition of landscape character assessment, which is explained more in paragraph 1.4.30.

1.2.5 Article 2 defines the scope, stating that the ELC “*covers natural, rural, urban and periurban areas. It includes land, inland water and marine areas. It concerns landscapes that might be considered outstanding as well as everyday or degraded landscapes.*”

UK legislation

1.2.6 Nationally important landscapes in the UK are given statutory status. The legislation relevant to the study area comprises:

1. National Parks and Access to the Countryside Act 1949 [2]
2. Countryside and Rights of Way (CRoW) Act 2000 [3]

[National Parks and Access to the Countryside Act 1949 \[2\]](#)

1.2.7 Section 5(2) of the National Parks and Access to the Countryside Act 1949 [2] defines a National Park as an extensive tract of country, which it is especially desirable to designate for its natural beauty and the opportunities it affords for open-air recreation, having regard to both its character and its position in relation to centres of population [4]. The purposes of a National Park under section 5(1) are as follows:

1. Conserving and enhancing its natural beauty, wildlife and cultural heritage.
2. Promoting opportunities for the understanding and enjoyment of its special qualities by the public.

1.2.8 The National Parks and Access to the Countryside Act 1949 [2] also addresses access to open country, including the definition of access agreements (s.59 and s.60) and orders (s.65). Furthermore, it provides the legal basis for proposals relating to the English coastal route, which will be called the King Charles III England Coast Path (s.55A). This route passes in proximity to the site of the WRP site.

1.2.9 Section 245 (Protected Landscapes) of the Levelling-up and Regeneration Act 2023 (LURA) amended the duty on relevant authorities in respect of their functions which affect land in National Parks, National Landscapes, and the Norfolk and Suffolk Broads (collectively referred to as Protected Landscapes) in England. The duty, originally established in Section 11A(1A) of the National Parks and Access to the Countryside Act 1949 (as amended by the Environment Act 1995) and Section 85 of the Countryside and Rights of Way Act 2000, requires relevant authorities to seek to further the statutory purposes of these designated landscapes. Where there is a conflict between purposes in relation to National Parks, greater weight must be given to conserving and enhancing natural beauty, wildlife, and cultural heritage. The government published guidance for relevant authorities on seeking to further the purposes of Protected Landscapes in December 2024 and this has been reviewed in carrying out this assessment and in developing the design of the Proposed Development.

1.2.10 There is therefore a high bar for the landscape to be afforded statutory status and policy protection.

[Countryside and Rights of Way \(CRoW\) Act 2000 \[3\]](#)

1.2.11 The legal definition of an Area of Outstanding Natural Beauty (AONB) is set out in section 82 of the CRoW Act 2000 [3] as “*an area which is in England but not in a National Park is of such outstanding natural beauty that it is desirable that the provisions of this Part relating to areas designated under this section should apply to it, Natural England may, for the purpose of conserving and enhancing the natural*

beauty of the area, by order designate the area for the purposes of this Part as an area of outstanding natural beauty.” Thus, it is an area of exceptional landscape with distinctive character and natural beauty precious enough to be safeguarded in the national interest [5]. Areas of Outstanding Natural Beauty were rebranded National Landscapes in November 2023, although in law the term AONB still applies and this is used below where it is referred to in law and policy.

- 1.2.12 Section 2 of the CRoW Act [3] also sets out the legal basis for the definition of Public Rights of Way (PRoW), including restricted byways and requirements for local highway authorities to prepare rights of way improvement plans.
- 1.2.13 The Order Limits lie outside both the South Downs National Park (SDNP) and Chichester Harbour National Landscape, but part of these designated areas fall within the study area. Additional information on how this legislation is applied is provided in section 13.7 of ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6).

Planning (Listed Building and Conservation Areas) Act 1990 [6]

- 1.2.14 The Planning (Listed Buildings and Conservation Areas) Act 1990 [6] (as amended) provides specific protection for buildings and areas of special architectural or historic interest. These features, which contribute to the heritage of an area and an understanding of historic landscape, are referred to within the definition of Landscape Character Areas (LCA) and Local Landscape Character Areas (LLCA).

Town and Country Planning (Tree Preservation) (England) Regulations 2012 [7]

- 1.2.15 The Town and Country Planning (Tree Preservation) (England) [7] Regulations 2012 provide powers to local planning authorities to make and administer Tree Preservation Orders (TPO), the purpose of which is to protect selected trees and woodlands by prohibiting their cutting down, uprooting, topping, lopping, wilful destruction or wilful damage without prior consent. TPOs have been considered within the design and have informed the landscape baseline and the assessment of landscape effects presented in section 13.7 and 13.8 of ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6).

Hedgerows Regulations 1997 [8]

- 1.2.16 The Hedgerows Regulations 1997 [8] provide protection for Important Hedgerows, these being hedgerows that meet certain criteria in respect of their length, location and importance.

1.3 International policy

- 1.3.1 The SDNP became an International Dark Sky Reserve (IDSR) in 2016. This designation was awarded by the International Dark Sky Association, officially recognising areas to be naturally dark at night and free of light pollution, and therefore some of the best places in the world to view the beauty of the night sky. IDSRs are not referred to specifically in national policy, but intrinsically dark landscapes are considered within the National Policy Statement for Water

Resources Infrastructure (NPSWRI) [9] as explained in section 1.4. The IDSR is named the Moore’s Reserve in honour of the numerous contributions to British astronomy made by Sir Patrick Moore.

- 1.3.2 The Dark Skies Technical Advice Note [10] describes the parameters of the Moore’s Reserve in detail. It defines the Dark Sky Core, a 2km buffer zone (both of which lie outside the study area), as well as the intrinsic rural darkness zone and transition zones. Night time lighting of the Proposed Development has the potential to impact on the SDNP and there for the IDSR. Existing lighting is considered within baseline conditions, as set out in section 13.7, and the potential impacts of lighting is considered within the assessment of likely significant effects in section 13.8 of ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6).

1.4 National policy

National Policy Statement for Water Resources Infrastructure [9]

- 1.4.1 The NPSWRI [9] sets out the Government’s policy and guidance for determining an application for a Development Consent Order (DCO) and is the primary policy for this Proposed Development. The NPSWRI includes specific criteria and issues which should be covered by applicants’ assessments of the effects of their scheme, and how the decision maker should consider these impacts.
- 1.4.2 Landscape contributes to delivery of several government objectives and policies outlined in the NPSWRI [9]. Section 3 addresses the principles of assessment. Table 13-2 of ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6), explains where the relevant policies of the NPSWRI have been addressed.
- 1.4.3 The NPSWRI (paragraph 3.1.3) [9] states that, *“in considering any proposed development, and in particular, when weighing its adverse impacts against its benefits, the Examining Authority and the Secretary of State should take into account its potential:*
- a. benefits, including its contribution to meeting the need identified in a water company’s water resources management plan, the facilitation of economic development including: job creation, reduction of financial disparities, housing and environmental improvement and any long-term or wider benefits*
 - b. adverse impacts, including any longer-term and cumulative adverse impacts, as well as any measures to avoid, reduce or compensate for any adverse impacts.”*
- 1.4.4 The LVIA considers mitigation for adverse effects and is influential in identifying opportunities for environmental improvement and long-term wider benefits.
- 1.4.5 The NPSWRI (section 3.2) [9] explains the requirements for Environmental Impact Assessment (EIA). Paragraph 3.2.2 states that *“applicants must consider the effects of climate change when planning the location, design, build, operation and, where appropriate, decommissioning of projects”*. The LVIA has considered the implications of climate change on the landscape and the proposed mitigation and has informed the assessment of climate effects set out in ES Chapter 10 Carbon

and climate change, Volume I (Document reference 6.1, DCO Volume 6). Furthermore, paragraph 3.2.3 states that “*the Environmental Impact Assessment process is required to identify, describe and assess effects on the human health and population, biodiversity, land, soil, water, air, climate, the landscape, material assets and cultural heritage, and the interaction between them*”. This requirement reinforces the inclusion of landscape as a key receptor within the EIA process, for the LVIA, it provides a policy basis for assessing effects on landscape character and visual amenity, including interactions with other environmental factors such as biodiversity, climate, and cultural heritage.

Environmental Net Gain

- 1.4.6 The NPSWRI (section 3.4.1) [9] sets out the requirements regarding Environmental Net Gain (ENG), which is “*an approach to development that aims to leave the natural environment in a measurably better state than beforehand*”. The NPSWRI (paragraph 3.4.1) [9] goes on to state that “*projects should consider and seek to incorporate improvements in natural capital, ecosystem services and the benefits they deliver when planning how to deliver biodiversity net gain.*”
- 1.4.7 The NPSWRI (paragraph 3.4.2) [9] identifies that “*water resources infrastructure projects have the potential to deliver significant benefits and enhancements beyond biodiversity net gain, resulting in wider environmental net gains. The scope of potential gains will be dependent on the type, scale and location of specific projects.*”
- 1.4.8 The NPSWRI (paragraph 3.4.3) [9] states that “*in addition to delivering biodiversity net gain, developments may also deliver wider environmental gains relevant to the local area, and to national policy priorities, such as reductions in greenhouse gas emissions, reduced flood risk, improvements to air or water quality, or increased access to natural greenspace. Applications for development consent should be accompanied by a statement demonstrating how opportunities for delivering wider environmental net gains have been considered, and where appropriate, incorporated into the design (including any relevant operational aspects) of the project. Applicants should make use of available guidance and tools for measuring natural capital assets and ecosystem services, such as the Natural Capitals Committee’s ‘How to Do it: natural capital workbook’ and Defra’s guidance on Enabling a Natural Capital Approach.*”
- 1.4.9 These opportunities have been considered at the landscape scale in preparing design principles and management measures for landscape and ecology. This is secured through the Design Principles Document, (Document reference 5.11, DCO Volume 5) and the Outline Landscape and Ecology Management Plan (LEMP) (Document reference 7.5, DCO Volume 7).

Good design

- 1.4.10 Criteria for good design for water resources infrastructure are described in section 3.6 of NPSWRI [9] and cross-referenced in paragraph 4.9.8. Paragraph 3.6.1 explains that “*good design is a key aspect of sustainable development, creates better places and helps make infrastructure projects acceptable to communities. Good design should save money, reduce risk, add value, support environmental enhancements and create a legacy that looks good and works well. Being clear*

about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement with communities, local planning authorities and other interests.”

- 1.4.11 The NPSWRI (paragraph 3.6.2) [9] concludes by stating that “*nationally significant infrastructure projects covered by the National Policy Statement will present very different design challenges in terms of their specific visual impacts and the need to incorporate engineering, safety and operational considerations.”*
- 1.4.12 Also of particular relevance to the LVIA is NPSWRI (paragraph 3.6.3) [9], which states that “*there may be opportunities for the applicant to demonstrate good design in terms of site layout and design measures relative to existing landscape and historical character and function, landscape permeability, landform and vegetation whilst integrating biodiversity and nature conservation interests.”*

Landscape and visual impacts

- 1.4.13 The NPSWRI (section 4.9) [9] specifically addresses policy relating to landscape and visual impacts. NPSWRI (paragraph 4.9.1) [9] recognises that landscape and visual impacts will vary on a case-by-case basis “*according to the type of infrastructure (including any associated development), its location and the landscape setting of the proposed development. Landscape and visual effects also include tranquillity effects, which would affect people’s enjoyment of the natural environment and recreational facilities. In this context, references to landscape should be taken as covering waterscape, seascape and townscape, where appropriate. Where projects are proposed, particularly in sensitive or protected landscape areas, the applicant should consult at the earliest opportunity with the relevant local authority, National Park Authority or AONB partnership.”*
- 1.4.14 The LVIA considers impacts on tranquillity through the assessment of landscape effects, including waterscape, seascape and townscape where appropriate.
- 1.4.15 The NPSWRI (paragraphs 4.9.2 to 4.9.6) [9] set out the expectations regarding the scope of the LVIA and how these are to be reported in the ES. These points are addressed in the methodology for the LVIA set out in detail in the ES Appendix 13.2 Landscape and visual impact assessment methodology, Volume II (Document reference 6.2, DCO Volume 6), and summarised in ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6).
- 1.4.16 With respect to nationally designated areas, the NPSWRI (paragraph 4.9.5) [9] states that “*legislation already provides a high degree of protection for National Parks and Areas of Outstanding Natural Beauty. Any application for development consent within, or to affect land in, a National Park or an Area of Outstanding Natural Beauty would need to comply with the respective duties in the National Parks and Access to Countryside Act 1949 and the Countryside and Rights of Way Act 2000”. Paragraph 4.9.6 goes on to state that “where necessary, applicants will need to demonstrate how they have fulfilled the requirements set out in Defra’s ‘English National Parks and the Broads: UK government vision and circular 2010’ or successor documents. These requirements should also be complied with where infrastructure projects impact on Areas of Outstanding Natural Beauty.”*
- 1.4.17 The NPSWRI (paragraphs 4.9.7 to 4.9.9) [9] addresses the mitigation of landscape and visual effects by minimising adverse impacts through design, siting, material

selection, and landscaping, while balancing mitigation measures with operational constraints.

- 1.4.18 The NPSWRI (paragraph 4.9.10) [9] addresses impacts on landscape character. It states that *“landscape effects depend on the existing character of the local landscape, its current quality, how highly it is valued and its capacity to accommodate change. All these factors need to be considered in judging the impact of a proposed development on landscape. A proposed development needs to be designed and located carefully, taking account of the potential impact on the landscape. Having regard to siting, operational and other relevant constraints, the aim should be to avoid or minimise harm to the landscape, providing appropriate mitigation or enhancement measures where possible.”* The potential impacts on landscape character have been a key consideration in the design of the Proposed Development from the outset and the LVIA has informed the iterative design process to avoid or reduce effects on the local landscape, as described in sections 13.4 and 13.9 of ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6).
- 1.4.19 The NPSWRI (paragraphs 4.9.11 to 4.9.13) [9] set out specific requirements regarding developments proposed within nationally designated areas within the LVIA. Paragraph 4.9.11 of the NPSWRI [9] notes that *“great weight should be given to conservation and enhancement of landscape and scenic beauty in nationally designated landscapes. National Parks, the Broads and Areas of Outstanding Natural Beauty have the highest status of protection in relation to landscape and scenic beauty”*. The Order Limits avoid the SDNP, but part of this designated area falls within the LVIA study area. The NPSWRI (paragraph 4.9.13) [9] is also relevant in this context, stating that where consent is given in nationally designated areas *“the Secretary of State should be satisfied that the applicant has ensured that the development will be carried out to high environmental standards and, where possible, includes measures to enhance other aspects of the environment. Where necessary, the Secretary of State should consider the imposition of appropriate requirements to ensure these standards are delivered.”* The methodology set out in ES Appendix 13.2 Landscape and visual impact assessment methodology, Volume II (Document reference 6.2, DCO Volume 6), explains the landscape-led approach to the design of the Proposed Development.
- 1.4.20 The NPSWRI (paragraph 4.9.14) [9] addresses developments outside nationally designated areas which might affect them. It goes on to say *“the duty to have regard to the purposes of nationally designated areas also applies when considering applications for projects outside the boundaries (in their “setting”) of these areas which may have impacts within them. The development should aim to avoid compromising the purposes of designation, and such projects should be designed sensitively given the various siting, operational, and other relevant constraints.”* The LURA 2023 extended this duty to relevant authorities who must now seek to further the purposes of the nationally designated area, as explained in section 1.2. Parts of the Proposed Development are within the setting of the SDNP and the Chichester Harbour National Landscape, meaning that NPS policies relating to both National Parks and National Landscape would have effect. The specific statutory purposes of the SDNP and Chichester Harbour National Landscape have been considered in the LVIA, and the SDNPA and Chichester Harbour Conservancy have been consulted from the earliest stages of the project,

as explained in section 13.3 of ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6).

- 1.4.21 The NPSWRI [9] (paragraphs 4.9.15 and 4.9.16) addresses developments in other areas. Paragraph 4.9.15 states that “*outside nationally designated areas, there are local landscapes and townscapes that are highly valued locally and may be protected by local designation.*” There are several parts of the landscape within the study area which are covered by local landscape designations and these are illustrated in ES Figure 13.11 Landscape designations, Volume III (Document reference 6.3, DCO Volume 6). It concludes by stating that “*local landscape designations should not be used in themselves as reasons to refuse consent, as this may unduly restrict acceptable development.*” Paragraph 4.9.16 states that “*in taking decisions, the Secretary of State will consider whether the development has been designed carefully, taking account of environmental effects on the landscape and siting, operational and other relevant constraints, to avoid adverse effects on landscape or to minimise harm to the landscape, including by reasonable mitigation.*”
- 1.4.22 Visual impacts are covered by the NPSWRI (paragraph 4.9.17) [9], which states that the SoS will “*judge whether the visual effects on sensitive receptors, such as local residents, and other receptors, such as visitors to the local area, outweigh the benefits of the development*”. It also notes that “*coastal areas are particularly vulnerable to visual intrusion because of the potential high visibility of development on the foreshore, on the skyline and affecting views along stretches of undeveloped coast, especially those defined as Heritage Coast*”.
- 1.4.23 Green infrastructure is also an important consideration within the NPSWRI [9]. Paragraph 4.10.7 states that “*Green and blue infrastructure can also enable developments to provide positive environmental, social, health and economic benefits. Green infrastructure includes green space such as parks and woodlands but also other environmental features such as street trees, hedgerows and green walls and roofs. It also includes blue infrastructure such as canals, rivers, streams, ponds lakes and their borders. Well designed and managed green and blue infrastructure provides multiple benefits at a range of scales. It can contribute to biodiversity recovery, sequester carbon, absorb surface water, cleanse pollutants, absorb noise and reduce high temperatures.*” The NPSWRI (paragraph 4.10.18) [9] goes on to state that “*where green infrastructure is affected, the applicant should aim to ensure the functionality and connectivity of the green infrastructure network is maintained and any necessary works are undertaken, where possible, to mitigate any adverse impact and, where appropriate, to improve that network and other areas of open space, including appropriate access to National Trails and other public rights of way.*” Opportunities to reinforce and enhance the green and blue infrastructure network, including access to the public right of way network and chalk river enhancements, have been considered in the proposed mitigation and enhancement measures, including in the development of the Indicative Environmental Masterplan appended to the Design Approach Document (Document Reference 5.12, DCO Volume 5).

National Planning Policy Framework [11]

- 1.4.24 The National Planning Policy Framework (NPPF) [11] sets out the Government’s planning policies for England, but it is clear that it does not contain specific policies

for Nationally Significant Infrastructure Projects. These are determined in accordance with the decision-making framework in the Planning Act 2008 (as amended) [12] and relevant national policy statements for major infrastructure, as well as any other matters that are relevant (which may include the NPPF).

- 1.4.25 The importance of landscape in establishing strategic policies in development plans is recognised in the NPPF (paragraph 20) [11], which states that these should “*set out an overall strategy for the pattern, scale and design quality of places (to ensure outcomes support beauty and placemaking) and make sufficient provision for... (d) conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation.*”
- 1.4.26 NPPF (paragraph 135) [11] goes on to state that “*planning policies and decisions should ensure that developments a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)...*”
- 1.4.27 NPPF (paragraph 187) [11] requires that planning policies and decisions should contribute to and enhance the natural and local environment by, inter alia, (a) “*protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan)*” and (b) “*recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland*”. The LVIA recognises that all landscapes have value, as defined in the ELC, but draws distinctions when identifying valued landscapes in the context of NPPF (paragraph 187) [11] with reference to the factors set out in Landscape Institute Technical Guidance Note 02/21: *Assessing landscape value outside national designations* [13].
- 1.4.28 NPPF (paragraph 188) [11] states that plans should “*distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries*”. The LVIA includes an assessment of the likely effects on the landscape at different scales, drawing distinctions between areas of valued landscape and other areas. The Proposed Development has been designed to as far as reasonably practicable avoid impacts on designated landscapes and sensitively locate and design proposals in their setting.
- 1.4.29 NPPF (paragraph 189) [11] states that “*great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting*

should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.” The LVIA assesses the likely effects on the SDNP and the Chichester Harbour National Landscape and their setting.

Planning Practice Guidance

1.4.30 Natural England’s ‘An Approach to Landscape Character Assessment’ [14] provides some useful context to the ELC introduced in section 1.2. It sets out the following five principles in section 1.4, which apply to landscape character assessment:

1. *“Landscape is everywhere and all landscape has character.*
2. *Landscape occurs at all scales and the process of Landscape Character Assessment can be undertaken at any scale.*
3. *The process of Landscape Character Assessment should involve an understanding of how the landscape is perceived and experienced by people.*
4. *A Landscape Character Assessment can provide a landscape evidence base to inform a range of decisions and applications.*
5. *A Landscape Character Assessment can provide an integrating spatial framework - a multitude of variables come together to give us our distinctive landscapes.”*

1.4.31 Detail regarding the duties relating to nationally important landscapes is set out in the Department for Environment, Food and Rural Affairs’ ‘English National Parks and the Broads: UK government vision and circular 2010’ [15].

1.4.32 The legal duties presented in section 1.2, also relate to development proposals that are situated outside National Park or National Landscape boundaries, but which might have an impact on their setting or protection. The government’s Planning Practice Guidance (PPG) [16] states that *“land within the setting of these areas often makes an important contribution to maintaining their natural beauty, and where poorly located or designed development can do significant harm. This is especially the case where long views from or to the designated landscape are identified as important, or where the landscape character of land within and adjoining the designated area is complementary. Development within the settings of these areas will therefore need sensitive handling that takes these potential impacts into account”* (paragraph: 042 Reference ID: 8-042-20190721. Revision date: 21 07 2019). The LVIA in ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6) explains how the Applicant has considered these legal duties in developing the design of the Proposed Development.

Natural environment

1.4.33 The Government’s PPG [16] , also provides context to the NPPF [11]. The section on the Natural Environment provides information on how planning policies conserve and enhance the landscape and how the character of landscapes can be assessed to inform plan-making and planning decisions. It states that *“the National Planning Policy Framework is clear that plans should recognise the intrinsic character and beauty of the countryside, and that strategic policies should provide for the conservation and enhancement of landscapes.”* It goes on to state

that “*this can include nationally and locally-designated landscapes but also the wider countryside*” (paragraph: 036 Reference ID: 8-036-20190721. Revision date: 21 07 2019). The Proposed Development lies outside of nationally designated landscapes, but parts of the landscape within the study area are designated at a national level or local level within Local Plans.

- 1.4.34 Where landscapes have a particular local value, it states that “*it is important for policies to identify their special characteristics and be supported by proportionate evidence. Policies may set out criteria against which proposals for development affecting these areas will be assessed. Plans can also include policies to avoid adverse impacts on landscapes and to set out necessary mitigation measures, such as appropriate design principles and visual screening, where necessary. The cumulative impacts of development on the landscape need to be considered carefully.*” Paragraph: 036 Reference ID: 8-036-20190721. Revision date: 21 07 2019 [16].
- 1.4.35 With respect to National Parks and National Landscapes it states that “*in exercising or performing any functions in relation to, or so as to affect, land’ in National Parks and National Landscapes, relevant authorities ‘must seek to further’ the purposes for which these areas are designated*” (paragraph: 039 Reference ID: 8-039-20250129. Revision date: 29 01 2025) making reference to Section 11A(1A) of the National Parks and Access to the Countryside Act 1949, section 17A of the Norfolk and Suffolk Broads Act 1988 and section 85 of the CRoW Act 2000. The LURA 2023 extended this duty to relevant authorities who must now seek to further the purposes of the nationally designated area, as explained in section 1.2.
- 1.4.36 It goes on to state that “*this duty is particularly important to the delivery of the statutory purposes of protected areas. It applies to all local planning authorities, not just National Park authorities, and is relevant in considering development proposals that are situated outside National Park or National Landscape boundaries, but which might have an impact on their setting or protection*”. PPG (paragraph: 039 Reference ID: 8-039-20250129. Revision date: 29 01 2025). [16]
- 1.4.37 Reference is also made to Management Plans for National Parks and AONBs, which... “*provide evidence of the value and special qualities of these areas, provide a basis for cross-organisational work to support the purposes of their designation and show how management activities contribute to their protection, enhancement and enjoyment*”. PPG (paragraph: 040 Reference ID: 8-040-20190721 Revision date: 21 07 2019) [16].
- 1.4.38 The guidance explains that land within the setting of protected landscapes including National Parks and AONBs “*often makes an important contribution to maintaining their natural beauty, and where poorly located or designed development can do significant harm. This is especially the case where long views from or to the designated landscape are identified as important, or where the landscape character of land within and adjoining the designated area is complementary. Development within the settings of these areas will therefore need sensitive handling that takes these potential impacts into account.*” PPG (paragraph: 042 Reference ID: 8-042-20190721. Revision date: 21 07 2019) [16].
- 1.4.39 The PPG [16] supports the use of landscape character assessment as a tool for understanding the character. It also recognises that this can be used to understand local distinctiveness of the landscape and identifying the features that give it a sense of place, informing, planning and managing change. It provides a link to

Natural England’s guidance on landscape character assessment, which has been referred to in preparing this LVIA. PPG (paragraph: 037 Reference ID: 8-037-20190721. Revision date: 21 07 2019). [16]

- 1.4.40 The sections of the PPG [16] with Natural Environment which address green infrastructure biodiversity, geodiversity and ecosystems support positive planning for networks of multi-functional green space, both urban and rural, which deliver a range of benefits for local communities. This includes through the delivery of biodiversity net gain and wider ENG. The aim of environmental net gain is defined as measures *“to reduce pressure on and achieve overall improvements in natural capital, ecosystem services and the benefits they deliver. For example, habitat improvements can provide a range of benefits such as improvements to soil, water and air quality, flood risk management and opportunities for recreation.”* (Paragraph: 021 Reference ID: 8-021-20240214 Revision date: 14 02 2024). These matters have been key considerations in the development of the Indicative Environmental Masterplan appended to the Design Approach Document (Document Reference 5.12, DCO Volume 5). PPG (paragraph: 20 Reference ID: 8-020-20240214. Revision date: 14 02 2024) [16].
- 1.4.41 The section on Light Pollution advises on how to consider light within the planning system, explaining that *“artificial lighting needs to be considered when a development may increase levels of lighting, or would be sensitive to prevailing levels of artificial lighting.”* It goes on to state that *“artificial light is not always necessary. It has the potential to become what is termed ‘light pollution’ or ‘obtrusive light’, and not all modern lighting is suitable in all locations. It can be a source of annoyance to people, harmful to wildlife and undermine enjoyment of the countryside or the night sky, especially in areas with intrinsically dark landscapes. Intrinsically dark landscapes are those entirely, or largely, uninterrupted by artificial light. National parks and nature reserves can serve as good examples, particularly where they support habitats for native nocturnal animals.”* PPG (paragraph: 001 Reference ID: 31-001-20191101. Revision date: 21 07 2019) [16]. The potential impacts on the night time baseline are considered with reference to England’s Light Pollution and Dark Skies map published by CPRE: The Countryside Charity [17] and guidance published by the Institute of Lighting Professionals and this is set out in the ES. This approach is explained in full in section 2 of ES Appendix 13.2 Landscape and visual impact assessment methodology, Volume II (Document reference 6.2, DCO Volume 6).

1.5 Local policy

- 1.5.1 Local plan policies, evidence base and strategies of relevance to landscape and visual amenity have been reviewed and have informed the design of the Proposed Development. In the event that there is any conflict between local plan policies and strategies and the NPSWRI, the NPS would prevail. Relevant Local Plan evidence base documents are set out in Table 13-4 of ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6).
- 1.5.2 The Pipelines between the WRP site and Havant Thicket Reservoir option that was included in the PEI Report as part of the Summer 2024 Consultation has been discounted and removed from the Proposed Development (details in ES Chapter 4 Consideration of alternatives, Volume I (Document reference 6.1, DCO Volume 6)). The study area for the LVIA has been adjusted to reflect this and therefore the

policies, evidence base and strategies relating to East Hampshire District Council are no longer relevant and have not been included in this appendix or ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6).

Eastleigh Borough Council

Eastleigh Borough Local Plan 2016-2036 (2022) [18]

- 1.5.3 The Eastleigh Borough Local Plan includes several strategic policies which are of relevance to landscape and visual matters. The Proposed Development lies outside the Borough of Eastleigh and so only those policies of relevance to its setting and the design of green infrastructure are included.

Delivering sustainable development

- 1.5.4 Points of relevance under strategic policy S1 [18], Delivering sustainable development include:

- “a). meet community needs without compromising the identity of the Borough or its individual settlements, or the ability of future generations to meet their own needs;*
- d). have regard to the potential impacts of climate change, and the need to limit greenhouse gas emissions including through carbon sequestration and by promoting measures to design buildings and spaces which are adaptable to predicted climate change...*
- f). avoid impacts on the Hamble and Itchen catchments and associated flora and fauna species by preserving water quality and flows from development and safeguarding potential yield of local water resources used for public water supplies having regard to the impacts of abstraction;*
- i). maintain local environmental quality, including avoiding damage to, and where possible enhancing, the existing valued urban and rural environments in the Borough and heritage assets;*
- j). have regard to the purposes of the South Downs National Park, including regarding its status as an International Dark Night Skies reserve; and*
- k). maintain, enhance, extend and connect the natural habitats within and landscape value of the Borough, extending natural habitats into new and existing development to achieve an environmental net gain.”*

- 1.5.5 The LURA 2023 changed the duty to have regard such that relevant authorities must now seek to further the purposes of the nationally designated area, as explained in section 1.2.

- 1.5.6 Particular consideration has been given to the potential impacts and opportunities relating to the Hamble and Itchen catchments and the SDNPA in the assessment of landscape and visual effects and the design of multi-functional green infrastructure.

Countryside, settlement gaps and the coast

- 1.5.7 The LVIA has given careful consideration of the character of the countryside within Eastleigh. Through strategic policy S5 [18], which addresses new development in the countryside, the Borough Council will seek to:
- “a). avoid adverse impacts on the rural, woodland, riparian or coastal character, the intrinsic character of the landscape including the avoidance of adverse landscape impacts on areas adjoining national parks and their settings, the significance of heritage assets and on the biodiversity of the area;*
 - b). secure long-term beneficial management practices that will enhance the landscape and biodiversity of the countryside and coast;*
 - e). protect soils during construction wherever possible in line with the ‘Defra code of practice for the sustainable use of soils on construction sites.’”*
- 1.5.8 Paragraph 4.26 [18] which supports this policy states that *“the Borough’s countryside (as defined in the glossary) is an important and diminishing resource. It is valued for many reasons, including agriculture and community food production, its landscape qualities and biodiversity value. Habitats of value include the special characteristics of the valleys of the rivers Itchen and Hamble and the networks of ancient woodlands, streams and wetlands throughout the Borough. The countryside is also important for the setting it provides for towns and villages, and the opportunities it provides for recreation. The Council is keen to protect and enhance the countryside within the Borough and maximise its opportunities for people and wildlife, from the urbanising impacts of development.”*

Historic environment

- 1.5.9 Strategic policy S8 [18] relates to the historic environment. It states that:
- “1. The Borough Council will continue to conserve and/or enhance the Boroughs heritage assets in a manner appropriate to their significance. This includes all heritage assets including listed buildings and structures, Conservation Areas as designated on the policies map, landscapes and archaeology. This will be through the preparation of Conservation Area Appraisals and Management Plans and other strategies and in the determination of planning applications for new development (see policy DM12). This will involve:*
- a. identifying the assets by means of an on-going programme of survey and review;*
 - b. identifying their key features and measures to manage and enhance these, e.g. through Conservation Area Appraisals;*
 - c. restricting development likely to harm them or their settings through management of development proposals; and*
 - d. encouraging development that enhances them, ensures their long-term management and maintenance and where possible, enables public enjoyment and the interpretation of the asset.”*
- 1.5.10 The landscape baseline identifies where there are Conservation Areas within the study area and how the historic environment informs present character.

Green infrastructure

1.5.11 Strategic policy S9 [18] details the Borough Council’s approach to Green infrastructure and will continue to inform opportunities for the design of multi-functional mitigation post-consent:

- “1. Through new development and other initiatives the Borough Council will seek to achieve the provision, retention and/or enhancement of the following forms of multi-functional green infrastructure, including provision of:*
- a. landscape scale strategic links across the Borough boundary, to and between the Borough’s settlements, the countryside, the coast, and the major areas of open space including the country parks (see strategic policy S12);*
 - b. interlinked publicly accessible open space through new and existing development including for example formal sports facilities and informal amenity spaces and cemeteries (see policies DM32-DM34, Chapter 5 and detailed proposals in Chapter 6);*
 - c. green infrastructure incorporated into all new development with multi-functional spaces connected by primary, secondary and tertiary green links;*
 - d. interconnected urban green infrastructure within the fine grain of existing and new development including green, cycle ways, paths and linkages between community facilities and open spaces to link community facilities;*
 - e. green stepping stones such as street trees, green roofs and walls, pocket parks and urban copses (see policy DM1, Chapter 5);*
 - f. connected habitats linking the network of designated sites and existing priority habitats, taking account of the Hampshire ecological network map (see policy DM11, Chapter 5);*
 - g. incorporation of historic buildings and landscapes, including historic parks and gardens within the wider Green Infrastructure to protect their setting (see policy DM12, Chapter 5); and*
 - h. opportunities for local food growing including allotments, community orchards and farms (see policies DM32 to DM34, Chapter 5 and detailed proposals in Chapter 6).”*

Fareham Borough Council

Fareham Local Plan 2037 (2023) [19]

Development in the countryside

1.5.12 Strategic Policy DS1 [19] states that *“proposals for development in the countryside, which is defined as land outside the Urban Area boundary as shown on the Policies map, will be supported where the proposal... h) provides infrastructure that meets an overriding public need. In addition, proposals will need to demonstrate that they:*

- i) Require a location outside of the urban area;*
- j) Conserve and enhance landscapes, sites of biodiversity or geological value and soils;*
- k) Recognise the intrinsic character and beauty of the countryside and, if relevant, do not significantly affect the integrity of a Strategic Gap;*
- l) Maintain the character of the undeveloped coast; and*
- m) Are not on Best and Most Versatile agricultural land.”*

- 1.5.13 This policy has been considered when identifying opportunities to avoid, mitigate or enhance the landscape within and surrounding the Order Limits.

Landscape

- 1.5.14 Strategic Policy DS3 [19] addresses landscape. It states that “*Areas of Special Landscape Quality have been identified in the Borough and are shown on the Policies map. Development proposals shall only be permitted in these areas where the landscape will be protected and enhanced.*”

Development in the countryside shall recognise the intrinsic character and beauty of the countryside, paying particular regard to:

- a) Intrinsic landscape character, quality and important features;*
- b) Visual setting, including to/from key views;*
- c) The landscape as a setting for settlements, including important views to, across, within and out of settlements;*
- d) The landscape’s role as part of the existing Local Ecological network;*
- e) The local character and setting of buildings and settlements, including their historic significance;*
- f) Natural landscape features, such as trees, ancient woodland, hedgerows, water features and their function as ecological networks; and*
- g) The character of the Borough’s rivers and coastline, which should be safeguarded.*

Major development proposals must include a comprehensive landscaping mitigation and enhancement scheme to ensure that the development is able to successfully integrate with the landscape and surroundings. The landscaping scheme shall be proportionate to the scale and nature of the development proposed and shall be in accordance with the enhancement opportunities specified in the Council’s Landscape Sensitivity Assessment.”

- 1.5.15 Paragraph 3.57 [19] of the text which supports this policy states “*development proposals within Areas of Special Landscape Quality are expected to submit a proportionate Landscape Assessment, that demonstrates the proposal satisfies the specific development criteria contained within the Council’s Landscape Sensitivity Assessment for the character area in which the development is located.*” The Fareham Landscape Assessment (2017) [20] has informed the LVIA, as described in section 13.7 of ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6).

Protection of nature conservation, biodiversity, and the local ecological network

- 1.5.16 Strategic Policy NE1 [19] is relevant to the design of multi-functional landscape and visual mitigation that is being developed by the Applicant. It states that “*development will be permitted where:*”

- a) Designated international, national sites and local sites of nature conservation value are protected and enhanced, reflecting their status in the hierarchy of nature conservation designations;*
- b) Protected and priority habitats and species, including breeding and foraging areas are protected and enhanced;*
- c) Proposals do not prejudice the Ecological Network or result in its fragmentation.*

Development within the Borough whose primary objective is to conserve and enhance biodiversity (including the Local Ecological Network), geodiversity and natural resources through restoration, re-creation or management will be supported.”

- 1.5.17 The Order Limits have been designed to as far as practicable avoid sensitive features such as the rare chalk streams. The Applicant has also explored opportunities to enhance nature conservation, biodiversity, and the local ecological network and such measures are set out on the Indicative Environmental Masterplan appended to the Design Approach Document (Document Reference 5.12, DCO Volume 5) and Outline Landscape and Ecology Management Plan (Document reference 7.5, DCO Volume 7).

Biodiversity Net Gain

- 1.5.18 Strategic Policy NE2 [19] states that *“the development of one or more dwelling or a new commercial/leisure building should provide at least 10% net gain for biodiversity for the lifetime of the development.”* It does not reference infrastructure development. However, the supporting paragraph 9.31 is relevant. It states that *“measures for biodiversity net gain can include but are not limited to, green walls/roofs and Sustainable Drainage Systems (SuDS), providing woodland, ponds, wildflower areas, nesting and roosting features. They could form part of a broader package of measures designed to improve or mitigate the wider impacts of development or help to deliver overall environmental gains. Almost any development can achieve some level of biodiversity net gain. Any measures used to achieve net gain should be accompanied by a costed management and maintenance plan to ensure gains remain in place.”* An Outline Landscape and Ecology Management Plan (Document reference 7.5, DCO Volume 7) is submitted with the DCO application.

Trees, woodland, and hedgerows

- 1.5.19 Strategic policy NE6 [19] states that *“development will be permitted which:*
- a) Avoids the unnecessary loss of non-protected trees, hedgerows and woodland, particularly those which have high amenity value;*
 - b) Where their loss is unavoidable, provides for their replacement in a suitable location; and*
 - c) Where practicable, provides for new and suitable trees, woodland and hedgerows.*
- The removal of protected trees, groups of trees (including veteran trees), woodland (including ancient woodland) or hedgerows will only be permitted in exceptional circumstances. Where protected trees, woodland and hedgerows are subject to removal, a replacement of an appropriate number, species and size in an appropriate location will be required.”*
- 1.5.20 Arboricultural and hedgerow surveys conducted in 2024 have informed the LVIA, the Indicative Environmental Masterplan appended to the Design Approach Document (Document Reference 5.12, DCO Volume 5) and Outline Landscape and Ecology Management Plan (Document reference 7.5, DCO Volume 7).

Green infrastructure

- 1.5.21 Strategic policy NE9 [19] informs the design of multi-functional landscape and visual mitigation. It states that *“where appropriate, development shall provide Green Infrastructure (GI) which is fully integrated into development and maximises opportunities to connect to the wider GI Network. Development proposals that reduce the quality of the existing GI network will only be permitted where suitable mitigation is identified and secured. Development that directly impacts upon, or is adjacent to proposed GI projects that are included within the PFSH Green Infrastructure Strategy/Implementation Plan or Fareham Borough Infrastructure Delivery Plan should not prevent its future delivery and provide a physical connection to the proposed GI Project. Exceptions will only be permitted where:*
- a) suitable alternative GI provision of equivalent benefit is provided as part of the development; or*
 - b) a financial contribution is secured for suitable alternative GI provision by the relevant authority.”*

High quality design and place making

- 1.5.22 The design and integration of built development is addressed by Strategic policy D1 [19], which states that *“development proposals and spaces will be of high quality, based on the principles of urban design and sustainability to ensure the creation of quality places. Development proposals will be permitted where compliance with the following key characteristics of high quality design, as set out in paragraphs 11.5-11.27, has been demonstrated:*
- i. Context - where proposals appropriately respond to the positive elements of local character, ecology, history, culture and heritage; and*
 - ii. Identity - where proposals create places that are attractive, memorable, distinctive and of strong character; and*
 - iii. Built form - where proposals create a three-dimensional pattern or arrangement and scale of development blocks, streets, buildings and open spaces, that are coherent, attractive and walkable; and*
 - iv. Movement - where proposals create attractive, safe and accessible corridors that incorporate green infrastructure and link with key services and facilities along existing and future desire lines, which promote social interaction and activity; and*
 - v. Nature - where proposals positively integrate existing and new habitats and biodiversity within a coherent and well managed, connected structure;*
 - vi. Public spaces - where proposals create public spaces that are attractive, safe, accessible and provide a focus for social interaction, and promote healthy activity and well-being; and*
 - vii. Uses - where proposals provide or are well related and connected with, a mix of uses that provide the day to day needs of users; and*
 - viii. Homes and buildings - where proposals provide a variety of dwelling sizes and tenures, have sufficient space and are well related to public space; and*
 - ix. Resources - where proposals reduce the use of natural resources, conserve and enhance and integrate habitats and ecosystems and are adaptable over time, minimising waste; and*
 - x. Lifespan - where proposals are designed and constructed to create enduring high-quality buildings, spaces and places that are attractive and functional,*

which weather well and can be adapted to users' needs with efficient management and maintenance.”

- 1.5.23 This policy is relevant to the Design Principles Document (Document reference 5.11, DCO Volume 5).

Historic environment and heritage assets

- 1.5.24 Strategic Policy HE1 [19] states that *"all development should seek to conserve and enhance the historic environment and heritage assets, in line with local and national policy. The Council will take appropriate positive steps to conserve and enhance the Borough's historic environment and heritage assets."* The historic environment, including the historic landscape and assets which line the part of Portsdown Hill within the study area, have informed the landscape baseline and the multi-functional mitigation proposed.

Havant Borough Council

Havant Borough Core Strategy (2011) [21]

Protecting and enhancing the special environment and heritage of Havant Borough

- 1.5.25 Core Strategy policy CS11 [21] is relevant to the character of the area and informs the design response. It states that *"policy CS11 Protecting and Enhancing the Special Environment and Heritage of Havant Borough Planning permission will be granted for development that:*
- 1. Ensures the key landscape and built form principles set out in the Havant Borough Townscape, Landscape and Seascape Character Assessment are protected and where possible enhanced by partnership working with developers, groups and the wider community.*
 - 2. Protects and where possible enhances the borough's statutory and non-statutory designated landscape, habitats and features of biological, hydrological or geological interest. Protection and enhancement will be achieved by appropriate adaptation and mitigation measures including wardening, education and information and the creation of new habitats, water bodies/courses planting of new trees and woodland.*
 - 3. Has particular regard to the following hierarchy of nature conservation designations within the borough (as identified on the Proposals Map): (i) Special Protection Areas (SPA), Special Areas of Conservation (SAC) and Ramsar [International]. (ii) Sites of Special Scientific Interest (SSSI) and National Nature Reserves [National]. (iii) Sites of Importance for Nature Conservation (SINC), Local Nature Reserves (LNR), other Ancient Woodland not identified in (ii) above [Local].*
 - 4. Protects and where appropriate enhances the borough's statutory and nonstatutory heritage designations by appropriately managing development in or adjacent to conservation areas, listed buildings, scheduled ancient monuments, historic parks and gardens, archaeological sites, buildings of local historic or architectural interest.*
 - 5. Supports an ongoing programme of survey of habitats and species and designation of Sites of Importance for Nature Conservation.*

6. *Incorporates partnership working with conservation organisations to improve public understanding of biodiversity and to manage public access to designated sites, particularly on the coast, to reduce harm to nature conservation interests*
7. *Incorporates partnership working with landowners and developers to ensure land management practices restore, enhance and where appropriate create new valued landscapes, habitats and their soil structure, particularly the ancient woodland remnants of the Forest of Bere and coastal salt marsh.*
8. *Protects wildlife habitats and wildlife corridors to prevent the fragmentation of existing habitats and to allow species, for example Brent Geese, to respond to the impacts of climate change by making provision for habitat adaptation e.g. coastal managed realignment and species migration.*
9. *Maintains undeveloped gaps between the settlements of Emsworth/Havant; Havant/Waterlooville; Havant/Portsmouth; Emsworth/Westbourne and Leigh Park/Rowlands Castle as shown on the Proposals Map.*
10. *Protects the best and most versatile agricultural land that has the greatest potential for local food security.*
11. *Responds to the emerging evidence from the Solent Disturbance and Mitigation Project, the published recommendations, and future related research.”*

1.5.26 A primary objective of both the Sustainable Community Strategy Forward Together and the Core Strategy is the preservation and enhancement of the borough's natural landscape, open space, its biodiversity and built heritage. However, the council must still seek growth and appropriate development in order for the borough to become a vibrant place to live providing opportunity and facilities for its residents. It is vital to find a balance between these objectives without harming the natural and built environment which forms the borough's identity. The WRP and Above Ground Plants (AGP) do not coincide with undeveloped gaps shown on the Proposals Map.

1.5.27 The Havant Borough Townscape, Landscape and Seascape Character Assessment 2007 has been reviewed to inform the LVIA. Additional information is provided in section 13.7 of ES Chapter 13, Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6).

Chichester Harbour National Landscape

1.5.28 The Chichester Harbour National Landscape lies in the east of the study area, beyond the Order Limits. Although the Proposed Development lies outside of the designated area, there is potential for it to impact on its purposes, special qualities and setting and so it has been considered within the LVIA. Policy CS12 [21] states that “*development will be permitted where it:*

1. *Carefully assesses the impact of individual proposals, and their cumulative effect, on the Chichester Harbour AONB, and its setting.*
2. *Is appropriate to the economic, social and environmental wellbeing of the area or is desirable for the understanding and enjoyment of the area.*
3. *Conserves and enhances the special qualities of the Chichester Harbour AONB (as defined in the Chichester Harbour AONB Management Plan).*
4. *Meets the policy aims of the Chichester Harbour AONB Management Plan and*

5. Provides mitigation of any detrimental effects including where appropriate the improvement of existing damaged landscapes relating to the proposal.”

- 1.5.29 Supporting paragraph 7.14 [21] states that “the flatness of the landscape makes the AONB particularly vulnerable to visual intrusion from inappropriate development, both within or adjacent to the boundary, which can often be seen from significant distances across inlets, the main harbour channels, or open countryside. Havant Borough Council will have particular regard to these characteristics in determining development proposals affecting the AONB.”
- 1.5.30 This policy should be read alongside paragraph 4.9.14 of NPSWRI, which deals with development outside National Landscapes (see section 1.4).

Green infrastructure

- 1.5.31 Policy CS13 [21] is relevant to the design of multi-functional landscape and visual mitigation which contributes to the wider network of green infrastructure. It states that “development will be permitted that:
1. Maintains and manages the network of green infrastructure identified at the sub regional and local levels.
 2. Incorporates, where appropriate, improvements to existing green infrastructure through the restoration, enhancement or creation of additional resources.
 3. Does not undermine the functional integrity of the green infrastructure.
 4. Creates, where appropriate, new green infrastructure (including access management measures) either through on site provision or financial contributions.

Development proposals that adversely affect green infrastructure will not be permitted unless superior alternative provision can be provided or where it is part of a service provider's plans to provide improved local services in equally accessible locations. Green infrastructure sites will be allocated in the Development Delivery (Allocations) Plan.”

High quality design

- 1.5.32 Policy CS16 [21] relates closely to the criteria for good design expressed in the NPSWRI. It states that “planning permission will be granted for development that is designed to a high standard, which helps to create places where people want to live, work and relax. All development should demonstrate that its design:
1. Responds to, draws inspiration from and respects local context and:
 - a) Identifies and responds positively to existing features of natural, historic or local character within or close to the proposed development site;
 - b) Integrates with existing local landscape features, promotes wildlife and biodiversity and/or applies characteristics of the local area into the design of a scheme wherever possible to create variety and interest;
 - c) Uses the characteristics of the locality to help inform the design of the new development including heights, massing, existing buildings lines, plot widths and depths, materials and proportions of windows and doors;
 - d) Is well connected to and integrates with the immediate local area and the wider area by linking to existing pedestrian and cycle routes and encouraging people to use public transport where possible; and

- e) *The development does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking.*
2. *Produces a positive relationship between buildings, street and spaces both existing and proposed, where:*
 - a) *The layout of the development reduces opportunities for crime and antisocial behaviour; contributes to improving community safety; and makes provision for the management and maintenance of the development;*
 - b) *New streets are not dominated by vehicular traffic*
 - c) *The layout of the development is legible, meaning it is easy to orientate oneself and move through.*
3. *Contributes to the improvement of the public realm close to the development, particularly sites close to town, district and local centres and other priority regeneration areas by using high quality hard and soft landscape material and street furniture; and where development is of a significant scale or prominence makes provision for public art.*
4. *Is inclusive by considering the needs of those with disabilities, ensuring safe and convenient access for all; and integrating affordable and supported housing with market housing through tenure blind design to minimise social exclusion and promote social integration.*
5. *Maximises opportunities for mixed use developments, particularly in town and district centres; and encourage higher densities (50+ dwellings per hectare) where appropriate.*
6. *Mitigates negative environmental impacts through sustainable design and construction methods, resource efficiencies, particularly water and the provision of facilities for waste recycling.*
7. *Adapts to the changing needs of the users and the changing climate over the lifespan of the building.”*

1.5.33 The text in supporting paragraph 7.40 [21] states that “*the borough has a diverse townscape character and built heritage, which is linked to the borough’s historic relationship to the sea, waterways, agriculture and connections to larger urban areas including Portsmouth. The council recognises that certain places have a value that should be protected and enhanced and therefore there are a number of designated conservation areas; listed buildings; buildings of local interest; and historic parks and gardens. However, well designed buildings, places and spaces should not just be things we associate with the past or pleasures to be enjoyed by a few. Therefore, it is important that good design is secured through all new developments including housing, retail, community, education, office or industry to ensure that every member of the community enjoys the benefits.*” The Havant Borough Townscape, Landscape and Seascape Character Assessment has informed the LLCAs within the district which have been defined by the Applicant, and which are described in detail in ES Appendix 13.3 Landscape baseline and effects, Volume II (Document reference 6.2, DCO Volume 6).

[Havant Borough Core Local Plan \(Allocations\) \(Adopted July 2014\) \[22\]](#)

- 1.5.34 Policy AL7 states that development proposal within proximity of the Hermitage Stream that prevent improvements to the Hermitage Stream being delivered, may be refused. This is relevant a section of the pipeline.
- 1.5.35 Policy BD11, refers to the ‘Brockhampton West’ site which is the proposed location for the WRP site. It states the Site Specific Development Requirements “*inter alia*:

- a. *Mitigate any impacts on Brent Geese and/or waders.*
- b. *Landscape Assessment to support a planning application that sets out how the following can be achieved: Extensive screening and careful design of buildings to mitigate changes to views from Langstone Harbour, impacts on the undeveloped gap, enhancements to Broadmarsh Coastal Park to mitigate the loss of green space and consideration of a landscape buffer to A27 and the Hermitage Stream Corridor be required on the advice of Hampshire County Council, to support*
- c. *planning application.”*

1.5.36 These policies have informed the design of the WRP site, and the mitigation and enhancement measures described in the Design Principles Document (Document reference 5.11, DCO Volume 5), and shown on the Indicative Environmental Masterplan appended to the Design Approach Document (Document Reference 5.12, DCO Volume 5).

Winchester City Council

Your Place Your Plan Winchester District Local Plan' 2020 – 2040 (2026) [23]

Development in the countryside

1.5.37 Strategic Policy SP3 [23] of the Winchester District Local Plan defines the countryside as land outside the settlement boundaries. It defines various types of development which the local planning authority will only permit in these areas, concluding that *“development proposed in accordance with this policy should not increase flood risk, cause unacceptable harm to biodiversity and the water environment, to the character and landscape of the area or neighbouring uses, or create unacceptable noise/light and traffic generation. Where appropriate, proposals should demonstrate they have considered and assessed any potential loss of the best and most versatile agricultural land.”* This policy has been considered through the scheme development to avoid or mitigate effects on the landscape pattern and character and in the design of the multi-functional mitigation and enhancement measures proposed.

Open space, sport and recreation

1.5.38 Policy NE3 [23] states that *“the Local Planning Authority will seek improvements in the open space network and in-built recreation facilities and allotments within the district, to achieve the type of provision, space required and levels of accessibility and ensuring that intergenerational areas are codesigned into any provision as set out in the council’s most up to date open space and built facilities standards. This will be achieved by new and improved provision, or by improving public access for all to existing facilities and educational provision where appropriate.”* This policy has been considered where the Proposed Development intersects the open space network and in the design of multi-functional green infrastructure.

1.5.39 Whilst the policy goes on to reference housing development, the reference to the open space network is relevant to all types of development, including the Proposed Development.

High quality, well designed and inclusive places

- 1.5.40 Strategic Policy D1 [23] expresses that development should make a positive contribution to the area and be the result of a process which considers and responds to the immediate and wider context of the development site in order to achieve good design. It sets out 15 criteria which proposals should demonstrate the application of.
- 1.5.41 This policy has informed the design principles set out in the Design Principles Document (Document reference 5.11, DCO Volume 5).

Green and blue infrastructure

- 1.5.42 Policy NE4 [23] has informed the design of the multi-functional landscape and visual mitigation. It states that planning permission will be granted for development proposals that maintain protect and enhance the function or the integrity of the existing green infrastructure network. It states that development proposals should provide a measurable net gain of well-managed, multifunctional green infrastructure, in accordance with the categories and standards specified in Policy NE3 and appropriate for the scale of development, through on-site provision. Green infrastructure shall also be accessible for all, and promote health, wellbeing, community and cohesion and active living and encourage public access to and within the natural environment where appropriate. Proposals will be supported where they facilitate future uses and enhancements of non-motorised travel routes.

Biodiversity

- 1.5.43 Policy NE5 [23] explains that *the Local Planning Authority will require a minimum of 10% measurable net gain in biodiversity to be maintained for a period of 30 years, and:*
- a. Protects sites of international and national importance, and local nature conservation sites and SINCS, from inappropriate development.*
 - b. Supports habitats that are important to maintain the integrity of Statutory Designated Habitat Sites.*
 - c. Supports the delivery of nature-based solutions as part of the development proposals and show how biodiversity can be retained, protected and enhanced through its design and implementation, for example by designing for wildlife, delivering measurable BNG and BAP targets and enhancing Biodiversity Opportunity Areas, Local Ecological Networks/Local Nature Recovery Areas, Local Nature Recovery Network and include a management plan for a period of 30 years.*
 - d. New development will be required to avoid adverse impacts, or if unavoidable ensure impacts to functionally linked land and SAC compensatory habitats are appropriately avoided, mitigated or compensated in line with mitigation hierarchy and will be subject to HRA. Developments within 500 metres of the Habitats Site, Compensatory Habitats Site or Functionally Linked Land (FLL) should produce a Construction Environmental Management Plan (CEMP) to address potential impacts to these habitats during the construction phase.*

- e. *Mitigates the effects of recreational pressure on Statutory Designated Habitat Sites in line with Bird Aware Solent and the New Forest Recreational Management Strategy where appropriate, or an agreed approach with Natural England.*
- f. *Development proposals will only be supported if the benefits of the development clearly outweigh the harm to the habitat and/or species; with compensation measures used only as a last resort. Adverse effects on the integrity of Statutory Designated Habitat Sites must be avoided; compensation will not be appropriate where there is harm to the habitats or species of a Habitat Site.”*
- g. *Maintains a district wide network of local wildlife sites and corridors to support the integrity of the biodiversity network, prevent fragmentation, or prevents and reverses fragmentation through enhancing the Ecological Network and enable biodiversity to respond and adapt to the impacts of climate change.*
- h. *Supports and contributes to the targets set out in the district’s Biodiversity Action Plan (BAP) for priority habitats and species.*
- i. *Provides up to date information, evidence and relevant assessments or surveys (in line with CIEEM guidance).*
- j. *Where there is evidence of the deliberate clearing of habitats before the application process or the deliberate neglect or damage to any of the habitats and species on the site, the subsequently reduced biodiversity value and the deteriorated condition will not be taken as the baseline for the purposes of calculating BNG and the previous ecological status of the site will be used to decide the acceptability of any development proposals and mitigation.*

1.5.44 Environmental Mitigation and Enhancement Areas (EMEA) have been defined by the Applicant, and these are shown through the Works Plans (Document reference 2.3, DCO Volume 2) and described in the ES Chapter 3 Description of the Proposed Development, Volume I, (Document reference 6.1, DCO Volume 6).

South Downs National Park

1.5.45 Development affecting the SDNP is addressed by Policy NE8, [23] which states that “*Development within the setting of the South Downs National Park will only be permitted where it would have regard to the statutory purposes and duty for National Parks as specified in the National Parks and Access to Countryside Act 1949, as amended by Section 245 of the Levelling Up and Regeneration Act 2023, and where they conserve and enhance the intrinsic quality of dark night skies and the setting of the National Park. Development proposals within the setting of the South Downs National Park are expected to take account of the National Park assessments of landscape and tranquillity and demonstrate how a proposal conserves and enhances the special qualities of the Park”*.

1.5.46 The LVIA has considered this policy in defining the study area and assessing the likely impacts and effects on the designated area and its setting, as summarised in ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6).

Historic environment

- 1.5.47 Strategic Policy HE1 [23] has informed the definition of LLCAs described in ES Appendix 13.3 Landscape baseline and effects, Volume II (Document reference 6.2, DCO Volume 6), and summarised in ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6). It states that *“The unique character, significance, quality and integrity of the district’s historic environment is an irreplaceable resource, which positively contributes to the district’s distinctive local ‘sense of place’ and cultural offer which needs to be conserved, enhanced and enjoyed in accordance with the National Planning Policy Framework. The council will work with partners, developers and the local community to ensure that decisions affecting heritage assets and their settings are based on a sound understanding of the significance of the heritage asset and ensure that new development makes a positive contribution to the district’s historic environment.”*

Portsmouth City Council

Portsmouth Plan (The Portsmouth Core Strategy) (2012) [24]

A Greener Portsmouth

- 1.5.48 Policy PSC13 [24] states that *“the city council will work collaboratively to protect, enhance and develop the green infrastructure network in the following ways: Protect green infrastructure by:*
- a. Refusing planning permission for proposals which would result in the net loss of existing areas of open space, as shown on map 21, and those which would compromise the overall integrity of the green infrastructure network in the city, unless there are wider public benefits from the development which outweigh the harm.*
 - b. For European sites: requiring a project level HRA on any development likely to have an adverse effect on a European site either alone or in combination with other plans and projects and refusing developments which would have an adverse effect on a European site; recognising the importance of currently important Brent goose feeding sites and high tide wader roosts outside the site boundaries to the ecological integrity of the European sites; and responding to the emerging evidence from the SDMP, the published findings and recommendations and future related research.*
 - c. For nationally designated SSSIs: the city council has a duty to further the conservation and enhancement of SSSIs under the Countryside and Rights of Way Act.*
 - d. For Local Wildlife Sites and Local Nature Reserves: recognising the benefits of local sites for nature conservation and its enjoyment for residents and visitors; a designating sites through the Site Allocations Plan; resurveying designated sites periodically as well as others which could meet the criteria for selection. Such sites will be adopted through refreshes of the Site Allocations Plan and given ‘candidate’ status prior to that; ensuring that the intrinsic habitat value of the site can be retained or enhanced through development proposals; and allowing development only if it clearly outweighs the substantive nature conservation value of the site, an impact*

on the site cannot be avoided or mitigated and compensatory measures are provided.

- e. Ensuring that development retains and protects the biodiversity value of the development site and produces a net gain in biodiversity wherever possible. Any unavoidable negative impacts on biodiversity as a result of development should be appropriately mitigated.*
- f. Ensuring that development is informed and influenced by the presence of trees on site, particularly those protected by a TPO or within a conservation area. If the removal of any tree is unavoidable because it would be in best arboricultural practice a replacement tree of at least equal value to that lost should be planted on site unless it is shown to be impractical to do so.*
- g. Enhance green infrastructure by: Improving the quality and multi-functionality of the city's green infrastructure assets, particularly those of low value, so that they cater for the needs of wildlife and a broad section of the community;*
- h. Working to improve linkages in the green grid wherever possible by improving accessibility to parks and gardens by foot, cycle and public transport and providing wildlife corridors;*
- i. Ensuring the highest play value of sites, whether they are designed specifically for play or whether they are shared open space for the whole community;*
- j. Encouraging the provision of green roofs and green walls where appropriate as part of meeting the requirements of PCS15 Sustainable Design and Construction..."*

1.5.49 This policy has been considered in developing the design principles set out in the Design Principles Document (Document reference 5.11, DCO Volume 5) and have informed the multi-functional mitigation and enhancement measures shown on the Works Plans (Document reference 2.3, DCO Volume 2) and in the Outline Landscape and Ecology Management Plan (Document reference 7.5, DCO Volume 7) submitted with the DCO application.

Design and conservation

1.5.50 Policy PSC23 [24] states that *“all new development must be well designed and, in particular, respect the character of the city. The following will be sought in new development:*

- a. Excellent architectural quality in new buildings and changes to existing buildings*
- b. Delight and innovation*
- c. Public and private spaces that are clearly defined, as well as being safe, vibrant and attractive*
- d. Development that relates well to the geography and history of Portsmouth, particularly the city's conservation areas (see map 26), listed buildings, locally listed buildings and scheduled ancient monuments*

- e. *Protection and enhancement of the city’s historic townscape and its cultural and natural heritage, in particular its links to the sea*
- f. *Appropriate scale, density, layout, appearance and materials in relation to the particular context Protection and enhancement of the city’s important views and settings of key buildings across the sea, harbours and from Portsdown Hill*
- g. *Creation of new views and juxtapositions that add to the variety and texture of a setting*
- h. *Flexibility to respond to future changes in use, lifestyle and demography*
- i. *Promotion and encouragement of public art*
- j. *Car parking and cycle storage should be secure, well designed, integral to the scheme and convenient to users*
- k. *Active street frontages in town centre uses*
- l. *Consideration of how to reduce crime through design*
- m. *Accessibility to all users*
- n. *Protection of amenity and the provision of a good standard of living environment for neighbouring and local occupiers as well as future residents and users of the development.”*

1.5.51 This policy has been considered in developing the design principles set out in the Design Principles Document (Document reference 5.11, DCO Volume 5) and have informed the multi-functional mitigation and enhancement measures shown on the Works Plans (Document reference 2.3, DCO Volume 2) and in the Outline Landscape and Ecology Management Plan (Document reference 7.5, DCO Volume 7) submitted with the DCO application.

South Downs National Park Authority

South Downs Local Plan (2019) [25]

1.5.52 The Proposed Development falls outside SDNP but parts of the LVIA study area coincide with it. Section 13.7 of ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6), sets out the baseline conditions of the SDNP, its purposes and special qualities. Impacts on the SDNP and its setting are summarised in section 13.8 of ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6).

Sustainable development

1.5.53 Policy SD1 [25] defines the purposes of the SDNP and states that:

- “1. When considering development proposals that accord with relevant policies in this Local Plan and with National Park purposes, the Authority will take a positive approach that reflects the presumption in favour of sustainable development. It will work with applicants to find solutions to ensure that those development proposals can be approved without delay, unless material planning considerations indicate otherwise.*
- 2. The National Park purposes are*

- i) to conserve and enhance the natural beauty, wildlife and cultural heritage of the area; and*
- ii) to promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public. Where it appears that there is a conflict between the National Park purposes, greater weight will be attached to the first of those purposes. In pursuit of the purposes, the National Park Authority will pay due regard to its duty to seek to foster the economic and social wellbeing of the local communities within the National Park.*
- 3. When determining any planning application, the Authority will consider the cumulative impacts of development.*
- 4. Planning permission will be refused where development proposals fail to conserve the landscape, natural beauty, wildlife and cultural heritage of the National Park unless, exceptionally:*
 - a) The benefits of the proposals demonstrably outweigh the great weight to be attached to those interests; and*
 - b) There is substantial compliance with other relevant policies in the development plan.”*

Ecosystem services

- 1.5.54 Policy SD2 [25] is relevant to the development of multi-functional landscape and visual mitigation and the contribution of the Proposed Development to deliver ENG. It states that:

- “1. Development proposals will be permitted where they have an overall positive impact on the ability of the natural environment to contribute goods and services. This will be achieved through the use of high quality design, and by delivering all opportunities to:*
- a) Sustainably manage land and water environments;*
 - b) Protect and provide more, better and joined up natural habitats;*
 - c) Conserve water resources and improve water quality;*
 - d) Manage and mitigate the risk of flooding;*
 - e) Improve the National Park’s resilience to, and mitigation of, climate change;*
 - f) Increase the ability to store carbon through new planting or other means;*
 - g) Conserve and enhance soils, use soils sustainably and protect the best and most versatile agricultural land;*
 - h) Support the sustainable production and use of food, forestry and raw materials;*
 - i) Reduce levels of pollution;*
 - j) Improve opportunities for peoples’ health and wellbeing; and*
 - k) Provide opportunities for access to the natural and cultural resources which contribute to the special qualities.*
- 2. Development proposals must be supported by a statement that sets out how the development proposal impacts, both positively and negatively, on ecosystem services.”*

Major development

- 1.5.55 Policy SD3 relates to major development within the SDNP but also refers to the potential for significant adverse impact on the natural beauty, wildlife or cultural heritage of, or recreational opportunities provided by, the National Park which

could include its setting. This policy has been considered in avoid physical impacts within the SDNP through the scheme development process and siting the route of the Pipelines and AGP to reduce impacts on its setting. It states that:

- “1. In determining what constitutes major development the National Park Authority will consider whether the development, including temporary events should they be deemed to constitute development, by reason of its scale, character or nature, has the potential to have a significant adverse impact on the natural beauty, wildlife or cultural heritage of, or recreational opportunities provided by, the National Park. The potential for significant adverse impact on the National Park will include the consideration of both the impact of cumulative development and the individual characteristics of each proposal and its context.*
- 2. Planning permission will be refused for major developments in the National Park except in exceptional circumstances, and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:*
 - a) The need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
 - b) The cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and*
 - c) Any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.*
- 3. If it is considered that exceptional circumstances exist and development would be in the public interest, all opportunities to conserve and enhance the special qualities should be sought. Development proposals should be sustainable as measured against the following factors: – Zero Carbon – Zero Waste – Sustainable Transport – Sustainable Materials – Sustainable Water – Land Use and Wildlife – Culture and Community – Health and Wellbeing.”*

Landscape character

- 1.5.56 Policy SD4 states that “(1) development proposals will only be permitted where they conserve and enhance landscape character by demonstrating that:
- a) They are informed by landscape character, reflecting the context and type of landscape in which the development is located;*
 - b) The design, layout and scale of proposals conserve and enhance existing landscape and seascape character features which contribute to the distinctive character, pattern and evolution of the landscape;*
 - c) They will safeguard the experiential and amenity qualities of the landscape; and*
 - d) Where planting is considered appropriate, it is consistent with local character, enhances biodiversity, contributes to the delivery of GI and uses native species, unless there are appropriate and justified reasons to select non-native species.*
2. Where development proposals are within designed landscapes, or the setting of designed landscapes, (including historic parkscapes and those on the Historic England Register of Historic Parks and Gardens) they should be based on a demonstrable understanding of the design principles of the landscape and should be complementary to it.

3. *The settlement pattern and individual identity of settlements and the integrity of predominantly open and undeveloped land between settlements will not be undermined.*
4. *Green and blue corridors will be safeguarded. Development proposals should identify and take opportunities to create and connect green and blue corridors.*
5. *The restoration of landscapes where features have been lost or degraded will be supported where it contributes positively to landscape character.”*

1.5.57 This policy has been considered in developing the design principles set out in the Design Principles Document (Document reference 5.11, DCO Volume 5) and has informed the multi-functional mitigation and enhancement measures shown on the Works Plans (Document reference 2.3, DCO Volume 2) and in the Outline Landscape and Ecology Management Plan (Document reference 7.5, DCO Volume 7).

Design

1.5.58 Policy SD5 [25] relates closely to the concept of good design expressed in the NPSWRI. The landscape-led approach which is advocated in this policy has been applied in the design of the Proposed Development, as explained in section 13.4 of ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6). It states that:

- “1. Development proposals will only be permitted where they adopt a landscape led approach and respect the local character, through sensitive and high quality design that makes a positive contribution to the overall character and appearance of the area. The following design principles should be adopted as appropriate:*
- a) Integrate with, respect and sympathetically complement the landscape character by ensuring development proposals are demonstrably informed by an assessment of the landscape context;*
 - b) Achieve effective and high quality routes for people and wildlife, taking opportunities to connect GI;*
 - c) Contribute to local distinctiveness and sense of place through its relationship to adjoining buildings, spaces and landscape features, including historic settlement pattern;*
 - d) Create high-quality, clearly defined public and private spaces within the public realm;*
 - e) Incorporate hard and soft landscape treatment which takes opportunities to connect to the wider landscape, enhances GI, and is consistent with local character;*
 - f) Utilise architectural design which is appropriate and sympathetic to its setting in terms of height, massing, density, roof form, materials, night and day visibility, elevational and, where relevant, vernacular detailing;*
 - g) Provide high quality, secure, accessible, and where possible, integrated storage for general and recycling waste, heating fuel, and transport related equipment;*
 - h) Provide high quality outdoor amenity space appropriate to the needs of its occupiers or users;*
 - i) Ensure development proposals are durable, sustainable and adaptable over time, and provide sufficient internal space to meet the needs of a range of users;*

- j) Give regard to improving safety and perceptions of safety, and be inclusive and accessible for all; and
- k) Have regard to avoiding harmful impact upon, or from, any surrounding uses and amenities.”

Safeguarding views

1.5.59 Policy SD6 [25] has informed the selection of representative viewpoints and visual receptor groups set out in ES Appendix 13.4 Visual baseline and effects, Volume II (Document reference 6.2, DCO Volume 6), and summarised in ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6). It states that:

- “1. Development proposals will only be permitted where they preserve the visual integrity, identity and scenic quality of the National Park, in particular by conserving and enhancing key views and views of key landmarks within the National Park.
- 2. Development proposals will be permitted that conserve and enhance the following view types and patterns identified in the Viewshed Characterisation & Analysis Study:
 - a) Landmark views to and from viewpoints and tourism and recreational destinations;
 - b) Views from publically accessible areas which are within, to and from settlements which contribute to the viewers’ enjoyment of the National Park;
 - c) Views from public rights of way, open access land and other publically accessible areas; and
 - d) Views which include or otherwise relate to specific features relevant to the National Park and its special qualities, such as key landmarks including those identified in Appendix 2 of the Viewshed Characterisation & Analysis Study, heritage assets (either in view or the view from) and biodiversity features.
- 3. Development proposals will be permitted provided they conserve and enhance sequential views, and do not result in adverse cumulative impacts within views.”

1.5.60 Section 13.7 of ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6) identifies the extent to which views from the SDNP have been considered within the LVIA.

Relative tranquillity

1.5.61 Tranquillity has been considered in assessing the value attached to the landscape and its susceptibility to change in ES Appendix 13.3 Landscape baseline and effects, Volume II (Document reference 6.2, DCO Volume 6), and summarised in ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6). Policy SD7 [25] states that:

- “1. Development proposals will only be permitted where they conserve and enhance relative tranquillity and should consider the following impacts:
 - a) Direct impacts that the proposals are likely to cause by changes in the visual and aural environment in the immediate vicinity of the proposals;

- b) *Indirect impacts that may be caused within the National Park that are remote from the location of the proposals themselves such as vehicular movements; and*
- c) *Experience of users of the PRow network and other publicly accessible locations.*
- 2. *Development proposals in highly tranquil and intermediate tranquillity areas should conserve and enhance, and not cause harm to, relative tranquillity.*
- 3. *Development proposals in poor tranquillity areas should take opportunities to enhance relative tranquillity where these exist.”*

1.5.62 Supporting paragraph 5.42 [25] explains that *“the purpose of Policy SD7 is to ensure that development does not harm the relative tranquillity of the National Park and to encourage the conservation and enhancement of positive tranquillity factors.”*

Dark night skies

1.5.63 Policy SD8 [25] relates to the protection of dark skies, including the Moore’s International Dark Skies Reserve. It states:

- “1. Development proposals will be permitted where they conserve and enhance the intrinsic quality of dark night skies and the integrity of the Dark Sky Core as shown on the Policies Map.*
- 2. Development proposals must demonstrate that all opportunities to reduce light pollution have been taken, and must ensure that the measured and observed sky quality in the surrounding area is not negatively affected, having due regard to the following hierarchy:*
 - a) The installation of lighting is avoided; and*
 - b) If lighting cannot be avoided, it is demonstrated to be necessary and appropriate, for its intended purpose or use:*
 - i. Any adverse impacts are avoided; or*
 - ii. If that is not achievable, then adverse impacts are mitigated to the greatest reasonable extent.’*
- 3. Lighting which is proposed to be installed must meet or exceed the level of protection appropriate to the environmental zone, as shown on the Policies Map, as set out in the table below.*
- 4. Outdoor lighting proposals are required to provide a statement to justify why the proposed lighting is required.”*

1.5.64 Paragraph 5.48 [25] which accompanies this policy explains that the purpose of Policy SD8 is to *“ensure that development does not harm the quality of dark night skies. It also encourages enhancement of the dark night skies of the National Park, for the benefit of people and wildlife. The policy seeks to do this by ensuring that proposed lighting is necessary, and by reducing the unnecessary light spill that is often a result of poor design, in order to minimise the overall impact of light.”*

1.5.65 Paragraph 5.49 [25] goes on to state that *“policy SD8 applies across the International Dark Sky Reserve which covers the entirety of the National Park. It applies to any proposals which involve the installation of external lighting and where the design of developments may result in light spill from internal lighting. It will also apply to specific lighting schemes which require planning permission or listed building consent, including installing:*

- a. *A lighting scheme of such nature and scale that it would represent an engineering operation³⁷;*
- b. *Lighting such as the floodlighting of sports pitches, car parking or manèges; and*
- c. *A lighting scheme on a listed building that would significantly affect its shown on the Policies Map, which contain some of the darkest areas of the National Park*
- d. *E1 (a) 2km Buffer Zone and (b) Transition Zone – areas that lie between the larger urban settlements and the surrounding darker skies notably vulnerable to light pollution. These areas are generally in the buffer zones and rural transition areas. Generally this will be where the sky quality changes from poor to the edge of an intrinsic dark sky zone typically with SQM³⁹ values of 10 Lux*
- e. *E3/4 Urban – larger settlements of the National Park have substantially lower quality of dark night sky, primarily due to street lighting and light spill from buildings”.*

1.5.66 Lighting impacts have been considered within the assessment of likely significant effects in section 13.8 of ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6).

Biodiversity and geodiversity

1.5.67 Policy SD9 [25] is relevant to the baseline landscape character described in detail in ES Appendix 13.3 Landscape baseline and effects, Volume II (Document reference 6.2, DCO Volume 6), and the design of the multi-functional landscape and visual mitigation proposed. It states that:

- “1. Development proposals will be permitted where they conserve and enhance biodiversity and geodiversity, giving particular regard to ecological networks and areas with high potential for priority habitat restoration or creation. Prior to determination, up-to-date ecological information should be provided which demonstrates that development proposals:*
- a) *Retain, protect and enhance features of biodiversity and geological interest (including supporting habitat and commuting routes through the site and taking due account of any use by migratory species) and ensure appropriate and long-term management of those features;*
 - b) *Identify and incorporate opportunities for net gains in biodiversity;*
 - c) *Contribute to the restoration and enhancement of existing habitats, the creation of wildlife habitats and the creation of linkages between sites to create and enhance local and regional ecological networks;*
 - d) *Protect and support recovery of rare, notable and priority species;*
 - e) *Seek to eradicate or control any invasive non-native species present on site;*
 - f) *Contribute to the protection, management and enhancement of biodiversity and geodiversity, for example by supporting the delivery of GI and Biodiversity Action Plan targets and enhance Biodiversity Opportunity Areas (BOA); and*
 - g) *Comply with the mitigation hierarchy as set out in national policy.*
- 2. The following hierarchy of site designation will apply in the consideration of development proposals: a) Internationally Protected Sites, as shown on the*

Policies Map (SPAs, SACs and Ramsar Sites, or candidate and formally proposed versions of these designations):

- i. Development proposals with the potential to impact on one or more international sites(s) will be subject to a HRA to determine the potential for likely significant effects. Where likely significant effects may occur, development proposals will be subject to Appropriate Assessment*
- ii. Development proposals that will result in any adverse effect on the integrity of any international site will be refused unless it can be demonstrated that: there are no alternatives to the proposal; there are imperative reasons of overriding public interest why the proposal should nonetheless proceed; and adequate compensatory provision is secured*
- b) Nationally Protected Sites SSSI, NNRs, MCZ as shown on the Policies Map:*
 - i. Development proposals considered likely to have a significant effect on nationally protected sites will be required to assess the impact by means of an EIA*
 - ii. Development proposals should avoid impacts on these nationally protected sites. Development proposals where any adverse effect on the site's notified special interest features is likely and which cannot be either avoided or adequately mitigated will be refused, unless the benefits of the development, at this site clearly outweigh the likely impact to the notified features of the site and any broader impacts on the network of nationally protected sites*
- c) Irreplaceable Habitats (including ancient woodland as shown on the Policies Map, and veteran trees): Development proposals which result in the loss or deterioration of irreplaceable habitats, including ancient woodland and veteran trees will be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists*
- d) Locally Protected Sites (Sites of Nature Conservation Importance (SNCI)/Local Wildlife Sites (LWS)/Sites of Importance for Nature Conservation (SINC), Local Nature Reserves (LNR and Local Geodiversity Sites (LGS)) as shown on the Policies Map:*
 - i. Development proposals considered likely to have a significant effect on local sites will be required to assess the impact by means of an Ecological Impact Assessment (EclA)*
 - ii. Development proposals that will result in any adverse effect on the integrity of any local site which cannot be either avoided or adequately mitigated will be refused, unless exceptional circumstances outweighing the adverse effects are clearly demonstrated*
- e) Outside of designated sites*
 - i. Development proposals should identify and incorporate opportunities to conserve, restore and recreate priority habitats and ecological networks. Development proposals should take opportunities to contribute and deliver on the aims and objectives of the relevant biodiversity strategies where possible.”*

Trees, woodland and hedgerows

- 1.5.68 Policy SD11 [25] addresses the conservation and enhancement of trees, woodland and hedgerows. These features contribute to the landscape pattern and have informed the description of the landscape baseline set out in ES Appendix 13.3 Landscape baseline and effects, Volume II (Document reference 6.2, DCO Volume 6). It states that:

- “1. Development proposals will be permitted where they conserve and enhance trees, hedgerows and woodlands.*
- 2. Development proposals that affect trees, hedgerows and woodland must demonstrate that they have been informed by a full site survey, including an Ecological Survey, Arboricultural Method Statement and associated Tree Protection Plan, and include a management plan.*
- 3. The removal of protected trees, groups of trees woodland or hedgerows will only be permitted in exceptional circumstances and in accordance with the relevant legislation, policy and good practice recommendations. Where protected trees are subject to felling, a replacement of an appropriate number, species and size in an appropriate location will be required.*
- 4. Development proposals must provide adequate protection zones and buffers around hedgerows and other woodland and trees to prevent damage to root systems and taking account of future growth. A minimum buffer of 15 metres will be required between the development and ancient woodland or veteran trees.*
- 5. A proposed loss or damage of non-protected trees, woodland or hedgerows should be avoided, and if demonstrated as being unavoidable, appropriate replacement or compensation will be required.*
- 6. Development proposals must demonstrate that appropriate protection measures are in place prior to any work on site throughout the development process as part of a comprehensive landscaping plan, and that suitable opportunities for the restoration, enhancement or planting of trees, woodland, and hedgerows are identified and incorporated.*
- 7. Opportunities should be identified and incorporated for planting of new trees, woodlands and hedgerows. New planting should be suitable for the site conditions, use native species and be informed by and contribute to local character, and enhance or create new habitat linkages.”*

Historic environment

1.5.69 Policy SD12 has been considered in describing the landscape baseline set out in detail in ES Appendix 13.3 Landscape baseline and effects, Volume II (Document reference 6.2, DCO Volume 6). It [25] states that:

- “1. Development proposals will only be permitted where they conserve and enhance the historic environment, including through the safeguarding of heritage assets and their setting.*
- 2. Applicants will be required to provide a Heritage Statement sufficient to allow an informed assessment of the impact of the proposed development on the significance of the heritage asset(s).*
- 3. Development proposals which affect heritage assets (whether designated or non-designated) or their setting will be determined with regard to the significance of the asset, including the long-term conservation and enhancement of that asset.*
- 4. Development proposals will be permitted where they enhance or better reveal the significance of heritage assets, particularly where they are considered to be at risk of irreversible harm or loss.*
- 5. Development proposals which appropriately re-use redundant or under-used heritage assets with the optimal viable use, which secures their long-term conservation and enhancement, including of their setting, will be supported.*

6. Development proposals for enabling development that would otherwise conflict with other planning policies but which would secure the future conservation of a heritage asset will be permitted provided:
- a) The proposals will not materially harm the heritage values of the asset or its setting;
 - b) It can be demonstrated that alternative solutions have failed;
 - c) The proposed development is the minimum necessary to protect the significance of the heritage asset;
 - d) It meets the tests and criteria set out in Historic England guidance Enabling Development and the Conservation of Significant Places⁵⁰;
 - e) It is subject to a legal agreement to secure the restoration of the asset; and
 - f) It enables public appreciation of the saved heritage asset.”

Water environment

1.5.70 Policy SD17 [25] has been considered in describing the landscape baseline set out in detail in ES Appendix 13.3 Landscape baseline and effects, Volume II (Document reference 6.2, DCO Volume 6). It states that:

- “1. Development proposals that affect groundwater, surface water features, and watercourse corridors will not be permitted unless they conserve and enhance the following:
- a) Water quality and quantity, and help achieve requirements of the European Water Framework Directive, or its replacement;
 - b) Ability of groundwater, surface water features and watercourse corridors to function by natural processes throughout seasonal variations, within the immediate vicinity, and both upstream and downstream of the site of the proposal; and
 - c) Specifically for surface water features and watercourse corridors:
 - i. Biodiversity;
 - ii. Historic significance;
 - iii. Character, appearance, and setting;
 - iv. Public access to and along the waterway for recreational opportunities; and
 - v. Ability for maintenance of the watercourse, including for flood risk management purposes.
2. Development within Groundwater Source Protection Zones (SPZs) will only be permitted provided that there is no adverse impact on the quality of the groundwater source, and provided there is no risk to its ability to maintain a water supply.
3. Development proposals must incorporate measures to eliminate risk of pollution to groundwater, surface water and watercourse corridor features which would harm their ecological and/or chemical status.
4. Development proposals for the provision of agricultural reservoirs that aid demand management, water efficiency and water storage will be permitted where they are compatible with the National Park purposes.”

Green infrastructure

1.5.71 Policy SD45 [25] has informed the design of multi-functional green infrastructure and states that:

- “1. Development proposals will be permitted where they demonstrate that they:

- a) *Maintain or enhance GI assets, GI links and the overall GI network; and*
- b) *Provide new GI, or improvements to existing green assets and green linkages, which are integrated into the development design, that meets the needs of communities both within and beyond the site's boundaries.*
2. *GI proposals must contribute to multi-functional landscapes which:*
 - a) *Strengthen connectivity and resilience of ecological networks;*
 - b) *Incorporate GI measures that are appropriate to the type and context of the development proposal as part of an overall landscape design;*
 - c) *Maximise opportunities to mitigate, adapt and improve resilience to climate change;*
 - d) *Maximise opportunities for cycling and walking, including multi user routes and, where possible, facilitate circular routes; and*
 - e) *Support health and wellbeing and improve opportunities for understanding and enjoyment of the National Park and its special qualities.*
3. *Development proposals that will harm the GI network must incorporate measures that sufficiently mitigate or offset their effects.*
4. *Where appropriate, the Authority will seek to secure via planning condition or legal agreement provision for the future management and/or maintenance of GI."*

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from
Southern
Water. 

The Southern Water logo graphic consists of three stylized, white, wavy lines that resemble water waves, positioned to the right of the word 'Water'.