Hampshire Water Transfer and Water Recycling Project

Planning Policy Statement

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Executive Summary

Chapter 1 – Introduction

1. The purpose of this Planning Policy Statement (PPS) is to provide an analysis of the Hampshire Water Transfer and Water Recycling Project ("the Project") against the relevant planning policy framework.

2. The Planning Act 2008 (PA 2008) [1] is the primary decision-making legislation for projects of national significance (PNS), for which development consent is required, which as directed by the Secretary of State (SoS) includes the Project.

3. In determining the application, the SoS must have regard to the National Policy Statement for Water Resources Infrastructure (NPSWRI) [2], as well as appropriate marine policy documents and other matters relevant to the decision including both national and local policy.

Chapter 2 – Project description and location

4. The Project is a water supply scheme in Hampshire, comprising a combination of water transfer and water recycling technology. The Project includes above ground and below ground elements between Budds Farm Wastewater Treatment Works (WTW) and Otterbourne Water Supply Works (WSW).

5. The above ground infrastructure includes the Water Recycling Plant (WRP) and Above Ground Plant (AGP) comprising Intermediate Pumping Stations and Break Pressure Tanks located along the pipeline.

6. The Project spans multiple local authorities including East Hampshire District Council (EHDC), Eastleigh Borough Council (EBC), Fareham Borough Council (FBC), Hampshire County Council (HCC), Havant Borough Council (HBC), Portsmouth City Council (PCC), and Winchester City Council (WCC).

Chapter 3 – Need and benefits

7. There is an urgent national need for new water resource infrastructure. The Government, Environment Agency (EA) and the Independent Water Commission all highlight a critical and growing shortfall in secure water supplies.

8. Regional forecasts show a significant and growing regional supply deficit, with Southern Water's Western Area already in deficit, which is primarily driven by abstraction reductions on the River Itchen and River Test to protect internationally important chalk stream environments.

9. The Project provides a nationally significant, strategic new water source which will help close the water supply deficit, protect sensitive habitats, and support planned housing and economic growth. Without it, deficits will persist, reliance on damaging drought measures will continue, and environmental protections will be compromised.

Chapter 4 – National Policy Statement for water resources infrastructure

10. Chapter 4 provides an analysis of the Project against the 'assessment principles' and 'generic impact' policies set out within sections 3 and 4 of the NPSWRI.

11. With regard to the assessment principles:

- The Environmental Statement (ES) is compliant with the Environmental Impact Assessment (EIA) Regulations and describes the aspects of the environment likely to be significantly affected.
- Appropriate habitat screening and assessment have been completed. With mitigation there will be no impacts which undermine conservation objectives or result in an adverse effect on the integrity of assessed sites.
- The application satisfies all legal and policy obligations in relation to the assessment of alternatives.
- Opportunities for Environmental Net Gain (ENG) have been embedded into the Project where possible and good design principles have informed the Project throughout all stages of development.
- Climate change adaptation has been fully considered at the design, construction and operational stages, with the ES confirming no additional mitigation is required beyond embedded measures.
- Stakeholder and community engagement has been proactive, with a coordinated, single consenting approach adopted through the DCO wherever possible. Statutory nuisance is not anticipated during construction, operation or maintenance.
- Major accident, safety and security risks have been assessed, with relevant bodies consulted. No significant risks have been identified, and appropriate safety and protective security measures have been incorporated into the design.
- Likely significant environmental and health effects have been identified, assessed and mitigated as far as practicable and necessary.

12. The PPS provides a detailed assessment of the policy requirements and tests in relation to each of the generic impact policies. In summary:

Air quality

13. The Project is in accordance with the NPSWRI air quality policies, assessing identified Air Quality Management Areas (AQMA) confirming no significant effects, designing the scheme to minimise emissions, and securing appropriate construction mitigation measures through the Outline Construction Environmental Management Plan (CEMP) (Document reference 7.1, DCO Volume 7).

Biodiversity and nature conservation

14. The Project accords with NPSWRI biodiversity policies having engaged with Natural England (NE), securing long-term mitigation and Biodiversity Net

Gain (BNG) through the Biodiversity Gain Plan, delivering at least 10% BNG, avoiding significant harm to designated sites, and providing a major beneficial effect to the River Itchen Special Area of Conservation (SAC)/ Sites of Special Scientific Interest (SSSI) through reduced abstraction, with no significant adverse residual effects identified.

Climate change mitigation - greenhouse gas emissions

15. The Project complies with NPSWRI carbon policies by demonstrating that the construction, operational and decommissioning emissions are not significant. Mitigation will be secured through the Outline CEMP to ensure emissions remain as low as reasonably practicable.

Coastal change

16. The preliminary and site-specific Flood Risk Assessments (FRA) satisfy the NPSWRI coastal and flood risk requirements by demonstrating that pipeline works will not increase flood risk, that Budds Farm pumping station is climate change resilient and that marine and tidal flood impacts have been fully assessed and mitigated, with no adverse effects expected.

Dust, odour, artificial light, smoke and steam

17. The Project meets NPSWRI requirements by embedding design measures which minimise dust, odour and lighting effects, through good construction practices will be secured through the Outline CEMP and Operational Environmental Management Plan (OEMP). The Statutory Nuisance Statement demonstrates that the Project will not give rise to statutory nuisance under the Environmental Protection Act 1990.

Flood risk

18. The Project meets NPSWRI flood risk and climate change policies through a compliant FRA. All above ground infrastructure is located in Flood Zone 1, ensuring no increase in flood risk elsewhere. Sustainable Drainage Systems (SuDS), climate-resilient design and appropriate consideration of heritage assets have been incorporated.

Historic environment

19. The Project complies with NPSWRI heritage policy by assessing the significance of all designated and non-designated assets, embedding sensitive design measures to protect their setting, and ensuring no substantial harm occurs; only low-level, mostly temporary less than substantial harm is predicted, which is outweighed by the Project's public benefits, while impacts on non-designated assets are minor and carry limited weight.

Landscape and visual Impacts

20. The Project meets NPSWRI landscape and visual requirements through careful route selection avoiding designated landscapes, embedding sensitive

design and mitigation, and limiting significant operational visual effects, with all other effects temporary and reduced over time.

Land use including open space, green infrastructure and green belt

21. The Project aligns with NPSWRI land use and open space policy by demonstrating compatibility with local plan allocations, ensuring impacts on are minimised and integrating opportunities to enhance green and blue infrastructure. Overall, any land-use impacts are limited and clearly outweighed by the Project's wider public benefits.

Noise and vibration

22. The Project satisfies NPSWRI noise policy through sensitive routing and construction and operational controls secured in the Design Principles Document (DPD) and the CEMP. With mitigation, the ES demonstrates no significant effects on health or quality of life are anticipated, and temporary construction noise will be effectively managed and monitored.

Resource and waste management

23. The Project meets NPSWRI waste policy by securing a clear, effective process for managing all waste via the Outline CEMP, ensuring that waste generation will be reduced, and unavoidable wastes will be managed in line with good practice and the waste hierarchy.

Socio-economic impacts

24. The Project satisfies the NPSWRI socio-economic policy by securing mitigation through the CEMP and related management plans, delivering clear construction and operational economic benefits, and ensuring integration with communities and businesses. The Equalities Impact Assessment (EQIA) identifies no disproportionate impacts, with an action plan in place to address any potential effects.

Traffic and transport

25. The Project meets NPSWRI transport policy by assessing construction and operational impacts, securing comprehensive mitigation through the Construction Traffic Management Plan (CTMP), and Framework Rights of Way Management Plan (RoWMP), encouraging sustainable travel, and ensuring no unacceptable effects on highway safety or severe residual impacts on the road network.

Water quality and resources

26. The ES demonstrates that water environment effects will be avoided and managed through embedded design, including routing and trenchless crossings, with controls secured via the DCO. A temporary risk to the Otterbourne water supply will be managed through monitoring and mitigation, with no significant residual effects. The Project meets national pollution,

drainage and SuDS standards and will not cause water body deterioration or conflict with River Basin objectives.

Chapter 5 – Marine policy assessment

27. The SoS must have regard to the appropriate marine policy documents pursuant to the Marine and Coastal Access Act 2009 [3]. The Project interacts with the marine environment at Eastney Long Sea Outfall (LSO), the pipeline between Budds Farm WTW and the WRP and at the proposed SuDS outfall from the WRP site to the tidal Hermitage Stream.

28. The Project complies with the Marine Policy Statement (MPS) insofar as it is relevant and supports biodiversity protection objectives and impacts on protected species and habitats are minor and not significant with appropriate mitigation in place.

29. Construction noise, underwater noise and vibration effects are not significant with no further modelling required. Operational discharges and water quality changes, including from Eastney LSO and SuDS outfalls, are negligible with no significant effects on marine biodiversity. Seascape and landscape effects are minor, localised and not significant, with screening and planting reducing visibility. No significant effects on the historic environment; most heritage assets were scoped out due to no physical interaction.

30. The Project is resilient to climate change and incorporates mitigation and adaptation measures without significant adverse marine, coastal, environmental or climate impacts. There are no unacceptable risks related to coastal change, flooding, erosion or sediment processes.

Chapter 6 – other important and relevant matters

31. The SoS must have regard to any other matters deemed relevant to the decision. The Applicant has had regard to local priorities and local development plan policies from each of the host authorities as well as the South Downs National Park Authority (SDNPA).

Chapter 7 – the planning balance

32. The primary benefits of the Project are substantial and essential, ensuring the protection of the chalk streams within Hampshire by reducing abstractions while providing a resilient water supply to meet current and future needs. More broadly, the Project would respond to the critical and urgent need to build resilience in the water sector to address pressures on water supplies, as recognised in national policy.

33. The Project will also deliver other consequential benefits including skills and employment opportunities and local environmental enhancements.

34. The residual significant adverse effects observed do not conflict with the NPSWRI and are predominantly temporary in nature arising from the construction of the Project and would largely reduce over time following construction

35. In summary, addressing the need for new water infrastructure would deliver significant public benefits and resilience. Weighed against the residual adverse effects, the planning balance is very strongly in favour of the Project.

1. Introduction

1.2 Context

1.2.1 This Planning Policy Statement (PPS) has been prepared on behalf of Southern Water Services Limited ("the Applicant") for the Hampshire Water Transfer and Water Recycling Project (hereafter referred to as "the Project") for which the Applicant is seeking development consent.

1.2.2 The Project is a water supply scheme comprising a combination of both water transfer and water recycling technology that will play a major role in making up a shortfall in water supply across the Hampshire supply area, especially in drought conditions.

1.2.3 The Planning Act 2008 (the 'PA 2008') prescribes that the Secretary of State (the "SoS") is responsible for determining an application for a development consent order (DCO), with the power to appoint an Examining Authority (ExA) of appointed person(s) to manage and examine the application. The ExA will make the procedural decisions and examine the application, making a recommendation to the SoS, who will then decide whether to grant consent.

1.3 Purpose of the planning policy statement

1.3.1 The purpose of the PPS is to provide an analysis of the Project against the relevant planning policy framework.

1.3.2 In doing so the PPS draws on the conclusions of the Environmental Statement (ES), Volume I (Document reference 6.1, DCO Volume 1) and the measures and commitments proposed to be secured through the DCO as reflected in the draft Development Consent Order (draft DCO) (Document reference 3.1, DCO Volume 3).

1.3.3 The PPS should be read alongside the Case for the Project (CftP) (Document reference 5.6, DCO Volume 5) which the PPS also draws from in relation to the need and benefits of the Project in concluding on policy conformity and the overall planning balance.

1.4 Qualification as a project of national significance

1.4.1 The PA 2008 is the primary legislation relating to the decision-making process for Nationally Significant Infrastructure Projects (NSIP) and projects of national significance for which development consent is required. It provides the legal framework for applying for, examining, and determining DCO applications. To qualify as a NSIP, a proposed project must meet certain thresholds in Part 3 of the PA 2008. If a project does not meet the provisions of Part 3, then the SoS can give a direction under section 35 of the PA 2008 in response to a qualifying request, the effect of which is to bring a proposed project into the remit of the PA 2008 consenting process and to be treated as development for which development consent is required.

Section 35 of the Planning Act 2008

1.4.2 The SoS can give a direction under section 35(1) of the PA 2008 for development that does not meet the threshold to be a NSIP, so that it can be treated as development for which development consent is required. A direction can be given for a project that is considered to be nationally significant and meets the requirements of sections 35 and 35ZA of the PA 2008. The project (or proposed project) must be within the fields set out in PA 2008 section 35(2)(a)(i), which includes water projects.

1.4.3 The Applicant, by letter dated 6 April 2022, requested that the SoS give a direction for the Project, under section 35 of the PA 2008. A Direction relating to the Project was given by the SoS on 31 May 2022, which stated that the Project is to be treated as a development of national significance for which development consent is required.

1.4.4 The Applicant subsequently, by letter dated 27 September 2024, made a Variation Request (Appendix A of this PPS) to reflect updates to the Project.

1.4.5 The Applicant advised that pursuant to the Variation Request, the Principal Development comprised:

- Underground water transfer pipelines to enable the transfer of approximately 90Ml/d[1] of water during peak operation (i.e. during severe drought conditions) from Havant Thicket Reservoir to Otterbourne Water Supply Works (WSW).
- Water Recycling Plant (WRP) in the vicinity of Budds Farm Wastewater Treatment Works (WTW) with an output of at least 15Ml/d.
- Underground pipeline to enable the transfer at peak operation of at least 15Ml/d of recycled water from the WRP to Havant Thicket Reservoir.
- Underground pipelines between Budds Farm WTW and the WRP to accommodate minimum 19Ml/d peak transfer volumes in each direction.
- High lift pumping station, either located at the site of the WRP or located along the underground water transfer pipeline(s) between Havant Thicket Reservoir and Otterbourne WSW.
- Second stage pumping station and break pressure tank located along the underground water transfer pipeline(s) between Havant Thicket Reservoir and Otterbourne WSW.

1.4.6 The Applicant also advised that other elements of the Project include:

- Associated development (within the meaning of section 115(1)(b) of the Act) including, but not limited to: temporary works to support construction, works to support operation and maintenance, site accesses, temporary and permanent utility connections, highway diversions and landscaping, environmental mitigation, enhancement and compensation measures ("the Associated Development").
- Ancillary matters.

1.4.7 The SoS confirmed by letter dated 19 November 2024 (Appendix B of this PPS) that: *"the Principal Development is to be treated as development for*

[1] Ml/d = Megalitres per day (1 megalitre = 1 million litres)

which development consent is required. Any application for development consent for the Principal Development may also include any matters that may properly be included in a development consent order (in accordance with section 120 of the Act) including associated development (within the meaning of section 115(2) of the Act) and ancillary matters (section 120(3) of the Act)" (paragraph 9 of the SoS varied section 35 Direction).

1.4.8 The reasons for the decision to issue the direction are set out in Annex A of the varied section 35 Direction, as follows: *"The Principal Development, namely the main components of the Hampshire Water Transfer and Water Recycling Project is a development for which development consent is required, since the Project is considered to be nationally significant having in particular taken into account that the Project would:*

- *Be for a complex and substantial scheme, involving extensive infrastructure works and requiring multiple powers and consents (including multiple planning permissions, compulsory acquisition powers and highway orders).*
- *Benefit from an application being determined in a timely and consistent manner by the Secretary of State, and by removing the need to apply and the uncertainty of applying, for a large number of separate powers and consents.*
- *Provide a substantial number of people across Hampshire with a resilient water supply during drought conditions and would be a key piece of strategic regional infrastructure in meeting the modelled supply deficit for Southern Water's water supply zone.*
- *Make a significant contribution (c. 47%) to resolving the overall supply demand deficit in Southern Water's Western Area of supply.*
- *Support the delivery of up to 87,000 new homes by 2045.*
- *Have the capacity to be upgraded to support further increases in population growth, housing supply and / or further water resource pressures.*
- *Mitigate against the social and economic risks of debilitating water restrictions for both businesses and households when the weather is dry, and*
- *Make a significant contribution to the UK Government's environmental objectives and policy priorities".*

1.4.9 Although the Project has continued to evolve and undergo refinement since the varied section 35 Direction was issued, including through additional consultation, the Principal Development components as described in the varied section 35 Direction remain fundamentally unchanged and therefore in substance the same as the Direction given as described in section 2 of this PPS.

1.5 Decision making framework

1.5.1 Paragraph 1.1.4 of the National Policy Statement for Water Resources Infrastructure (NPSWRI) states that *"where a water resources infrastructure development is treated as a development for which development consent is required through section 35 of the PA 2008 the National Policy Statement (NPS) will apply unless otherwise stated in the section 35 direction".* There is nothing in the varied section 35 Direction that states otherwise. The NPSWRI therefore has effect in this case.

1.5.2 Paragraph 1.1.4 also confirms that "*references in the National Policy Statement to nationally significant infrastructure projects will include projects of national significance designated under section 35*".

1.5.3 Section 104 of the PA 2008, which relates to decisions in cases where a NPS has effect, is therefore engaged.

1.5.4 Section 104(2) requires that in deciding an application for development consent where a NPS has effect, the SoS *"must have regard to:*

(a) any NPS which has effect in relation to development of the description to which the application relates (a 'relevant NPS')

(aa) the appropriate marine policy documents (if any), determined in accordance with section 59 of the Marine and Coastal Access Act 2009

(b) any local impact report (within the meaning given by section 60(3)) submitted to the SoS before the deadline specified in a notice under section 60(2)

(c) any matters prescribed in relation to development of the description to which the application relates, and

(d) any other matters which the SoS thinks are both important and relevant to the SoS decision."

1.5.5 Section 104(3) states that: "*The Secretary of State must decide the application in accordance with any relevant national policy statement, except to the extent that one or more of subsections (4) to (8) applies*".

1.5.6 These subsections relate to instances where the SoS finds that deciding an application in accordance with an NPS would lead to the SoS breaching their duties, would be unlawful by virtue of any enactment, where the SoS considers the adverse impact of a Project would outweigh its benefits, or where any condition prescribed for deciding an application otherwise than in accordance with the NPS is met.

National Policy Statement for Water Resources Infrastructure

1.5.7 The NPSWRI was designated in 2023 and subsequently amended in July 2025.

1.5.8 The NPSWRI confirms at paragraph 1.1.2 that the NPSWRI will be used as the primary basis for examination by the ExA and used for decision making by the SoS in considering development consent applications for water resources NSIPs (which as confirmed at paragraph 1.1.4 includes, for the purposes of the NPSWRI, references to PNS designated under section 35).

1.5.9 The NPSWRI sets out the role of water resource management plans which water companies are required to prepare to set out how they will manage demand and develop water resources where necessary, in order to meet their water supply obligations.

1.5.10 Paragraph 1.4.6 of the NPSWRI states that, where a section 35 direction is made in relation to a project which has been identified as a preferred option in a final water resources management plan, the 'need' will not be revisited as part of the application for development consent.

1.5.11 In the Applicant's Water Resources Management Plan 2019 (WRMP19) [4], the largest element of its preferred strategy was a desalination plant on the Solent which could provide up to 75Ml/d when in full operation. As an adaptive plan, WRMP19 also identified alternative options including a water recycling option as the strategic alternative should desalination not be capable of being progressed. The Applicant re-evaluated all WRMP19 and additional options to determine whether desalination remained the best option. This process, as reported in the WRMP19 Annual Review 2020/21 [5], published in December 2021, concluded that the desalination options were the lowest ranked and faced significant difficulties, concluding that *"it is appropriate to no longer progress with any further work on the desalination Options as there is now clear evidence to show that these are the least preferable Options at this location and time".* The WRMP19 Annual Review 2020/21 confirmed that the Project (known as Option B.4) was identified as the selection option for the Regulators' Alliance for Progressing Infrastructure Development (RAPID) Gate 2 submission in December 2021.

1.5.12 This approach remains reflected in the latest WRMP19 Annual Review 2024-25 [6], identifying the Project within the supply-side schemes in the Applicant's Western Area. The Annual Review 2024-25 provides a summary of the evolutionary process described above since WRMP19 and summarises that "*the highest- ranking option from the options appraisal exercise, and our selected option, was the Hampshire Water Transfer and Water Recycling Project (HWTWRP)"* noting its progress into the pre application process for a DCO also noting that the Project was included in the draft Water Resources Management Plan 2024 (WRMP24) produced in October 2022 [7].

1.5.13 The Project is identified as a key strategic scheme within the Final Water Resources South East (WRSE) Regional Plan (June 2025) [8]. The Project is also identified as a preferred option in the Applicant's emerging WRMP24.

1.5.14 Until WRMP24 is published, paragraph 1.4.7 of the NPSWRI is engaged, which states that: "*Where a section 35 direction is made for a project that is not present in a water resources management plan, development consent applicants will need to make the case for the need for the project on a case by case basis. They should demonstrate that they meet the need for nationally significant water resources infrastructure, as set out in section 2 and apply the assessment principles in the National Policy Statement*".

1.5.15 Accordingly, a CftP document (Document reference 5.6, DCO Volume 5) has been prepared which sets out the need for the Project, as well as addressing value for money and the associated benefits and legacy of the Project. This demonstrates that regardless of whether the project applied for is included in

a published final WRMP, need has been firmly established and should not need to be revisited or examined as part of the DCO application.

1.5.16 In setting the framework for applications and decisions for water resources infrastructure, the NPSWRI sets out:

- Government policy and the urgent need for nationally significant water resources infrastructure (section 2).
- Assessment Principles against which applications are to be assessed, examined and determined (section 3).
- Generic Impacts, which set out policies on the potential construction and operational impacts of water resources infrastructure and the specific planning requirements to be met by applicants (section 4).

1.5.17 The 'need' case is set out in chapter 2 of the CftP and in summary at chapter 3 of this PPS.

1.5.18 Chapter 4 of this PPS summarises relevant information from section 2 of the NPSWRI and provides an assessment against these Assessment Principles (section 4.2) and Generic Impacts (section 4.3) policies. These sections provide quoted extracts from the NPSWRI in order to provide context and narrative for the policy assessment, though do not replicate every policy in full (and should therefore be read alongside the NPSWRI)

Marine policy documents

1.5.19 In accordance with s104(2)(aa) of the PA 2008, in deciding an application for development consent, the SoS must have regard to the appropriate marine policy documents where development would be capable of affecting any part of the UK marine area. The Project has limited interaction with the marine environment. It would:

- Utilise the existing Eastney LSO for the release of reject water (via Budds Farm WTW) produced by the WRP site anticipated to result in very small changes in composition compared to the existing releases.
- Involve the construction of a SuDS outfall from the WRP site to the tidal Hermitage Stream which although minor is a marine licensable activity subject to a Deemed Marine Licence as included at Schedule 9 of the draft DCO (Document reference 3.1, Volume 3) and explained in section 6 of the Explanatory Memorandum. (Document reference 3.2, Volume 3)
- Include the trenchless construction of pipelines between Budds Farm WTW and the WRP site below the Hermitage Stream (though as the entry/exit points for the tunnel boring machine are not below Mean High Water Springs, this activity is not considered as a licensable activity).

1.5.20 The UK Marine Policy Statement (March 2011) [9] (MPS) and South Inshore and South Offshore Marine Plan (July 2018) [10] (which forms part of the South Marine plans documents) constitute the appropriate marine policy documents for the purposes of section 104(2)(aa) in this case. Paragraph 4.5.13 of the NPSWRI also notes that the SoS should also have regard to any relevant Shoreline Management Plans (SMP) - which for this Project area is SMP 13 (Selsey Bill to Hurst Spit) (December 2010).

1.5.21 The MPS was published in 2011 with the aim of contributing to the achievement of sustainable development in the UK marine area. Guidance to the MPS from 1 January 2021 (updated in September 2020) explains how references to EU law in the UK MPS should be interpreted from 1 January 2021 following the UK's withdrawal from the European Union.

1.5.22 Marine plans are prepared by the Marine Management Organisation (MMO) under the provisions of the Marine and Coastal Access Act 2009. There are currently 11 marine plan areas in England, which deliver the high-level marine objectives set out in the UK MPS. They guide those who use and regulate the marine area to encourage sustainable development. While marine plans apply only in their area, if a proposed activity may affect the plan area, this should be acknowledged and considered in the application and decision making.

1.5.23 Paragraph 4.5.13 of the NPSWRI notes that: "*in the event of a conflict between any of these marine policy documents and the National Policy Statement, the National Policy Statement prevails for the purposes of decision making given the national significance of the infrastructure".*

1.5.24 An assessment against relevant marine policy is provided at chapter 5 of this PPS (drawing on a compliance table at Appendix C of this PPS).

Local Impact Reports

1.5.25 During the examination stage, host and neighbouring local authorities are invited to submit a Local Impact Report (LIR) which should give details of the likely impact of a project on the local authority's area. Under section 104(2)(b) of the PA 2008, the ExA and SoS must have regard to any LIR submitted before the deadline specified when deciding the application.

1.5.26 Through pre-application engagement the Applicant has sought to assist host authorities in understanding the role of LIRs alongside other written submissions into the examination, including Statements of Common Ground (SoCG) and Relevant and Written Representations.

Other important and relevant matters

1.5.27 Other matters that the SoS may consider to be important and relevant in decision making (under the provisions of 104(2)(d) of the PA 2008) may include other national planning policy and the local development plan policies of the host authorities.

1.5.28 The National Framework for Water Resources 2025 (NFWR2025) published in June 2025 [11] by the EA, replaced the National Framework for Water Resources 2020. It provides a strategic approach for water resources planning to enable actions to be identified and delivered to address England's long-term water needs. It sets out the scale of action required to ensure resilient water supplies while improving the environment.

1.5.29 The NFWR2025 makes it clear that "*without a sufficient, sustainable and resilient supply of water neither the environment, society nor the economy can function"* (page 30 of the NFWR2025 Summary Document) and sets out actions to meet society's water needs:

- *"To recognise and reflect the fundamental role of water resources in planning and development*
- *To deliver demand management reductions now*
- *To deliver and maintain pace on the delivery of large infrastructure*
- *Regional Water Resource Groups to identify, co-ordinate and facilitate delivery of solutions*
- *To have greater collaborative water resources planning and delivery of solutions with other water using sectors*
- *To tackle current unsustainable abstraction issues now and commit to deliver the Environmental Destination*
- *To continue to innovate and develop new approaches to enhancing water resources."*

1.5.30 It highlights that "*water companies must continue to take a twin track approach, delivering new supplies and reducing water demand*" and "*in tandem they must deliver new supply options such as water recycling, desalination and new reservoirs*".

Other national policy and guidance

1.5.31 National policy contained within other NPSs that do not have effect for the Project, could also be relevant under section 104(2)(d). In this case, other NPSs are considered to have no direct relevance to the Project (as it does not for example include any associated energy or transport infrastructure). The NPS for Waste Water (2012) applies only to the construction or alteration of wastewater treatment plants over a particular capacity and is not directly relevant for this Project. It does, however, highlight that wastewater treatment infrastructure is essential for public health and a clean environment and the overall need for new infrastructure is likely to increase (in response to more stringent statutory requirements, population growth, adaptation to climate change, etc).

1.5.32 The National Planning Policy Framework (NPPF) (December 2024) [12] and Planning Practice Guidance (PPG) [13] (continuously updated since 2014) are important and relevant matters. The NPPF outlines the Government's planning policies for England, while the PPG provides guidance on how these are expected to be applied. The NPPF confirms at paragraph 5 that it does not contain specific policies for NSIPs. Some policies in the NPPF and the PPG are, however, likely to be important and relevant matters under section 104(2)(d) of the PA 2008. A revised draft NPPF was published for consultation in February 2026.

Local planning policy

1.5.33 Paragraph 1.1.9 of the NPSWRI states that "*other matters that the Examining Authority and the Secretary of State may consider both important and relevant to its decision-making may include development plan documents" though advises that "in the event of a conflict between these or any other documents and a National Policy Statement, the National Policy Statement*

prevails for purposes of decision making given the national significance of the infrastructure."

1.5.34 NPS policies identify the national significance of the relevant infrastructure and include tests which allow for exceptions or special circumstances where potential impacts are outweighed.

1.5.35 Where local development plan policies relate to general issues, the starting policy tests will be those set out in the NPSWRI, so are unlikely to be relevant to decision making (even where the policies are consistent and there is no direct conflict). Development plan policies are more likely to be relevant where they relate to planning designations or locally specific factors that are not replicated or addressed through assessment principles and generic impacts in the NPSs.

1.5.36 The local authorities defined as 'host authorities' for the purposes of section 43 of the PA 2008 are as follows:

- East Hampshire District Council (EHDC)
- Eastleigh Borough Council (EBC)
- Fareham Borough Council (FBC)
- Hampshire County Council (HCC)
- Havant Borough Council (HBC)
- Portsmouth City Council (PCC)
- Winchester City Council (WCC)

1.5.37 Emerging development plan policies can be relevant to the determination of the Project as the PA 2008 requires applicants to consult widely with local authorities and communities. The weight given to the emerging development plan policies depends on the stage of preparation of the emerging plan, the significance of unresolved objections, and the degree of consistency with the NPPF policies.

1.5.38 Regard has been given to the host authorities' relevant local plan policies and emerging policies, and this is set out in Appendix D of this PPS, with a commentary on relevant policies set out at chapter 6 of this PPS.

National infrastructure planning guidance and advice

1.5.39 To support the legislation contained in the PA 2008, a range of guidance documents have been issued by the Government. As part of operational reforms to make the NSIP consenting process faster, more transparent and easier for all stakeholders to navigate, National Infrastructure Planning Guidance was comprehensively reviewed and updated in April 2024. This suite of guidance covers the content of DCOs, the acceptance, pre-examination and examination stages for DCO applications and in relation to pre application services. Other guidance which remains in force covers associated development, changes to DCOs, the relationship between PA 2008 development and housing, compulsory acquisition of land and procedural requirements.

1.5.40 The Government's National Infrastructure Planning Guidance is generally non-statutory, except where it applies to the pre-application stage and to cost recovery by certain public authorities. In those instances, the National Infrastructure Planning Guidance (including guidance on the PA 2008: Pre-application stage for NSIPs April 2024) is statutory pursuant to section 50 of the PA 2008 (guidance about pre application procedure) and applicants must demonstrate how they have had regard to this guidance. The extent to which an applicant has had regard to section 50 guidance will be taken into account by the Planning Inspectorate acting on behalf of the SoS when deciding whether to accept an application for examination.

1.5.41 The series of advice pages published by the Planning Inspectorate to inform applicants, consultees, the public and others about a range of process matters in relation to the PA 2008 may also be relevant, in particular advice for applicants including:

- Nationally Significant Infrastructure Projects: Advice on the Preparation and Submission of Application Documents (March 2026) [14].
- Nationally Significant Infrastructure Projects: Advice on the Consultation Report (March 2025) [15].
- Nationally Significant Infrastructure Projects: Advice Note Fifteen: drafting Development Consent Orders (March 2025) [16].
- Nationally Significant Infrastructure Projects: Advice on working with public bodies in the infrastructure planning process (March 2025) [17].
- Nationally Significant Infrastructure Projects: Advice on Preparing Applications for Linear Projects (April 2025) [18].
- Nationally Significant Infrastructure Projects: Advice on Good Design (April 2025) [19].

1.5.42 Other advice from the Planning Inspectorate covers environmental matters and advice on obtaining interests in land and rights of entry.

1.5.43 Appendix A.1 (Regard to section 51 advice) and Annex 1 (Consultation compliance checklist) of the Consultation Report (Document reference 5.1, DCO Volume 5) set out how the Applicant has had regard to advice produced under section 51 of the PA 2008 and complied with the duty under the PA 2008 to have regard to statutory guidance.

1.5.44 Additional guidance in relation to specific topics may also be relevant (as expanded in each chapter), for example guidance in relation to good design is provided by the National Infrastructure and Service Transformation Authority (NISTA) formerly National Infrastructure Commission (NIC) in their Design Principles for National Infrastructure (2020) [20] and Project Level Design Principles (2024).

2 Project description and location

2.1 Project summary and context for demonstration of policy compliance

2.1.1 The site location and Project extent, from Havant to Otterbourne in Hampshire, is set out in ES Chapter 3 Description of the Proposed Development, Volume I (Document reference 6.1, DCO Volume 6) and is shown on ES Figure 1.1 Location of the Proposed Development and Order Limits, Volume III (Document reference 6.3, DCO Volume 6).

2.1.2 The Project Vision is as follows:

"We're transforming the way we source, treat and supply water across Hampshire. Creating a new, resilient and sustainable water supply will protect and enhance the county's rare and sensitive chalk streams, while maintaining supplies for our communities and the local economy."

2.1.3 The Project comprises the construction, operation and maintenance of the following principal components:

- WRP located at a site north-west of Budds Farm (WTW with a maximum output (especially during drought conditions) of approximately 60 Ml/d of recycled water. At maximum operation, the WRP would also produce a maximum output of approximately 22Ml/d of reject water. Pumping stations would be located at the WRP site to pump process waste to the existing sewer network for transfer to Budds Farm WTW, recycled water to Bedhampton Springs, and source water (from the Havant Thicket Reservoir) to Otterbourne WSW.
- Pipelines between Budds Farm WTW and the WRP site. One pipeline would divert treated wastewater flows from Budds Farm WTW and transfer at maximum operation approximately 82Ml/d of treated wastewater to the WRP site. Another pipeline would transfer reject water from the WRP site to the Eastney Long Sea Outfall (LSO) via the Budds Farm WTW site, and this pipeline would be sized to transfer approximately 82Ml/d to ensure sufficient capacity in the unlikely event of an emergency shutdown of the WRP site. A pumping station would be located at Budds Farm WTW to support the transfer of treated wastewater to the WRP site.
- Pipelines between the WRP site and Bedhampton Springs, connecting to pipelines being delivered by Portsmouth Water between Bedhampton Springs and Havant Thicket Reservoir, to enable the transfer at maximum operation of approximately 60Ml/d of recycled water from the WRP site to Havant Thicket Reservoir and approximately 90Ml/d of source water (water that is used as a source for drinking water) from Havant Thicket Reservoir to the WRP site. The Pipelines between the WRP site and Bedhampton Springs would be partly constructed underground and partly above-ground. Between the WRP and Mill Lane (south west of Bedhampton Springs), the pipelines would be underground. For the transfers between Mill Lane and Bedhampton Springs the pipelines could be above-ground to avoid the Source Protection Zone at Bedhampton Springs.

- Underground pipeline to transfer at maximum operation approximately 90Ml/d of source water from the WRP site to Otterbourne WSW.
- Above Ground Plant (AGP) comprising two Intermediate Pumping Stations (IPSs), one Break Pressure Tank (BPT) and one combined IPS and BPT along the Pipeline between the WRP site and Otterbourne WSW.

2.1.4 The Proposed Development would also comprise the use of the following infrastructure:

- Havant Thicket Reservoir (which is currently under construction) for the storage of recycled water.
- The existing Eastney LSO, Eastney Pumping Station (PS), and associated Eastney Transfer Tunnel (TT) for the release of reject water from the WRP site. At maximum operation, approximately 22Ml/d of reject water would be transferred to and released from the Eastney LSO. In the unlikely event of an emergency shut down of the WRP site, up to 82Ml/d of reject water would be released from the Eastney LSO.
- Pipelines and other related works that have been consented separately by Portsmouth Water for the transfer of recycled water and source water between Bedhampton Springs and Havant Thicket Reservoir.

2.1.5 The construction and operation of the Project include other works such as temporary works during construction, highways works and Public Rights of Way (PRoW) diversions and enhancements, landscaping and environmental mitigation measures.

2.1.6 The 'Order Limits' for the Project constitute the maximum area of land required for the construction and operation of the Project as shown on the Works Plans (Document reference 2.3, DCO Volume 2).

2.2 Host local authorities

2.2.1 The local authorities, defined as 'host authorities', and the Project components that are located within their boundaries are listed in Table 2-1.

Table 2-1: Host authorities and the Project components that are located within their boundaries

Local authority	Project components
East Hampshire District Council	• Use of Havant Thicket Reservoir for the storage of recycled water
Eastleigh Borough Council	• Pipeline between the WRP site and Otterbourne WSW Section L
Fareham Borough Council	• Pipeline between the WRP site and Otterbourne WSW Section F • IPS-F

Local authority	Project components
Hampshire County Council	• Use of Havant Thicket Reservoir for the storage of recycled water. • Pipelines between the WRP site and Bedhampton Springs • Use of pipelines from Bedhampton Sprins to Havant Thicket Reservoir • Pipeline between the WRP site and Otterbourne WSW Sections D, E, F, G, J, K, L and M • IPS-F, IPS-G and BPT- K • Part of the Eastney TT
Havant Borough Council	• Use of Havant Thicket Reservoir for the storage of recycled water. • Pipelines between the WRP site and Bedhampton Springs • Use of pipelines from Bedhampton Sprins to Havant Thicket Reservoir • Pipeline between the WRP site and Otterbourne WSW Sections D • Part of the Eastney TT
Portsmouth City Council	• Pipeline between the WRP site and Otterbourne WSW Section D • BPT/IPS-E • Part of the Eastney TT • Eastney Pumping Station and part of the Eastney LSO.
Winchester City Council	• Pipeline between the WRP site and Otterbourne WSW Section D, E, G, H, J, K, L and M • IPS-G and BPT-K

2.2.2 The plan provided in Appendix E of this PPS shows the Order Limits for the Project in the context of the host local authority boundaries.

3 Need and Benefits

3.1 Introduction

3.1.1 The Project will provide crucial water supply security and resilience to the Applicant's Western Area (which includes a large part of Hampshire and the Isle of Wight) protecting nationally and internationally recognised chalk stream habitats from risk of impact, and supporting their long-term recovery, while enabling housing and economic delivery across a large geographic sub-region projected to experience significant growth.

3.1.2 The Project is identified as a key strategic solution within the Final Regional Plan (2025) WRSE to meet the need for additional water resources in the south-east, arising from the scale of the water resources challenge the region faces.

3.1.3 The Project is also identified in the Applicant's emerging WRMP24 as the preferred Western Area Strategic Resource Option (SRO), capable of delivering up to approximately 90Ml/d of new water resource and progressing through the RAPID gated process. This follows a change in the preferred solution from WRMP19, from desalination to water transfer and recycling. This was reflected in the WRMP19 Annual Review process which first identified the Project within the supply-side schemes in the Western Area in the 2020/21 Annual Review.

3.1.4 The Project is also the subject of a direction from the SoS under section 35 of the PA 2008, confirming that it is a project of national significance.

3.1.5 The critical role of the Project is therefore well-established, and it is progressing through the final stages of the water resources planning process. However, until WRMP24 is published, paragraph 1.4.7 of the NPSWRI is engaged, which requires that "*where a project that is not present in a final water resources management plan, development consent applicants will need to make the case for the need for the project on a case-by-case basis*" and that "*they should demonstrate that they meet the need for nationally significant water resources infrastructure".*

3.1.6 The CftP (Document reference 5.6, DCO Volume 5) addresses this requirement in section 2, setting out the need for the Project in detail having regard to the legal and regulatory water resources planning framework. The CftP also addresses how the Project delivers value for money and sets out the Project benefits and legacy. A summary of the main points is set out in this section of the PPS.

3.2 Need for the Project

3.2.1 The national need for new water resource infrastructure (including water recycling and transfers) has increasingly been reflected in government policy and strategy over the last decade with increasing urgency:

- The 25 Year Environment Plan published in January 2018 [21] recognised the need to both reduce demand and increase supply and that water companies must develop new water resources where needed including

"*large infrastructure, such as reservoirs and water transfers, which are needed to make sure the water industry can provide sufficient water for homes and businesses and reduce abstraction from some sources to protect the environment".*

- Shortly after, in April 2018 the NIC set out England's water infrastructure need in its *Preparing for a Drier Future* publication, highlighting that the water supply system was already strained and that the pressure from climate change and an increasing population and will only rise over coming decades.
- The first *NPS for Water Resources Infrastructure* was published in draft in 2018 and the final NPS was subsequently designated in September 2023 – representing a policy milestone for enabling new nationally significant water infrastructure projects.
- The first revision of the 25 Year Environment Plan, the Environmental Improvement Plan 2023 recognised that "*having enough water in the environment to sustain wildlife whilst also ensuring a secure supply to homes and business is becoming increasingly challenging*" and also identifies the need for significant additional water by 2050 to meet future pressures on water supply, stating that half will need to be delivered through reducing demand for water and the remainder through increased supply.
- The EAs NFWR2025 identified that if no action to reduce demand and increase water supplies is taken, England could need around 5 billion additional litres of water a day by 2055 to meet public water supply needs. Of this around 2 billion is needed in the south-east due to significant drought resilience needs, population change, climate change and most notably environmental improvements. The NFWR2025 advises that water companies "*must develop new supply options"* and notes that over 2,800 Ml/d of strategic solutions (including the Project) are currently being assessed through the RAPID process. It emphasises that *"it is vital that new resource development is delivered".*
- The Independent Water Commission: review of the water sector (June 2025) [22] reported that "*higher levels of investment will continue well into the future. For drinking water infrastructure alone, draft Water Resource Management Plans (WRMPs) set out the need for 9 new desalination plants, 10 new reservoirs and 1 reservoir enlargement, 7 new water recycling projects and multiple internal and inter-company transfer projects to be delivered by 2050*".

3.2.2 This chronology culminates in the updated NPSWRI (July 2025) which identifies that the need to build resilience in the water sector is 'critical and urgent' (paragraph 2.1.3).

3.2.3 The Project is recognised as a project of national significance in an area classified by the EA as being 'seriously water stressed' (in its policy paper *Water stressed areas – 2021 classification* [23]). As reflected in the NFWR2025, the south-east of England faces the greatest pressures on water resources of all the English regions. The region has a large population and receives comparatively little rainfall in comparison with other regions in England.

3.2.4 The latest forecasts produced by WRSE in its Final Regional Plan are that by 2075, in a 1-in-500 year drought, the south-east region faces a deficit of available supplies of between 1,200Ml/d and 3,000Ml/d unless there is significant investment made in demand management and new infrastructure development.

3.2.5 The Project will provide crucial water supply security and resilience to the Applicant's Western Area to protect nationally and internationally recognised chalk stream habitats, from risk of impact, and support their long-term recovery, while enabling housing and economic delivery across a large geographic sub-region projected to experience significant growth.

3.2.6 Although there is a combination of factors that underpin this deficit, the primary cause is the sustainability reductions (licence changes) on river abstraction and groundwater sources relating to the River Itchen and River Test. The abstraction reductions significantly reduce the amount of water available for public supply.

3.2.7 In response to this scale of challenge, WRSE has (see paragraphs 1.21- 1.31 of the Final Regional Plan identified ambitious plans for significant investment in demand management and new infrastructure development with forecasts that around half of the additional water needed will be met by reductions in water used and through reductions in leakage (paragraph 1.21). The other half of the water needed will be developed through new imports of water into the south-east region, major new transfers between water companies and within water company areas in the south-east, and through the development of additional storage (both above and below ground), water recycling schemes, desalination plants, and new groundwater sources (paragraph 1.25).

3.2.8 The Project is a SRO progressing through the RAPID gated process and is identified as a key strategic solution within the WRSE Final Regional Plan (June 2025) involving treating wastewater from Budds Farm WTW to recharge Havant Thicket Reservoir (by up to 60Ml/d) allowing the transfer of up to 90Ml/d from Havant Thicket Reservoir to Otterbourne WSW.

3.2.9 Translated to the local level, the Applicant's emerging WRMP24 indicates a water supply deficit of c. 203Ml/d by 2040, rising to c. 211Ml/d by 2050 in a 1-in-500 year drought in the Western Area. Critically, water supplies in the Western Area are in deficit in normal conditions as well, risking the Applicant's ability to maintain essential daily supplies to customers. This is set out in further detail in section 2.6 of the CftP (Document reference 5.6, DCO Volume 5).

3.2.10 The Project is critical to the Applicant maintaining essential water supplies to customers whilst protecting the environment. It has the resilience and adaptability to be flexible in the future to meet other sub-regional and regional needs.

3.2.11 Failure to deliver the Project would place continued additional pressure on an already seriously water-stressed area. This would risk undermining planned housing and economic growth, extend the duration of the deficit in water resources for customers, and risk extending the consequential reliance on drought options with risks to sensitive and internationally designated chalk stream habitats.

3.2.12 The Project is therefore firmly embedded within national, regional and company-level planning and regulatory frameworks and has been consistently identified as a necessary component of the solution to the Western Area's water resources deficit. Regardless of whether the project applied for is included in a published final WRMP, need has been firmly established and should not need to be revisited or examined as part of the DCO application.

3.3 Project benefits and legacy

3.3.1 Section 4 of the CftP (Document reference 5.6, DCO Volume 5) sets out the details of ten benefits packages that would be delivered by the Project, namely:

1. Overarching environmental, social and economic benefits
2. Biodiversity Net Gain (BNG)
3. Outline Skills and Employment Plan (Outline SEP)
4. Skills and Employment Fund
5. Broadmarsh Coastal Park Improvement Fund
6. Portsdown Hill Improvement Fund
7. Community Fund
8. Volunteering commitments
9. WRP Visitor Facility
10. Environmental enhancements

3.3.2 The first package, i.e. the intrinsic benefits that will be delivered by the Project, are the most important. The Project is vital to improving water security and drought resilience across the region, helping to secure clean drinking water for nearly a million people whilst reducing reliance on unsustainable abstraction from the region's sensitive chalk streams. This is the overarching purpose of the Project as reflected in the Project Vision.

3.3.3 The Project will, however, also deliver other important environmental, economic and social benefits.

3.3.4 Although not yet mandatory for NSIPs, the Project is committing to a minimum of 10% BNG, the framework for which is set out in Appendix E of the Biodiversity Gain Plan (including Habitat Management and Monitoring Plan) (Document reference 7.11, DCO Volume 7).

3.3.5 The Project will also facilitate other targeted environmental improvements through the provision of funding to improvements to Broadmarsh Coastal Park to the south of the WRP site as well as specific enhancements within the Project's Environmental Mitigation and Enhancement Areas (EMEAs) selected along the pipeline route to deliver a range of interventions, covering both mitigations and enhancements.

3.3.6 Some of these enhancements will be delivered within the setting of the South Downs National Park and contribute to the duty to further its purposes as required by the National Parks and Access to Countryside Act 1949 as

amended by s245 of the Levelling up and Regeneration Act 2023. This is considered further in section 4.3 of this report.

3.3.7 Portsdown Hill has been identified as a key area where interventions can be achieved that provide both ecological and social co-benefits related to the area directly impacted by the Project and also to the wider community. The Portsdown Hill Improvement Fund would be made to PCC to deliver interventions including signage and wayfinding improvements on Wayfarers Walk, and upgrades to local footpaths.

3.3.8 The Outline SEP (Document reference 7.9, DCO Volume 7) sets out a range of skills and employment measures that will help to maximise the opportunity the Project provides to local people and businesses. An additional Skills and Employment Fund would be provided as capital funding towards the construction of the Leigh Park Construction Training Academy which would provide training and ongoing opportunities for local residents.

3.3.9 The WRP Visitor Facility would deliver further social and community benefits, including specific project-related STEM and school engagement in line with the Applicant's existing programmes.

3.3.10 A Community Fund to support water related projects across the affected local communities. Community Funds offer multiple benefits to communities both directly and indirectly impacted by the Project, this may include supporting community resilience and increasing local autonomy in responding to climate and weather events.

3.3.11 The Applicant's commitment to volunteering within local communities can benefit those participating (i.e. the workforce) as well as providing support and expertise to the organisations that offer the partnerships.

3.3.12 The planning balance at section 7 addresses the material weight that can be attributed to these benefits in decision making.

4 National Policy Statement for Water Resources infrastructure policy assessment

4.1 Introduction

4.1.1 In accordance with section 104 of the PA 2008, in deciding the application the SoS must have regard to the NPSWRI, which has effect in relation to the Project (alongside other matters as set out in chapter 1 of this report).

4.1.2 This chapter provides an analysis of the Project against the 'assessment principles' and 'generic impacts' policies set out at sections 3 and 4 of the NPSWRI respectively. To avoid repetition with the section 3.2 of this report and the CftP (Document reference 5.6, DCO Volume 5), this section briefly addresses section 2 of the NPSWRI which considers government policy and the need for water resources infrastructure.

4.2 Government policy and the need for water resources infrastructure

4.2.1 Section 2 of the NPSWRI emphasises the crucial importance of water for life and livelihoods and all types of development.

4.2.2 The NPSWRI explains the pressures on water resources from population growth, climate change and the need for sufficient water in watercourses to enhance biodiversity and protect the environment.

4.2.3 The NPSWRI identifies "*a critical and urgent need to build resilience in the water sector to address pressures on water supplies*" (paragraph 2.1.3) and that "*the government's vision is a water industry that works for everyone providing reliable, robust services now and in the future, without compromising the needs of the environment".*

4.2.4 This encapsulates the purpose of and need for this Project. Protecting the environment while ensuring water continues to be supplied where it is needed and the social and economic benefits it brings.

4.2.5 The protection of the environment, of specific relevance to the Project, is emphasised at paragraph 2.2.15 which highlights the impact of abstraction of water from the environment, in altering the natural flow regime and that levels of water abstraction will need to be reduced to protect the environment.

4.2.6 With regard to maintaining supply, as well as population growth and maintaining public supply the NPSWRI emphasises the crucial importance of water on economic growth. Paragraph 2.2.13 provides an example of the potential implications of failing to maintain water supplies in drought conditions – that if severe drought restrictions on use were put in place it would equate to an economic loss of around £1.3 billion per day across the country.

4.2.7 Paragraph 2.3.1 of the NPSWRI emphasises the need for a twin track approach to providing resilient water supplies, which "*requires both new*

water resources infrastructure and further action to reduce water demand". Reducing leakage and water demand is an essential part of the solution but must be delivered alongside new sources of infrastructure to increase availability of supply (paragraphs 2.3.2 and 2.4.1).

4.2.8 The NFWR2025 published by the EA quantifies future national needs for water supplies and provides evidence to be integrated into WRMPs. Paragraph 2.4.3 require that applications for development consent made before a WRMP24 is published should demonstrate how they have taken account of the National Framework. The Project is included within the Applicant's emerging WRMP24. It is consistent with the advice in the National Framework that water companies must continue to take a twin track approach to both reduce water demand and in tandem they "*must deliver new supply options*". The NFWR2025 also reflects the scale of the challenge in the south-east advising that 2 billion litres of water a day could be needed by 2055 (which represents 40% of the total need across the country) due to significant drought resilience needs, population change, climate change and most notably environmental improvements. It identifies that over 2,800 Ml/d of strategic solutions are currently being assessed through the RAPID process. It emphasises that *"it is vital that new resource development is delivered*". This includes the Project.

4.2.9 The NPSWRI summarises the statutory role of WRMPs in identifying need. It notes that where a water company identifies a future deficit in supply it will need to assess the water resources and demand management options to eliminate the deficit and justify its preferred options in its WRMP. The NPSWRI outlines the rigorous process involved in preparing a WRMP including taking into account views of customers and regulators, a thorough and detailed optioning stage, subjecting preferred options to statutory environmental assessments and scrutiny by the EA and Ofwat. The Applicant is at the final stage of the WRMP24 process and has included the Project as the main component of the supply side solution throughout the process (following the introduction of the Project through the WRMP19 Annual Review process).

4.2.10 Paragraph 2.5.12 of the NPSWRI also requires that "*when applying for development consent, the applicant must submit a statement with a clear assessment of the proposal in the context of the water resources management plan and summarise the results of the water resources management plan annual review process and anything relevant to the development consent application*. This is also presented in section 2 of the CftP (Document reference 5.6, DCO Volume 5) which sets out the longstanding identification of need for large scale infrastructure in order to address the deficit and the identification of the Project through the WRMP19 Annual Review process. There are also a number references within the NPSWRI to information or assessment through the WRMP process which may be useful or relevant to project level assessment. These are addressed in the relevant sections of this report.

4.2.11 In setting out the process of economic regulation the NPSWRI requires that the applicant should include in the statement at paragraph 2.5.12 planned financial arrangements and how the Project delivers value for money. These requirements are addressed within the Funding Statement (Document

reference 4.2, Volume 4) and section 4 of the CftP (Document reference 5.6 Volume 5) respectively.

4.2.12 Finally, section 2 of the NPSWRI sets out the role of nationally significant infrastructure projects. With regard to the role of reuse schemes, "r*ecycling water through effluent reuse has the advantage of being a constant, reliable source of water and may reduce the amount of water abstracted from the environment".* The NPSWRI also highlights the benefits of water transfers advising that they "*are important for enhancing the resilience of water supplies by improving connectivity between areas of higher water availability to those where water availability is low*". The Project combines the two, taking advantage of the ability to recycle wastewater at Budds Farm WTW and distributing it to where it is needed via the Otterbourne WSW.

4.3 Assessment principles

General principles of assessment

4.3.1 Paragraph 3.1.1 of the NPSWRI explains that the assessment principles section sets out the cross-cutting principles against which an application for development consent should be examined and determined, in relation to design, environment, health, safety and security aspects of the types of infrastructure covered by the NPSWRI. These principles are addressed in this section of the PPS.

4.3.2 Paragraph 3.1.2 of the NPSWRI advises that subject to accordance with the detailed policies in the NPSWRI and legal constraints of the PA 2008, there is *"a presumption in favour of granting development consent for water resources nationally significant infrastructure projects that fall within the need for infrastructure established in the National Policy Statement".*

4.3.3 The ExA and SoS are advised (paragraph 3.1.3) that in considering any Project, and in particular when weighing adverse impacts against benefits, they should take into account its potential:

- *"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.*
- *Adverse impacts, including any longer-term and cumulative adverse impacts, as well as any measures to avoid, reduce or compensate for any adverse impacts."*

4.3.4 Chapter 7 of this report sets out the planning balance having regard to the need and benefits set out in chapter 3 and any adverse impacts, which are set out in this chapter as part of the policy analysis.

4.3.5 Paragraph 3.1.4 advises that the SoS "*should also have regard to the manner in which such benefits are secured, and the level of confidence in their delivery*". Section 4 of the CftP (Document reference 5.6, DCO Volume 5) identifies the Project benefits and how these would be secured through the DCO. Section 1 of the Guide to the Application (Document reference 1.3, DCO Volume 1) sets out the framework of control documents that would be

secured by the DCO with reference to the proposed mechanisms set out in the draft DCO (Document reference 3.1, DCO Volume 3).

4.3.6 Paragraph 3.1.5 refers to the options appraisal process for a WRMP project which is addressed further below under the subheading 'assessing alternatives'. Table 2 of the NPSWRI (replicated below at Figure 4-1) identifies where information from the water resources management plan options appraisal process may be relevant for project level assessments.

Water resources management plan assessment	Relevance to a Development Consent Order application
Water supply and demand forecast calculations (in accordance with 'Water Resources Planning Guidelines' or successor guidance)	Establishes the scale of predicted deficits
Infrastructure options appraisal (in accordance with 'Water Resources Planning Guidelines' or successor guidance)	Determines the most suitable infrastructure **type** and **site location**
Strategic Environmental Assessment	Information may be relevant for project level Environmental Impact Assessment (see section 3.2) or topic areas in section 4.
Strategic or Plan level Habitats Regulations Assessment	Information may be relevant for project level Habitats Regulations Assessment (see section 3.3)
Water Framework Directive Assessment	Information may be relevant for project level Water Framework Directive assessment or section 4.15.
Carbon Accounting	Information may be relevant for (but not limited to) sections 3.2, 3.7 and 4.4.

Figure 4-1: Table 2 of the NPSWRI

4.3.7 Paragraph 3.1.6 notes that projects identified in a final WRMP "*will have undergone full options appraisal in accordance with water resources management plan requirements which should form the basis of any consideration of alternatives*"**.** Whilst the Applicant's final WRMP24 isn't yet published, it has published its final draft WRMP24 and this reports on the options appraisal process that has been undertaken. This is addressed in the consideration of alternatives in relation to the policies set out at section 3.5 of the NPSWRI.

4.3.8 Paragraphs 3.1.7 and 3.1.8 then relate to the use of DCO requirements and development consent obligations. Requirements must be necessary, relevant to planning and the development, enforceable, precise and reasonable in all other respects (paragraph 3.17) and infrastructure obligations should only be sought where they are necessary to make the development acceptable in planning terms, directly related to the proposed development, and fairly and reasonably related in scale and kind to the development (paragraph 3.1.8).

4.3.9 The proposed Requirements are set out within Schedule 2 of the draft draft DCO (Document reference 3.1, DCO Volume 3). The Skills and Employment Fund, Broadmarsh Coastal Park Improvement Fund, Portsdown Hill Improvement Fund and Community Fund, as introduced in section 3 of this report, would be secured by legal agreement.

Environmental impact assessment

4.3.10 Paragraph 3.2.1 of the NPSWRI advises that *"all proposals for projects that are subject to the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the Environmental Impact Assessment Regulations) must be accompanied by an ES, describing the aspects of the environment likely to be significantly affected by the project"*. An ES (Document reference 6.1, DCO Volume 6) has been prepared, which is part of the DCO application and covers the information for inclusion in an ES as set out in Schedule 4 of the EIA Regulations.

4.3.11 Paragraph 3.2.2 requires that, due to the long-term nature of water resources infrastructure, the ES must consider the effects of climate change when planning the location, design, build, operation and, where appropriate, decommissioning of the Project due to the potential long-term impacts.

4.3.12 Paragraphs 3.2.3 to 3.2.6 set out the need for applicants to refer to the Planning Inspectorate advice on production of an ES and explains that information from the WRMP process may be useful in identifying significant effects. These paragraphs also set out that the ExA must make reasoned conclusions on significant effects and that significant cumulative effects should be considered. These requirements are all addressed in the ES, Volume I (Document reference 6.1, DCO Volume 6).

4.3.13 Paragraph 3.2.7 requires the ExA to *"consider how significant cumulative effects, and the interrelationship between effects, might as a whole affect the environment, even though they may be acceptable when considered on an individual basis or with mitigation measures in place".* Cumulative effects are assessed and reported in ES Chapter 20 Cumulative and in-combination effects, Volume I (Document reference 6.1, DCO Volume 6).

4.3.14 The NPSWRI recognises (paragraph 3.2.8) that "*it may not be possible at the time of the application for development consent for all aspects of the proposal to have been settled in precise detail. Where this is the case, the applicant should explain in its application which elements of the proposal have yet to be finalised, and the reasons why this is the case*". Paragraph 3.2.9 continues, that "*where some details are still to be finalised, the Environmental Statement should, to the best of the applicant's knowledge, assess the likely worst-case environmental effects of the Project to ensure that the impacts of the project, as it may be constructed, have been properly assessed".* In assessing the effects of the Project, the principle of the 'Rochdale Envelope' is applied which involves establishing a maximum design envelope within which the final detailed design will be sited and delivered. These parameters are defined in ES Chapter 3 Description of the Proposed Development, Volume I (Document reference 6.1, DCO Volume 6) and secured through the Design Principles Document (DPD) (Document reference 5.11, DCO Volume 5).

4.3.15 The need for approval of details post consent (as referenced in paragraph 3.2.11) within the parameters of the environmental assessment - for example detailed design - is set out and secured within Schedule 2 of the draft DCO (Document reference 3.1, DCO Volume 3).

4.3.16 Paragraph 3.2.10 requires that the ES *"provide details of the measures proposed to prevent, reduce or offset any significant effects, the likely efficacy of such measures and how they are secured. It should also include details of any ongoing monitoring or remediation that maybe required*". Mitigation measures are identified in the ES and where these measures are secured is recorded in the ES Appendix 5.5 Commitments Register, Volume II (Document reference 6.2, DCO Volume 6).

4.3.17 The ES has been prepared following an iterative EIA process that has taken into account and is informed by:

- Findings of the EIA Scoping Report submitted on 21 July 2023 and taking account of the EIA Scoping Opinion adopted by the SoS on 31 August 2023 (and consultation responses to the Scoping Report).
- The preliminary assessment findings identifying where likely significant effects may arise as a result of the Project, set out in the Preliminary Environmental Information Report in accordance with Regulation 12 of the EIA Regulations, shared as part of the statutory consultation under sections 42, 47 and 48 of the PA 2008 (referred to as the 'Summer 2024 Consultation').
- Ongoing survey and assessment work and development of mitigation measures.
- Engagement with statutory consultees and other stakeholders during the EIA process.
- Consultation responses on the Project from the Summer 2024 Consultation.
- Consultation responses on the Project from the supplementary consultation (referred to as the 'Spring 2025 Consultation').
- Consultation responses on the Project from the Spring 2026 Consultation.

4.3.18 The findings of the ES have informed the assessment of the Project against relevant policy in the following sections of this PPS.

4.3.19 NPSWRI paragraph 3.2.12 relates to cases where the EIA Regulations do not apply and is not therefore applicable to this Project.

Habitats regulations assessment

4.3.20 Section 3.3 of the NPSWRI relates to the Habitats Regulations Assessment (HRA) and paragraph 3.3.1 confirms that Applicants are required to provide sufficient information on protected sites to enable the SoS to discharge its function as the competent authority under the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations). The rest of the section (paragraphs 3.3.2 to 3.3.6) then relates to instances where an appropriate assessment cannot confirm no adverse effect on site integrity and requires an Imperative Reasons of Overriding Public Interest (IROPI) case.

4.3.21 An HRA Stage 1 Screening and Marine Conservation Zone (MCZ) Screening assessment was undertaken by the Applicant in 2024 (Appendix to HRA - Stage 2 Appropriate Assessment and MCZ - Stage 1 Assessment (Document

reference 5.2, DCO Volume 5)). That report concluded that likely significant effects could not be ruled out for thirteen sites designated under the Habitats Regulations (Special Protection Areas, Special Areas of Conservation or Ramsar sites), requiring progression to a Stage 2 Appropriate Assessment.

4.3.22 The combined HRA - Stage 2 Appropriate Assessment and MCZ - Stage 1 Assessment section 3 (Document reference 5.2, DCO Volume 5) further assesses the likely significant effects of the Project on these sites and identifies mitigation to avoid or reduce the potential for an adverse effect on integrity.

4.3.23 The HRA Stage 2 report concludes that with the consideration of design details and with the application of mitigation measures secured through the DCO (including INNS mitigation at Otterbourne WSW and off site Solent Waders and Brent Goose Strategy site mitigation), there will be no impacts which undermine conservation objectives or result in an adverse effect on the integrity of the sites taken through to Stage 2 Appropriate Assessment.

4.3.24 The report also concludes from the MCZ Stage 1 Assessment that potential effects on the protected features of Bembridge MCZ could not be ruled out during MCZ screening due to its hydrological connectivity to the Project. However, with tertiary mitigation measures in place - secured through the Outline Construction Environmental Management Plan (CEMP) (Document reference 7.1, DCO Volume 7) and Operational Environmental Management Plan (OEMP) (Document reference 7.7, DCO Volume 7) any adverse impacts on the MCZ or the protected features would be avoided and would not hinder the conservation objectives stated for the MCZ. As a result, no MCZ Stage 2 Assessment needs to be undertaken for the Project.

4.3.25 NE has confirmed it is satisfied with the plans put in place for INNS control as recorded in section 3 of the draft SoCG with NE (Document Reference 5.8). The EA has also confirmed both that it is "*satisfied with the Applicant's proposed approach to INNS control"* and that *"the Environment Agency has provided feedback on the Stage 2 Appropriate Assessment and Marine Conservation Zone - Stage 1 Assessment and is in agreement with the scope and findings of the assessment"* as recorded in section 3 of the draft SoCG with the EA (Document Reference 5.8).

Environmental net gain

4.3.26 Section 3.4 of the NPSWRI relates to Environmental Net Gain (ENG), which it describes as "*an approach to development that aims to leave the natural environment in a measurably better state than beforehand"* (paragraph 3.4.1). BNG is one component of ENG. This is addressed separately under section 4.3 of the NPSWRI as part of the 'biodiversity and nature conservation' generic impact topic.

4.3.27 The NPSWRI recognises that, depending on the scale and location of the Project, there is potential to deliver significant benefits and enhancements beyond BNG, resulting in wider ENGs (paragraph 3.4.2).

4.3.28 As set out in paragraph 3.4.3, in addition to BNG, developments may also deliver wider environmental gains relevant to their local area and meet the requirements of national policy, including reductions in greenhouse gas

emissions, reduced flood risk, improvements to air or water quality, or increased access to natural greenspace. To demonstrate the wider environmental benefits, applications for development consent should be accompanied by a statement demonstrating how opportunities for delivering wider ENGs have been considered, and where appropriate, incorporated into the design (including any relevant operational aspects) of the Project.

4.3.29 Paragraph 3.4.3 also notes that where ENG considerations were featured as part of the strategic options appraisal in the WRMP the statement should reference that information to supplement site specific details. Section 2 of the ENG Statement (Document reference 7.12, DCO Volume 7) demonstrates how opportunities for delivering ENG were considered through the optioneering process and Project development and where this has influenced or been incorporated into the design, provides detail on the methods and results of the assessment of ENG opportunities and sets out what ENG the Applicant is committing to through the Project.

Assessing alternatives

4.3.30 NPSWRI paragraph 3.5.1 requires applications to comply with the legal obligations and policy set out in the NPS in relation to the assessment of alternatives, namely (in summary):

- As required by the EIA Regulations.
- Other specific legal obligations which, if engaged, require the consideration of alternatives.
- Any policies in the NPSWRI which require the consideration of alternatives.

4.3.31 There is no planning reason to consider alternatives beyond these specific legal and policy requirements.

4.3.32 The requirements of the EIA Regulations to provide "*a description of the reasonable alternatives (for example in terms of development design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects*" are addressed through ES Chapter 4 Consideration of alternatives, Volume I (Document reference 6.1, DCO Volume 6).

4.3.33 NPSWRI paragraph 3.5.1 provides as non-exhaustive examples, the requirements of the Conservation of Habitats and Species Regulations 2017 (which requires the consideration of alternatives where a Stage 3 derogation is required – which is not required in this case) and where a derogation is required under the Water Environment Regulations (WER) 2017 (Water Framework Directive) (England and Wales) which again is not applicable in this case.

4.3.34 Other legal requirements not listed in the policy include where compulsory acquisition is sought the applicant should demonstrate to the satisfaction of the SoS that all reasonable alternatives to compulsory acquisition have been explored. This is addressed in section 5 of the Statement of Reasons (Document reference 4.1, DCO Volume 4).

4.3.35 Examples of NPSWRI policies which require the consideration of alternatives provided at paragraph 3.5.1 include the flood risk sequential test (paragraph 4.7.16), in the event of significant harm to biodiversity (paragraph 4.3.12) and the assessment of alternatives for developments in National Parks and National Landscapes (paragraph 4.9.12). Other examples include demonstrating good design (paragraph 3.6.4), in relation to irreplaceable habitats (paragraph 4.3.18), and in relation to waste recovery and disposal (paragraph 4.12.6). These policies are addressed later in this report under the relevant topic headings and demonstrate that the necessary consideration of alternatives has been complied with.

4.3.36 Paragraph 3.5.2 notes that information from the WRMP options appraisal process will be relevant to demonstrate how alternatives have been considered insofar as required by paragraph 3.5.1. The applicant's WRMP19 identified the largest element of its preferred strategy to address the supply demand deficit as a 75Ml/d desalination plant. WRMP19. WRMP19 also identified a strategic alternative involving a water recycling scheme to transfer highly treated wastewater to increase flows in the Lower Itchen (in effect a variant of the Project) should the desalination option not proceed. WRMP19 is an adaptive plan, and the strategy and supporting information published in the plan specifically highlighted the risks and uncertainties relating to implementation, and that alternatives (for both interim and long-term solutions) would need to be investigated and potentially progressed in order to address the identified water supply shortfall.

4.3.37 As part of the RAPID regulatory process to develop the desalination proposal further, the Applicant was required to investigate alternative options further in case desalination could not be delivered, including both water recycling and water transfer proposals. The consideration of alternatives was, therefore, baked into the development of the Project through the regulatory process. This is set out in detail in the Scheme Development Report (Document reference 5.10, DCO Volume 5).

4.3.38 The application provides a detailed description of the optioneering process carried out by the Applicant since WRMP19, as reflected in the emerging WRMP24, within the Scheme Development Report (SDR) (Document reference 5.10, DCO Volume 5). The requirements of the EIA Regulations are met though ES Chapter 4 Consideration of alternatives, Volume 1 (Document reference 6.1, DCO Volume 6).

4.3.39 Paragraph 3.5.3 of the NPSWRI then notes that the consideration of alternatives, as required under the EIA Regulations, must begin in the earliest stages of scheme evolution and starting point for the assessment of alternatives under the EIA Regulations should be a review of the optioneering carried out for the regional and WRMP processes. The description of alternatives considered through the regulatory process, leading on from WRMP19 through to the emerging WRMP24, is provided within Chapter 4 of the ES. This represents the very earliest stage of the Project's evolution when a variant of the Project was identified in WRMP as a strategic alternative to desalination.

4.3.40 The robust process by which the Project has been identified in relation to alternatives is recognised through engagement with stakeholders. For example, section 3 of the draft SoCG with the EA (Document Reference 5.8)

notes that "*Through robust optioneering, both through the RAPID gated process and the WRMP process, the Applicant has demonstrated to the Environment Agency's satisfaction that there is a lack of viable alternatives to the Applicant's Project that can meet the necessary scale of water supply needed and in the timeframes required".*

Criteria for good design for water resources infrastructure

4.3.41 Section 3.6 of the NPSWRI outlines the importance of good design for water resources infrastructure and provides guidance on what good design should achieve and how applicants can achieve it.

4.3.42 The approach to embedding good design within the Project is set out in detail in section 6 of the Design Approach Document (Document reference 5.12, DCO Volume 5) including:

- The approach to consultation and stakeholder engagement through the development of options and scheme development, including dialogue with the then NIC Design Council.
- The development of an overarching Project Vision, broad design aspirations for the Project and appointment of a Design Champion for the Project.
- The development and evolution of the control measures in the DPD (Document reference 5.11, DCO Volume 5) which will ensure that detailed design undertaken post consent is in accordance with principles of good design.

4.3.43 Table 4-1 summarises the good design criteria set out at paragraphs 3.6.1 to 3.6.3 of the NPSWRI and how the Project has responded to these, having regard to the detail in the Design Approach Document (Document reference 5.12, DCO Volume 5).

Table 4-1:assessment of NPSWRI design criteria

NPSWRI criteria for good design	How the Project meets the design criteria
Applicants should be clear about design expectations and how this will be tested, with effective engagement with local authorities and communities (paragraph 3.6.1)	The Applicant actively engaged on design related matters at an early stage of the pre application process meaning that local authorities and other stakeholders were engaged in developing the Project design. This involved clear explanation of the stage of design development that would be undertaken for the DCO stage and the future process for controlling and approving detailed design based on the principles and commitments in the draft DCO (Document reference 3.1, DCO Volume 3).
Good design should be embedded within management structures – for example through the appointment of a project board level design champion (paragraph 3.6.2)	A Design Champion has been appointed on the Project whose scope and involvement has been to provide senior management level oversight and input to the scheme development process, notably into: • The development of the Project Vision. • Consultation materials in relation to design process.

NPSWRI criteria for good design	How the Project meets the design criteria
	• The development of project level design principles (through Preliminary Design Principles at statutory consultation and contained within the DPD (Document reference 5.11, DCO Volume 5) secured by Requirement in the draft DCO (Document reference 3.1, DCO Volume 3). • The approach to securing good design in consenting and setting controls for the detailed design on implementation. • The consideration of good design opportunities by the Project team.
Design principles should be established to guide the development from conception to operation (paragraph 3.6.2)	General principles of good design were established from conception of the Project through the options appraisal process in section 3 (as described in the SDR (Document reference 5.10, DCO Volume 5) and ES Chapter 4 Consideration of alternatives, Volume I (Document reference 6.1, DCO Volume 6)) through the definition of site and route identification criteria, including the avoidance of particular sensitive receptors and constraints. Preliminary Design Principles were developed in advance of Summer 2024 consultation to support guide good design of the Project by: • Reflecting the criteria for good design as set out in the NPSWRI. • Setting a foundation for the design principles that would be used to develop detailed designs for buildings, structures, pipelines and landscaping of the Project. • Embedding primary mitigation identified through the EIA process into the Project design. • Designing commitments that had regard to and reflected comments and feedback from interested parties' responses during the pre-application consultation process. The Preliminary Design Principles shared at the Summer 2024 Consultation represented a combination of both backward looking principles (i.e. measures embedded into scheme development and design process undertaken so far) and forward looking principles (i.e. that would continue to inform scheme development and design up to DCO application submission). These Preliminary Design Principles informed the development of the General and Site Specific Design Principles outlined in section 3 of the DPD (Document reference 5.11, DCO Volume 5), secured through Schedule 2 of the draft DCO (Document reference 3.1, DCO Volume 3). The DPD, as a control

NPSWRI criteria for good design	How the Project meets the design criteria
	document, contains forward looking principles with which future detailed design would need to be in accordance.
National infrastructure projects will present different challenges in relation to visual impacts and the need to incorporate engineering, safety and operational considerations (paragraph 3.6.2)	The Project involves below ground and above ground development. Where AGP is required, operational requirements have guided site selection. For example, the location of BPT/IPS E has been selected as a high topographic point due to hydraulic requirements, benefitting from existing access, proximity to existing built form and southern screening, helping to reduce historic environment and landscape and visual impacts. Alternatives at a lower elevation to the north offered less opportunity to integrate with established vegetation and built form to reduce such impacts. Design principles have therefore been proposed to ensure that landscape and visual effects of BPT/IPE E are mitigated as far as practicable and as demonstrated in this PPS are acceptable in planning terms. Other essential safety and security requirements (for example security fencing) which need to be incorporated have been taken into consideration in assessing landscape and visual effects. These requirements are secured via section 2 of the DPD (Document reference 5.11, DCO Volume 5). The DPD has been informed by the EIA and secures the design commitments relied on in the assessment.
Applicants can demonstrate good design in terms of layout and design measures relative to existing local character (paragraph 3.6.3)	The design approach for the Project has taken local character into account from an early stage – from the avoidance criteria adopted for site and route selection (for example to avoid sensitive landscapes including the South Downs National Park (SDNP) through to the general and site specific commitments made in section 3 of the DPD (Document reference 5.11, DCO Volume 5) with which future detailed design would need to be in accordance, for example (this is not an exhaustive list): • GDP 1 – Building integration • GDP 12 – Respecting local distinctiveness and biodiversity • WRP 13 – Landscape integration • BPT/IPS-E 3 – Screening landform to the north and east • BPT/IPS-E 13 – Chalk grassland habitat • BPT-K 7 - Buildings, finishes and fences

4.3.44 NPSWRI paragraph 3.6.4 requires applicants to provide information to demonstrate how the design process has been conducted and how the

proposals have evolved (including detail of any alternative designs considered).

4.3.45 The Applicant has also had regard to relevant guidance relating to achieving good design for major infrastructure projects, including:

- National Infrastructure Assessment (National Infrastructure Commission) 2018 [24].
- Design principles for national infrastructure (National Infrastructure Commission Design Group) 2020.
- Water Resources: Design Principles & User Guidance (Water Resources ACWG) 2023.
- Second National Infrastructure Assessment (National Infrastructure Commission) 2023.
- Project level design principles (National Infrastructure Commission Design Group) 2024.
- Planning Act 2008: Pre-application stage for NSIPs (2024) (paragraph 014).
- Nationally Significant Infrastructure Projects: 2024 Pre-application Prospectus (Planning Inspectorate) 2024 [25].
- Nationally Significant Infrastructure Projects: Advice on Good Design (Planning Inspectorate) 2024.

4.3.46 While the Design Approach Document (Document reference 5.12, DCO Volume 5) sets out the methodology and approach to good design, the DPD (Document reference 5.11, DCO Volume 5) contains the commitments and framework with which detailed design would need to be in accordance with. The design principles have been subject to extensive engagement with stakeholders throughout the pre application process, including how the commitments in the DPD relate to other commitments in the full suite of management plans. A summary description of each is provided in the Guide to the Application (Document reference 1.3, DCO Volume 1)

4.3.47 The Indicative Environmental Masterplan, appended to the Design Approach Document (Document reference 5.12, DCO Volume 5) sets out the Green Infrastructure focus areas, placing the multi-functional environmental mitigation and enhancement measures within the framework of the landscape design comprises a series of indicative drawings, and a series of indicative plans for each of the AGP sites, showing potential layouts and how the sites might appear once built.

4.3.48 The SDR (Document reference 5.10, DCO Volume 5) explains the scheme development process, describes the options that were considered for the site and route selection, how they were developed, how they performed in evaluation, and which options were selected.

4.3.49 Paragraph 3.6.4 of the NPSWRI advises that the SoS's decision should take into account the ultimate purpose of the infrastructure and give appropriate weight to the operational, safety and security standards which the design has to satisfy. It is essential for the delivery of the Project that there are no unreasonable restrictions on operational requirements and relevant essential

security and safety standards. The design process has sought to deliver these requirements in a way that minimises environmental impacts and where possible delivers benefits.

4.3.50 This approach is recognised through engagement with key stakeholders with the draft SoCGs with the EA and NE (Document Reference 5.8) which confirm that both parties are *"satisfied with the scheme development work and embedding of primary mitigation that has been undertaken to minimise impacts of the Project on sensitive environmental receptors".*

4.3.51 In summary, the information provided in the DCO application demonstrates that, having regard to the operational, safety and security requirements, the Applicant has had regard to the need for good design throughout all stages of the development of the Project, and that in doing so has ensured that the design meets the good standard through appropriate securing mechanisms for controlling the detailed design once consent has been granted.

Climate change adaptation

4.3.52 Section 3.7 of the NPSWRI sets out how it reflects government policy on climate change adaptation (including in the Environment Improvement Plan) and how the applicant should, and the SoS will, take into account the effects of climate change when developing and considering nationally significant water resources projects (paragraphs 3.7.1 to 3.7.3).

4.3.53 The approach to climate change mitigation has been considered throughout the development of the Project. A Climate Change Resilience (CCR) assessment, which evaluates future trends in climate change impacts and the Project's vulnerability and resilience to such changes during the construction, operation and decommissioning phases, has been prepared and is included as part of ES Chapter 10 Carbon and climate change, Volume I (Document reference 6.1, DCO Volume 6).

4.3.54 As water developments will be operational over many decades, applicants are required to set out how the future pressures on the public water supply, including those from climate change will be addressed. The impacts of climate change need to be considered at the design, build and operational stages, and adaptation incorporated into detailed design (paragraph 3.7.4). This requirement has been complied with in the CCR assessment which assesses the resilience of the Project to climate change during the construction, operation and decommissioning phases.

4.3.55 Paragraph 3.7.5 requires consideration to be given to a range of potential impacts of climate change which utilise the most up to date UK PPG on climate change allowances and then identification of appropriate mitigation or adaptation measures.

4.3.56 There is a requirement at paragraph 3.7.6 of the NPSWRI for water developments that include safety critical elements to apply high emissions scenarios at different probability levels so as to include high impact, low likelihood scenarios to those elements critical to the safe operation of the infrastructure. Paragraph 3.7.6 continues to explain that *"the use of credible maximum allowances (H++) emissions scenarios (typically extreme climate change scenarios) should also be applied where there is potential for*

extremely negative consequences under high impact scenarios (such as elements of infrastructure which are critical to the safety of its operation)" noting that although these represent a very low likelihood it is appropriate for the Applicant to take a risk-averse approach in these cases.

4.3.57 The requirement to consider the high emission scenario at different probability levels, to include high impact, low likelihood scenarios to those elements critical to the safe operation of the infrastructure has been complied with in the CCR assessment in ES Chapter 10 Carbon and climate change, Volume I (Document reference 6.1, DCO Volume 6). The CCR assessment uses the latest UK Climate Projections 2018 dataset and the highest emission scenario, called Representative Concentration Pathway (RCP), RCP8.5 in the assessment.

4.3.58 ES Chapter 10 Carbon and climate change, Volume I (Document reference 6.1, DCO Volume 6) identifies that resilience to future climate change has been inherently considered in the design of the Project and that the site and route selection process has been influenced by a range of parameters, including climate change and, in particular, current and future flood risk. The assessment concludes that with primary and tertiary measures in place, identified to deliver climate change resilience, no additional mitigation measures are necessary. Periodic monitoring of infrastructure conditions would, however, be undertaken through the Project's design life so that any adaptation requirement not foreseen is identified. The operational maintenance approach is detailed in the OEMP (Document reference 7.7, DCO Volume 7).

4.3.59 As the Project has been designed to be resilient to climate change no additional adaptation measures (beyond the primary and tertiary mitigation) are identified. Paragraphs 3.7.7 to 3.7.10 (which relate to details of adaptation measures) are therefore not engaged.

4.3.60 The new development proposed at Budds Farm WTW as part of the Project (namely the proposed pumping station) has been designed to be resilient to future tidal flood risk, as noted in the Preliminary Flood Risk Assessment (FRA) ES Appendix 19.1 Flood Risk Assessment, Volume II (Document Reference 6.2, Volume 6). The existing Budds Farm WTW is shown to have a future risk of tidal flooding due to the impact of climate change on extreme sea levels. The Project does not, however, include any wider flood alleviation measures that may be necessary to address the potentially long-term future risk of tidal flooding over the rest of Budds Farm WTW. Therefore, because adaptation measures are not proposed as part of the Project paragraph 3.7.11 of the NPSWRI is not engaged.

Environmental regulation

4.3.61 Section 3.8 of the NPSWRI relates to permits and consents that may be required for water resources projects consented separately under other regulatory regimes (paragraphs 3.8.1 and 3.8.2).

4.3.62 The ExA and SoS are advised that in deciding an application they should focus on whether the development is an acceptable use of the land and on the impacts of that use, rather than the control of processes, emissions or discharges as there should be a presumption that the relevant pollution

control or other consenting regime will be properly applied and enforced (paragraph 3.8.3). In doing so paragraph 3.8.5 advises that the ExA "*may wish to seek the views of the regulator on the scope of the permit or consent and any management plans (such as any produced for noise) that would be included in an Environmental Permit application".*

4.3.63 The SoS should be satisfied that development consent can be granted taking full account of environmental impacts which, as advised at paragraph 3.8.8, will require close cooperation with the EA and other relevant bodies including the MMO to ensure that:

- *"The relevant pollution control authority is satisfied that potential releases can be adequately regulated under the pollution control framework*
- *The effects of existing sources of pollution in and around the project are not such that the cumulative effects of pollution when the proposed development is added would make that development unacceptable, particularly in relation to statutory environmental quality limits*
- *The relevant authority is satisfied that impacts on main rivers, flood and sea defences and the floodplain are capable of being adequately regulated under a Flood Risk Activity Permit."*

4.3.64 The Statement of Engagement (Document reference 5.9, DCO Volume 5) demonstrates how the Applicant has proactively engaged with stakeholders and impacted communities during the pre-application phase of the Project. Engagement with the statutory environmental bodies has been central to shaping the Project from an early stage including a programme of monthly Technical Working Groups attended by the EA, NE, and the MMO, supplemented by targeted bilateral meetings with technical specialists.

4.3.65 The approach proposed by the Applicant is to incorporate the majority of consents required for the Project within the DCO seeking a single consenting approach to certain environmental permits including:

- Flood risk activity permit(s) and Water activity permit(s) from the EA under the Environmental Permitting Regulations (England and Wales) 2016
- Requirement for a licence under the Marine and Coastal Access Act 2009 for works within the marine environment through a deemed Marine Licence.

4.3.66 Other consents and agreements sought separately from the DCO are set out in the Other Consents and Licences Position Statement (Document reference 5.4, DCO Volume 5) and include:

- Environmental permits for activities related to the operation of mobile plant and Medium Combustion Units.
- Building Regulation Approval.
- Protected species licencing.
- Construction noise consent.
- Permit for the Transport of Abnormal Indivisible Loads.
- Ordinary watercourse consent.
- Environmental permit for using, treating, storing and disposing of waste.

- Environmental permit for new water discharge activity relating to discharge of uncontaminated water.
- Abstraction licences under the Water Resources Act 1991.
- Trade effluent consents – for connection of business to the main sewer supply.

4.3.67 The Other Consents and Licences Position Statement (Document reference 5.4, DCO Volume 5) provides a more detailed description and a position status for each secondary consent and licence.

4.3.68 This will enable the SoS to conclude on paragraph 3.8.9 of the NPSWRI which directs that "*the Secretary of State should not refuse consent on the basis of regulated impacts unless there is good reason to believe that any necessary operational pollution control permits, licences or other consents will not subsequently be granted*"

Common law nuisance and statutory nuisance

4.3.69 NPSWRI paragraph 3.9.1 advises that "*Section 158 of the Planning Act provides a defence of statutory authority in civil or criminal proceedings for nuisance. Such a defence is also available in respect of anything else authorised by an order granting development consent*" and paragraph 3.9.3 that "*the defence of statutory authority is subject to any contrary provision made by the Secretary of State in any particular case by an order granting development consent*". As a result of the conclusions drawn in the Statutory Nuisance Statement (Document reference 5.3, DCO Volume 5) there is no need for any contrary provisions to be included in any DCO that is made by the SoS.

4.3.70 The ExA is advised (paragraph 3.9.2) to consider how possible sources of nuisance under section 79(1) of the Environmental Protection Act 1990 might be mitigated or limited. The Statutory Nuisance Statement (Document reference 5.3, DCO Volume 5) concludes that with the implementation of mitigation measures set out in the Outline CEMP (Document reference 7.1, DCO Volume 7), OEMP (Document reference 7.7, DCO Volume 7) and DPD (Document reference 5.11, DCO Volume 5), statutory nuisance is not anticipated during construction, operation and maintenance of the Project.

Safety

4.3.71 Paragraph 3.19.5 of the NPSWRI notes that under the EIA Regulations there is a requirement to consider the implications of major accidents or disasters. ES Chapter 14 Major accidents and disasters, Volume 1 (Document reference 6.1, DCO Volume 6) sets out an assessment and description of the potential adverse effects of the Project on the environment deriving from the vulnerability of the Project to risks of major accidents and/or disasters which are relevant to the Project.

4.3.72 Paragraph 3.10.1 sets out that relevant bodies, for example, local planning authorities and the Health and Safety Executive (HSE) should be consulted, where required, on matters relating to safety. Engagement on matters of safety was undertaken though a Resilience EIA Working Group which has convened seven times between Summer 2022 and Summer 2025 (as

detailed in ES Chapter 14 Major accidents and disasters, Volume 1 (Document reference 6.1, DCO Volume 6)).

4.3.73 The Planning Inspectorate's *Nationally Significant Infrastructure Projects: Advice on working with public bodies in the infrastructure planning process (March 2025)* Annex G: The HSE, notes that the two main considerations for the HSE in the relation to DCOs are whether a proposed development would:

- Have the potential to cause a major accident - including whether hazardous substances consent would be required, whether it would be within the scope of the Control of Major Accident Hazards (COMAH) or whether it could impact on a COMAH site, or
- Be vulnerable to potential major accidents (for example if it is within a consultation zone around a major hazard site or pipeline).

4.3.74 The EIA Scoping Opinion concluded that risks to or from the Project in respect of sites regulated under the COMAH Regulations 2015 could be scoped out of the assessment on the basis that no COMAH sites have been identified within 4.8km of the Project.

4.3.75 As confirmed in ES Chapter 14 Major accidents and disasters, Volume 1 (Document reference 6.1, DCO Volume 6) the Project itself does not contain any parts that would fall within the scope of the COMAH Regulations 2015. Hazardous Substances Consent would be required for the operation of the Project and would ensure appropriate storage, transport and emergency response measures are followed for qualifying hazardous substances. With these measures in place the risk would be as low as reasonably practicable.

4.3.76 With regard to potential vulnerability of the Project to potential major accidents and disasters, no expected significant adverse effects on the environment have been identified (as confirmed in ES Chapter 14 Major accidents and disasters, Volume 1 (Document reference 6.1, DCO Volume 6)) during construction or operation of the Project.

4.3.77 Paragraph 3.10.4 of the NPSWRI advises that matters of safety need to be considered early within the design process and *"structural design aspects relating to safety should not be compromised when balanced against other design considerations."* This is reflected in section 4 of the Design Approach Document (Document reference 5.12, DCO Volume 5) which explains design aspirations must be set against the critical importance of ensuring that the Project meets safety, functional, maintenance and access requirements, and complies with all relevant policy and legislative requirements. Where such requirements, including those set out under the Security and Emergency Measures Direction (Water and Sewerage Undertakers and Water Supply Licensees) (Amendment and Revocation) Direction 2024 (SEMD), have influenced Project design outcomes (for example, fencing or access arrangements), this is reported and justified in the SDR (Document reference 5.10, DCO Volume 5).

4.3.78 This is also reflected in the commitments contained within the DPD (Document reference 5.11, DCO Volume 5), which requires detailed design to comply with relevant safety standards as well as providing specific principles relating to operational safety that must be adhered to. For example, while committing to materials and finishes of components of above ground

pipes and structures to reinforce local character where practicable, it is also necessary for above ground pipes to follow relevant British Standards to ensure clear identification of pipe contents, promote operational safety, and support good practice maintenance and health and safety procedures.

4.3.79 Other controls in relation to operational safety are contained within section 2 of the OEMP (Document reference 7.7, DCO Volume 7) including the framework for the preparation of an Emergency Response Plan which will include a suite of Incident Management Procedures (including for example procedures in the event of a washout emergency release, valve failure, spills and blockages etc).

4.3.80 For completeness, paragraphs 3.10.2 and 3.10.3 relate to new reservoirs covered by the NPSWRI and are not directly relevant to this application because the Applicant is not seeking to construct or operate a new reservoir under the scope of this DCO application.

Security considerations

4.3.81 As set out in paragraph 3.11.1 of the NPSWRI, Defra acts as the sector sponsor department for the water sector with lead responsibility for security matters and for directing the security approach to be taken. It works with the Centre for the Protection of National Infrastructure to reduce the vulnerability of the water sector to terrorism and other national security threats.

4.3.82 Paragraph 3.11.2 of the NPSWRI advises that "*Government policy is to ensure that, where possible, proportionate protective security measures are designed into new infrastructure projects at an early stage in the project development. Security considerations will likely apply in the case of the infrastructure project for which development consent may be sought under the National Policy Statement".*

4.3.83 The Project has had regard to relevant security and emergency measures that the Applicant must comply with including, for example, through the SEMD and the Security of Network and Information Systems Regulations (the NIS Regulations) 2018. The parameters sought in relation to the AGP and WRP sites have, for example, reflect the need for additional security fencing around these facilities in order to comply with the relevant standards and obligations. These security requirements are also reflected in section 2 of the DPD (Document reference 5.11, DCO Volume 5), with which future detailed design must be substantially in accordance with.

4.3.84 Paragraph 3.11.3 requires that "*where national security implications have been identified, the applicant should consult with Defra to ensure that physical, procedural and personnel security measures have been adequately considered in the design process and that adequate consideration has been given to the management of security risks*". Paragraph 3.11.3 continues, to advise that *"if Defra, having taken advice from the Centre for the Protection of National Infrastructure and others it considers appropriate, forms the opinion that current and potential future security needs are adequately addressed and that relevant guidance on these matters has been appropriately taken into account in the application, it will provide confirmation of this to the Examining Authority. The Examining Authority then need not give any further consideration to the details of the security measures during*

the examination". The Applicant has consulted with Defra, via the Drinking Water Inspectorate (the independent regulator of drinking water in England and Wales) which is responsible for the regulation of the SEMD and NIS. This includes reviewing companies' annual self-assessments and all National Infrastructure (NI) audits including Critical National Infrastructure, and any necessary compliance and enforcement actions.

4.3.85 Paragraph 3.11.4 states that when considering the location of water resources infrastructure in the vicinity of an existing Ministry of Defence site, the applicant should consult with the Ministry of Defence to ensure the site, and Ministry of Defence activities, will either not be adversely impacted by the proposed project, or such impacts from the proposed project on the site and Ministry of Defence activities will be minimised through mitigation, agreed by Ministry of Defence.

4.3.86 Discussions have been held with the Ministry of Defence (and Historic England) regarding two World War II aircraft crash sites at Pigeonhouse Farm and Frith Farm. These discussions confirmed that the Applicant's approach to avoidance and mitigation was appropriate and that licences under the Protection of Military Remains Act 1986 would be required for works in the vicinity of these sites. The Ministry of Defence indicated that licences could be issued post-consent and confirmed that Letters of No Impediment would be provided to support the DCO application as recorded in section 3 of the Draft SoCG - Ministry of Defence (Document reference 5.8, DCO Volume 5).

4.3.87 Engagement has also been undertaken with the MoD to confirm that neither the Southampton Docks nuclear submarine port nor the Proposed Development would be likely to impact each other in a manner exceeding that of other land uses in the vicinity due to the distance between the Project and port. The MoD has also confirmed that there are no offshore concerns given no planned physical works to the Eastney LSO. This is also recorded in section 3 of the Draft SoCG - Ministry of Defence (Document reference 5.8, DCO Volume 5).

Health

4.3.88 Section 3.12 of the NPSWRI sets out the requirements relating to health. Paragraph 3.12.1 sets out that the construction and use of the water resources infrastructure like the Project and the health of the local population is intrinsically linked, as the Project has the potential to affect people's health, wellbeing and quality of life, in terms of noise impacts, light pollution, air quality and/or additional traffic. Further, there could be indirect health impacts, for example if Public Rights of Way (PRoW) are closed or redirected, resulting in people having fewer opportunities for physical activities.

4.3.89 The NPSWRI sets out that where a project has *"likely significant environmental impacts that would have an effect on human population or health, the applicant should identify and set out the assessment of any likely significant health impacts"* (paragraph 3.12.3*).* Additionally, the cumulative impacts on health should be considered. Paragraph 3.12.4 advises that *"the applicant should identify measures to avoid, reduce or compensate for adverse health impacts and seek enhancement opportunities as appropriate*".

4.3.90 The potential health impacts of the Project have been considered within ES Chapter 17 Socio-economics, tourism and health, Volume I (Document reference 6.1, DCO Volume 6). Section 17.8 of the chapter sets out the health impacts of the Project in terms of access to healthcare, social care and other social infrastructure, neighbourhood amenity, access to green space, recreation and physical activity, community safety, access to work and training, social cohesion and wider society infrastructure and resources, in accordance with paragraph 3.12.1. Health impacts may affect people in a cumulative manner and these cumulative impacts are considered throughout the appendices of ES Chapter 20 Cumulative and in-combination effects, Volume I (Document reference 6.1, DCO Volume 6).

4.3.91 Health assessment is inherently cumulative considering how effects from different sources such as air quality, noise, transport and visual impacts are likely to affect population health. The Applicant has also consulted relevant stakeholders and has assessed the potential environmental impacts of the application proposals on human beings.

4.3.92 Human health effects are also taken into account and reported in the following ES chapters:

- ES Chapter 6 Air quality and odour, Volume I (Document reference 6.1, DCO Volume 6).
- ES Chapter 11 Land quality and ground conditions, Volume I (Document reference 6.1, DCO Volume 6).
- ES Chapter 12 Land use and agriculture, Volume I (Document reference 6.1, DCO Volume 6).
- ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6).
- ES Chapter 15 Noise and vibration, Volume I (Document reference 6.1, DCO Volume 6).
- ES Chapter 18 Traffic and transport, Volume I (Document reference 6.1, DCO Volume 6).

4.3.93 Cumulative effects of the Project with other developments in relation to health are considered within ES Chapter 20 Cumulative and in-combination effects, Volume I (Document reference 6.1, DCO Volume 6).

4.3.94 The Equalities Impact Assessment (Document reference 7.13, DCO Volume 7) (EQIA) assesses the potential effects of the construction, operation and decommissioning of the Project for people who share protected characteristics, as defined in the Equality Act 2010 ('Equality Act') including their health.

4.4 Generic impacts

4.4.1 This section addresses each of the 'generic impact' policies set out in section 4 of the NPSWRI, adopting the same headings namely 'applicant's assessment' (which draws primarily from the ES and other assessments within the application), 'mitigation' (with reference to the mitigation measures

adopted and how they are secured) and the focus of this planning analysis the 'decision making' policies.

4.4.2 In addition to the generic impacts, as set out in paragraph 4.1.5, there is a requirement for the SoS to consider "*duties under the Environment Act 2021 in relation to environmental targets and have regard to the policies set out in the government's Environmental Improvement Plan for improving the natural environment.*"

4.4.3 All 13 targets were brought into force in 2023. The targets cover:

- Agriculture water quality
- Air quality
- Farm wildlife
- Habitat creation and restoration
- Invasive species
- Marine protected areas
- Protected sites
- Residual waste
- Statutory species targets
- Tree and woodland cover
- Wastewater
- Water and abandoned metal mines
- Water demand

4.4.4 The targets have been considered within the relevant ES chapters and, where relevant, have been included within the assessment against the Generic Impact topics below to enable the SoS to have regard to how the Project complies with the targets as part of its decision making. The Generic Impact topics comprise:

- Air quality
- Biodiversity and nature conservation
- Habitats sites
- Irreplaceable habitats including ancient woodland and ancient or veteran trees
- Protection of other habitats and species
- BNG
- Climate change mitigation – greenhouse gas emissions
- Coastal change
- Dust, odour, artificial light, smoke and steam
- Flood risk
- Historic environment
- Landscape and visual impacts

- Land use including open space, green infrastructure and green belt
- Noise and vibration
- Resource and waste management
- Socio-economic impacts
- Traffic and transport
- Water quality and resources

Air Quality

4.4.5 Section 4.2 of the NPSWRI relates to air quality. Paragraph 4.2.1 notes that "*Water resources infrastructure can involve emissions to air during all project phases, which could lead to adverse impacts on human health, protected species and habitats, or on the wider environment"* and provides reference to relevant guidance and strategies.

4.4.6 Air quality effects on wildlife and biodiversity are assessed separately in considering the policies relating to biodiversity and nature conservation (paragraph 4.2.2).

Applicant's Assessment

4.4.7 The NPSWRI requires (paragraph 4.2.3) that "*applicants should seek through the design of any proposed scheme to minimise the emission of air pollutants as far as reasonably practicable*" and identifies at paragraph 4.2.4 where air quality considerations are likely to be particularly relevant (namely where development is proposed in or adjacent to an AQMA, or any road links exceeding limit values according to Defra's assessments, or near to densely populated areas, where they may have potential impacts on habitats sites or near an education or healthcare site.

4.4.8 Paragraphs 4.2.5 to 4.2.6 set out the requirements for the applicant's assessment which are complied with through the assessment presented in Chapter 6 of the ES including details of design, mitigation and monitoring in sections 6.4 and 6.9 and an assessment of likely significant effects in section 6.8 of Chapter 6 of the ES.

4.4.9 The EIA Scoping Opinion agreed to scope out the potential impacts of road traffic emissions on human and ecological receptors during operation, on the basis of operational daily traffic movements (including cumulative vehicle movements) falling below IAQM/ DMRB screening criteria.

Mitigation

4.4.10 Paragraph 4.2.7 of the NPSWRI states that where there is a potential breach of any relevant statutory air quality limits or statutory air quality objectives, or if there is potential for the ability of a non-compliant area to achieve compliance or impede meeting national statutory targets, then the applicant should secure appropriate mitigation, to ensure that any statutory air quality limits and statutory air quality objectives are not breached and sufficient consideration of targets is made.

4.4.11 Paragraph 4.2.7 then notes that air quality considerations are likely to be particularly relevant under certain circumstances. These are set out in Table 4-2 with commentary in the right-hand column on whether they are applicable to the Project.

Table 4-2: applicability of paragraph 4.2.7 criteria

Paragraph 4.2.7 criteria	Applicability to the Project
Where development is within or adjacent to Air Quality Management Areas (AQMA) or nature conservation sites (including habitats sites and Sites of Special Scientific Interest (SSSIs), including those outside England	There are two statutory AQMAs within the air quality assessment study area (as explained in ES Chapter 6 Air quality and odour, Volume I (Document reference 6.1, DCO Volume 6)) Portsmouth AQMA No 9 and Eastleigh AQMA No.1 (A335). Designated ecological features that may be sensitive to dust impacts within 200m of the Order Limits (or within 50m of access routes) are identified in ES Figure 6.2 Air Quality construction dust and fine particulate matter buffers - inc. trackout, Volume III (Document reference 6.3, DCO Volume 6). These are identified as the Chichester and Langstone Harbours Ramsar and SPA, Langstone Harbour SSSI, Portsdown SSSI, River Itchen SSSI and SAC, Solent Maritime SAC, SPA, Ramsar, St. Catherine's Hill SSSI and a number of Ancient Woodland and Sites of Importance for Nature Conservation (SINCs).
Where the proposed scheme's impacts are likely to be sufficient to increase pollutant concentrations above relevant limits, bringing about the need for a new Air Quality Management Area or an air quality plan, to address exceedances of limit values under the Air Quality (England) Regulations 2000 (as amended 2002) or the Air Quality Standards Regulations 2010 or change the area of an existing Air Quality Management Area	Construction phase road traffic flows were screened in accordance with the EPUK and IAQM criteria within section 6.8 of ES Chapter 6 Air quality and odour, Volume I (Document reference 6.1, DCO Volume 6) for human receptors. The screening criteria identified three road links in exceedance of the screening criteria: Harts Farm Way - further review showed no relevant human receptors within 200m; and Two links exceeding the screening criteria along the M3 motorway – it was noted these links were outside of the traffic study area and were provided on a supplementary basis. Taking into account the absence of locations of relevant exposure, existing set back distances and a review of existing local air quality monitoring data, pollutant concentrations are unlikely to exceed relevant limits and therefore is not likely to lead to the requirement for a new AQMA or changes to an existing AQMA.

Paragraph 4.2.7 criteria	Applicability to the Project
Where development is proposed to bring about changes to exceedances of the limit values, or statutory air quality objectives or where they may have the potential to impact on nature conservation sites	As presented in section 6.8 of ES Chapter 6 Air quality and odour, Volume I (Document reference 6.1, DCO Volume 6), exceedances of the statutory air quality objectives at human receptors are not anticipated. A detailed assessment of construction phase road traffic emissions has been undertaken on ecological receptors. Following interpretation of air quality modelling results by the Project ecologist, effects on ecological habitats are considered to be not significant.
In areas which do not meet the annual mean concentration target for $PM_{2.5}$ or is close to areas with high population density or vulnerable communities	Table 6-18 within ES Chapter 6 Air quality and odour, Volume I (Document reference 6.1, DCO Volume 6) shows that Defra predicted background concentrations for $PM_{2.5}$ within the study area for 2025 are well below the annual mean air quality objective. It is noted the area covered by the Order Limits is largely rural in nature. In locations adjacent to areas of high population density, no exceedance of the annual mean $PM_{2.5}$ air quality objective is expected.

4.4.12 Paragraph 4.2.8 advises the SoS that in considering proposed mitigation measures, they may refer to the conditions and advice in any relevant air quality plan, or local Air Quality Action Plan and paragraph 4.2.9 notes that *"reductions in air emissions might be achieved through consideration of design and layout; the technologies employed; and energy use. Reductions in exposure can be achieved through consideration of the development location, layout (i.e. avoiding trapping pollution between buildings) and potentially, through placement of barriers between receptors and sources of pollution"* .

4.4.13 A range of primary and tertiary measures have been embedded into the Project design and the commitments secured to avoid or reduce environmental effects. Primary and tertiary mitigation measures specific to air quality and odour are set out in ES Chapter 6 Air quality and odour, Volume I (Document reference 6.1, DCO Volume 6) and include avoidance of sensitive receptors, where practicable through route and site selection, and the adoption of good construction measures set out in the Outline CEMP (Document reference 7.1, DCO Volume 7). These mitigation measures have been discussed with stakeholders during the pre-application period ensuring that relevant parties have had the opportunity to provide input and feedback. The Outline CEMP includes specific monitoring measures in relation to construction dust, including daily inspections to monitor compliance with the Dust Management Plan to be prepared by the appointed Contractor.

4.4.14 No secondary mitigation measures are proposed with regards to air quality and odour as with the secured primary and tertiary measures in place there would not be any residual significant effects.

Decision Making

4.4.15 Paragraph 4.2.10 of the NPSWRI requires the SoS to take into account the presence of AQMAs, or any road links (exceeding limit values according to Defra's assessments) and national air quality targets. The assessment of air quality and odour effects in ES Chapter 6 Air quality and odour, Volume I (Document reference 6.1, DCO Volume 6) has had regard to two identified AQMAs within the air quality study area. No adverse air quality impacts were identified within or adjacent to the AQMAs. Therefore, no likely significant effects were identified in the AQMAs in relation to air quality and, as such, there is no requirement to reference the local Air Quality Action Plans (AQAP). As noted in table 4.2, three road links were in exceedance of the road traffic flow screening criteria, however pollutant concentrations are unlikely to exceed relevant limits.

4.4.16 Paragraphs 4.2.11 and 4.2.12 of the NPSWRI requires the SoS to be satisfied that the applicant has designed the scheme in such a way to minimise air pollutant emissions and that mitigation measures in relation to construction and operational emissions are appropriate and residual effects are acceptable – also referring to potential securing mechanisms for air quality commitments.

4.4.17 ES Chapter 6 Air quality and odour, Volume I (Document reference 6.1, DCO Volume 6) concludes that the construction phase of the Project would not lead to any significant residual effects during construction taking into account the proposed mitigation. In accordance with paragraph 4.2.12 of the NPSWRI, mitigation measures are contained in the Outline CEMP which is secured by a requirement in Schedule 2 to the draft DCO (Document reference 3.1, DCO Volume 3). A detailed plan will be produced and submitted for approval in accordance with the corresponding requirement in Schedule 2 to the draft DCO (Document reference 3.1, DCO Volume 3).

4.4.18 Paragraphs 4.2.13 and 4.2.14 apply to decision making where there are instances of significant adverse air quality impact, which are therefore not relevant to the determination of this DCO application.

Biodiversity and nature conservation

4.4.19 As recognised in paragraph 4.3.4 of the NPSWRI, development of water resources infrastructure could have both adverse and beneficial impacts on biodiversity and nature conversation interests during construction and operational phases, and that the plan level HRA undertaken for WRMPs and site specific HRA should identify likely significant effects and necessary mitigation measures. The HRA for the Applicant's emerging WRMP concluded (as reported at page 214 of the Final Draft WRMP24 Technical Report) that for virtually all the options "*there will be no adverse effects on any European protected sites (and Ramsar sites) that cannot be reliably avoided through scheme design or mitigated with measures that are known to be available, achievable and likely to be effective at the project level*" and

then noted that the WRMP24 HRA *"… supports the WRMP at a strategic level but is not project specific. More detailed project-level HRAs, including Stage 2 Appropriate Assessments where required, will be undertaken to support any future applications for planning permission, environmental permits, consents or drought permits and orders."*

4.4.20 The HRA Stage 2 Appropriate Assessment and MCZ – Stage 1 Assessment (Document reference 5.2, DCO Volume 5) provides this project specific assessment and concludes that "*with the application of mitigation measures, there will be no impacts which undermine conservation objectives or result in an adverse effect on the integrity of the Habitats Sites taken through to HRA Stage 2 Appropriate Assessment.*"

4.4.21 The NPSWRI notes in paragraph 4.3.2 that the SoS is required to have regard to the aims and goals of the Environmental Improvement Plan and any relevant measures and targets, including statutory targets set under the Environment Act 2021 or elsewhere (providing reference at paragraph 4.3.3 to the guidance in the PPG on the Natural environment last updated in June 2025 [26]).

Applicant's Assessment

4.4.22 ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1, DCO Volume 6) and ES Chapter 9 Marine biodiversity, Volume I (Document reference 6.1, DCO Volume 6) comply with the requirements of paragraph 4.3.5 of the NPSWRI, providing an assessment of likely significant effects on terrestrial and freshwater biodiversity and marine biodiversity respectively, associated with the Project.

4.4.23 No designated geological sites are located at or within 250m of the Order Limits. As such, an assessment of the potential impacts to these features was scoped out of the ES (further detail is provided in ES Chapter 11 Land quality and ground conditions, Volume I (Document reference 6.1, DCO Volume 6)).

4.4.24 Paragraph 4.3.6 of the NPSWRI requires the applicant to show how the Project has taken advantage of opportunities to conserve and enhance biodiversity and geological conservation interests. ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1, DCO Volume 6) and ES Chapter 9 Marine biodiversity, Volume I (Document reference 6.1, DCO Volume 6) set out in detail the measures adopted by the Applicant to conserve terrestrial, freshwater and marine biodiversity (through avoidance criteria in site and route selection, tunnelling methods, lighting design etc) and the inclusion of land within the Order Limits that will be used to create new habitat to mitigate for habitat loss through a series of EMEAs. The EMEAs are shown on the Works Plans (Document reference 2.3, DCO Volume 2) and specific measures and commitments to mitigation within the EMEAs are included within the DPD (Document reference 5.11, DCO Volume 5).

Mitigation

4.4.25 Paragraph 4.3.7 requires applicants to include appropriate mitigation measures as an integral part of their proposed development, including

identifying where and how these will be secured. Primary, secondary and tertiary mitigation measures are set out in detail in ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1, DCO Volume 6) and ES Chapter 9 Marine biodiversity, Volume I (Document reference 6.1, DCO Volume 6). These measures would be secured through the Outline CEMP (Document reference 7.1 DCO Volume 7), the Outline LEMP, (Document reference 7.5, DCO Volume 7), the DPD (Document reference 5.11, DCO Volume 5) and the Invasive and Non Native Species (INNS) Biosecurity Plan (Document reference 7.10, DCO Volume 7).

4.4.26 Paragraph 4.3.7 of the NPSWRI provides a series of bullet points which applicants should demonstrate in particular. These are listed in the left hand column of Table 4-3 with the right hand column setting out how the Applicant has demonstrated accordance with these matters:

Table 4-3: biodiversity mitigation considerations

Paragraph 4.3.7 consideration	Accordance
During construction, they will seek to ensure that activities will be confined to the minimum areas required for the works.	Implementation of good practice measures, including complying with relevant protected species legislation, implementation of appropriate buffer zones and timing of works for the relevant ecological features will be utilised during construction. Implementation of a reduced working width of 20m when crossing sensitive features, including vegetation of importance for protected species or priority habitats. The locations of the reduced working widths are detailed in the Reduced Working Widths Schedule (Appendix A of the Outline CEMP (Document reference 7.1, DCO Volume 7).
During construction and operation, best practice will be followed to ensure that risk of disturbance or damage to species or habitats is minimised.	The construction lighting design will follow good practice to reduce illuminating ecologically sensitive habitats, to avoid disruption to the species using these features for resting places, foraging or commuting routes, avoiding the potential for likely significant effects. Operational lighting design will follow good practice to reduce illuminating ecologically sensitive habitats, to avoid disruption to retained vegetation and the species using these features for resting places, foraging or commuting routes. Good practice measures to mitigate or reduce lighting effects will be secured within the OEMP (Document reference 7.7, DCO Volume 7).
Habitats will, where practicable, be restored after construction works have finished.	The Outline LEMP at section 4.9 (Document reference 7.5, DCO Volume 7) includes a habitat reinstatement strategy which will be implemented on an at least like-for-like basis. This measure, which is embedded within the

Paragraph 4.3.7 consideration	Accordance
	design, would ensure that where practicable, the effect of habitat loss is temporary only.
Developments will be designed and landscaped to provide green corridors and minimise habitat fragmentation where possible and reasonable.	The Project has been designed to utilise, where possible, existing gaps in vegetation, to reduce vegetation loss and reduce the creation of new (albeit temporary) gaps in linear vegetation features. Where gap creation is unavoidable in key locations, dead hedging and the use of temporary fencing will ensure landscape connectivity. These measures are secured within the Outline CEMP (Document reference 7.1, DCO Volume 7) and the Outline LEMP (Document reference 7.5, DCO Volume 7).
Opportunities will be taken to enhance existing habitats and, where practicable, to create new habitats of value within the site landscaping proposals.	To mitigate for habitat loss, specific habitat creation will be delivered within EMEAs identified for mitigation. Where practicable, mitigation will be delivered through a small number of strategically located EMEAs ensuring that the Lawton principles of "bigger, better, more connected" are followed and resulting in the best possible outcomes for biodiversity. The EMEAs are shown within section 3.8 of the DPD. (Document reference 5.11, DCO Volume 5).
Where habitat creation is required as mitigation, compensation or enhancement, the location and quality will be of key importance. In this regard, habitat creation should be focused on areas where the most ecological and ecosystems services benefits can be realised.	The Biodiversity Gain Plan (Document reference 7.11, DCO Volume 7) provides the framework for the commitment to deliver at least 10% BNG. A specific mitigation strategy for the impacts to the Solent Waders and Brent Goose Strategy (SWBGS) sites has been developed. The aim is to mitigate the impact of loss of functionally linked land through the delivery and maintenance of suitable habitat elsewhere. An off-site location has been identified for mitigation of affected SWBGS sites. The Applicant will contract a specialist company to purchase the requisite area of the site and secure its management for at least the lifetime of the asset delivered by the Project. NE have confirmed satisfaction with the proposed mitigation, which is set out in detail in section 4 of the HRA – Stage 2 Appropriate Assessment and MCZ – Stage 1 Assessment (Document reference 5.2, Volume 5) and is secured by the Outline CEMP (Document reference 7.1, Volume 7).

Decision Making

4.4.27 Paragraph 4.3.8 of the NPSWRI provides reference to the government's policy for biodiversity in the Environmental Improvement Plan and UK Marine Strategy with aims to halt biodiversity loss, support ecosystem and establish ecological networks. The paragraph does not provide any specific tests for individual projects.

4.4.28 Paragraph 4.3.9 states that the SoS "*should consider what appropriate requirements should be attached to any consent and/or in any planning obligations entered into, in order to ensure that any mitigation or biodiversity net gain measures are secured, delivered and maintained. Habitat creation or enhancement which is proposed for the purposes of delivering biodiversity net gain should be secured on a long-term basis*" .

4.4.29 At paragraph 4.3.10, there is a requirement for the SoS to "*take account of what mitigation measures may have been agreed between the applicant and Natural England and/or the Marine Management Organisation*" and whether these measures are supported by NE or the MMO.

4.4.30 As set out in ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1, DCO Volume 6) there has been engagement with NE regarding the HRA. A draft Stage 2 HRA was shared for comment in November 2024 and a second draft was then shared in September 2025. NE's comments on the second draft of the Stage 2 HRA were discussed in the January 2026 Technical Working Group and subsequent meetings. Amendments have been made and accepted by NE as recorded in section 3 of the draft SoCG (Document reference 5.8, DCO Volume 5).

4.4.31 Paragraph 4.3.11 of the NPSWRI states that, subject to the specific policies in relation to habitats sites, MCZs, regional and local sites, irreplaceable habitats, protection of other habitats and species and BNG, development should avoid significant harm to biodiversity and geological conservation interests and provide net gains for biodiversity.

4.4.32 The Biodiversity Gain Plan (including Habitat Management and Monitoring Plan at its Appendix E) (Document reference 7.11, DCO Volume 7) sets out that the Project will deliver at least 10% BNG. An updated Biodiversity Gain Plan will be submitted prior to commencement of the Project (secured as a requirement in Schedule 2 of the draft DCO (Document reference 3.1, DCO Volume 3)) that sets out exactly how BNG will be delivered and maintained in accordance with NPSWRI paragraph 4.3.9.

4.4.33 The Project would deliver major beneficial (significant as assessed in ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1, DCO Volume 6)) effects as a result in the reduction in abstraction of water during drought conditions from the River Itchen Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI), helping to maintain natural watercourse flow and contribute to the conservation objective of maintaining or restoring the structure and function of habitats and species.

4.4.34 The WRP site will provide open mosaic habitat mitigation through on-site delivery on areas of the site not in active use as well as through providing a green or brown roof on the main process building.

4.4.35 Paragraph 4.3.12 states that the SoS should ensure that appropriate weight should be given to designated sites, protected species and other habitats or species of importance, and that if significant harm to biodiversity cannot be avoided, mitigated or compensated for then development consent may be refused. As found in ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1, DCO Volume 6) and ES Chapter 9 Marine biodiversity, Volume I (Document reference 6.1, DCO Volume 6), no significant adverse residual effects on terrestrial, freshwater or marine biodiversity are considered likely. The Project would, however, result in a significant beneficial effect on the River Itchen SAC and SSSI as a result of reduced water abstraction.

4.4.36 The rest of this section addresses the specific policies decision making policies adopting the same subheadings as the NPSWRI.

Habitats sites

4.4.37 Paragraph 4.3.13 of the NPSWRI notes that the highest level of biodiversity protection is afforded to sites identified through international conventions and the Habitats Regulations (considered under the Assessment Principles section) provide statutory protection for habitat sites. It notes that "*certain habitats may be qualifying features of sites designated under the Habitats Regulations and international conventions including Ramsar".*

4.4.38 Paragraph 8.7.4 of ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1, DCO Volume 6) confirms that there is a total of 12 international designated sites either within 2km of the Order Limits (excluding where the Order Limits are drawn around existing infrastructure), or hydrologically connected to the Order Limits. This includes four Special Protection Areas (SPAs), five Special Areas of Conservation (SACs) and three Ramsar sites. They are:

- Solent and Dorset Coast SPA
- Chichester and Langstone Harbours SPA
- Chichester and Langstone Harbours Ramsar
- Solent Maritime SAC
- South Wight Maritime SAC
- Solent and Isle of Wight Lagoons SAC
- Portsmouth Harbour SPA
- Portsmouth Harbour Ramsar
- Solent and Southampton Water SPA
- Solent and Southampton Water Ramsar
- River Meon Compensatory SAC habitat
- River Itchen SAC

4.4.39 Paragraph 4.3.14 of the NPS notes that many SSSIs are also designated as sites of international importance and so will be protected accordingly. However, for those SSSIs that are not covered by an international obligation,

they will also be given a high degree of protection in recognition of their national significance.

4.4.40 Thirteen SSSIs have been identified with relevant Impact Risk Zones (IRZ) that intersect with the Order Limits. These are:

- Chichester Harbour SSSI
- Langstone Harbour SSSI
- Portsdown SSSI
- Portsmouth Harbour SSSI
- Warblington Meadow SSSI
- Lye Heath Marsh SSSI
- Hook Heath Meadows SSSI
- Titchfield Haven SSSI
- Waltham Chase Meadows SSSI
- The Moors SSSI
- Botley Wood and Everett's and Mushes Copse SSSI
- Upper Hamble Estuary Woods SSSI
- River Itchen SSSI

4.4.41 ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1, DCO Volume 6) identifies and assesses potential impacts on these identified SSSIs and concludes no significant residual adverse effects arising as a result of the Project.

4.4.42 Paragraph 4.3.15 of the NPSWRI which directs that "*where a Project is likely to have a significant adverse effect on an SSSI development consent should not normally be granted*" is not therefore engaged. There are no reported significant adverse effects in relation to SSSIs.

4.4.43 The second part of paragraph 4.3.15 states that *"where an adverse effect on the site's notified special interest features is likely, an exception should be made only where the benefits of the development at this site clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest, and any broader impacts on the national network of SSSIs".* The ES does conclude that there may be some minor adverse (non-significant) effects during construction as a result of vegetation removal, noise and vibration from construction activity, presence of plant, changes to groundwater, construction dust etc. This includes potential for minor adverse effects on special interest features of Chichester Harbour SSSI, Langstone Harbour SSSI, Portsdown SSSI, Sinah Common SSSI and the River Itchen SSSI. These minor adverse effects (and any impacts on the wider national network of SSSIs as a whole) would be clearly outweighed by the benefits of the Project (as set out in chapter 3 of this report and in the planning balance at chapter 7), most notably in this regard due to the major beneficial impact on the River Itchen SSSI including rivers and streams special interest features.

Marine Conservation Zones

4.4.44 Paragraph 4.3.16 of the NPSWRI confirms that MCZs introduced under the Marine and Coastal Access Act 2009 are areas that have been designated for specific purposes. The SoS is 'bound by' the duties imposed by sections 125 and 126 of the Marine and Coastal Access Act 2009. The SoS is required to ensure that the Project will enable the MMO to exercise their functions and further the conservation objectives and avoid authorising activities which could hinder the conservation objectives of the MCZ.

4.4.45 As identified in section 3 of the HRA Stage 2 Appropriate Assessment and MCZ – Stage 1 Assessment (Document reference 5.2, DCO Volume 5) only Bembridge MCZ is considered to be hydrologically connected by use of the Eastney LSO as part of the Project, as it is situated within two tidal excursions. Utopia MCZ and Selsey Bill and the Hounds MCZ are located further than two tidal excursions from the Eastney LSO and thus have not been assessed further. The assessment concludes that with tertiary mitigation and good practice measures recommended and implemented through the Outline CEMP (Document reference 7.1, DCO Volume 7) and OEMP (Document reference 7.7, DCO Volume 7), the Project will avoid any adverse impacts on Bembridge MCZ or the protected features and will not hinder the conservation objectives stated for the MCZ. As a result, there is no requirement to undertake a MCZ Stage 2 Assessment for the Project.

Regional and local sites

4.4.46 Paragraph 4.3.17 states that *"sites of regional and local biodiversity and geological interest (which include Local Geological Sites, Local Nature Reserves and Local Wildlife Sites and Nature Improvement Areas) have an important role to play in meeting national biodiversity goals and targets, in contributing to the quality of life and the well-being of the community, and in supporting research and education".* The SoS should "*give due consideration to such regional or local designations to ensure that these sites are safeguarded*" but "*given the need for new infrastructure, these designations should not be used in themselves to refuse development consent where harm cannot be avoided (through locating on an alternative site with less harmful impacts) or adequately mitigated. In these circumstances, there should be compensatory measures*" .

4.4.47 ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1, DCO Volume 6) assesses the potential impacts on non-statutory designated sites (including potential spread of invasive species, waterborne pollution, vehicle emissions during construction, vegetation removal and presence of construction plant). The assessment concludes that the majority of effects would be neutral with one minor adverse effect during construction / decommissioning in relation to airborne pollution resulting in habitat loss or degradation. The SoS should give due consideration to this residual effect but would not represent a reason for withholding consent and should be given very little weight in decision making.

Irreplaceable habitats including ancient woodland and ancient or veteran trees

4.4.48 The NPSWRI requires (paragraph 4.3.18) that "*developers should identify ways to avoid negative effects on ancient woodland and ancient and veteran trees. This could include selecting an alternative site for development or redesigning the scheme*"

4.4.49 Primary mitigation through the route and site selection process involved avoiding ancient woodland, to remove the possibility of direct impacts. There is no ancient woodland within the Order Limits.

4.4.50 As set out in ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1, DCO Volume 6), there are 10 Ancient Semi-Natural Woodland and three Plantation on Ancient Woodland Sites within 30m of the Order Limits that are relevant to the assessment, of which four are adjacent to the Order Limits within the Pipeline between the WRP site and Otterbourne WSW.

4.4.51 Similarly ancient and veteran trees were considered through route selection and alterations to the Order Limits were made during project development to seek to avoid ancient and veteran trees. Nine ancient and veteran trees are, however, located within the Order Limits to accommodate flexibility for the final pipeline routing.

4.4.52 Paragraph 4.3.18 then directs that "*the Secretary of State should not grant development consent for any development that would result in the loss or deterioration of irreplaceable habitats including ancient woodland and ancient or veteran trees found outside ancient woodland, unless there are wholly exceptional reasons for the development, and a suitable compensation strategy exists*".

4.4.53 The Project would not result in the loss or deterioration of any Ancient Woodland. ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1, DCO Volume 6) provides an assessment of effects on habitat degradation of Ancient Woodland as a result of changes to air quality associated with construction traffic and vegetation removal for construction, concluding a neutral effect. Mitigation measures secured through the Outline CEMP (Document reference 7.1, DCO Volume 7) and DPD (Document reference 5.11, DCO Volume 5) ensure a minimum of 15m exclusion zone from any construction works to designated ancient woodland habitat will be implemented.

4.4.54 Mitigation measures secured through the Outline CEMP (Document reference 7.1, DCO Volume 7) and DPD (Document reference 5.11, DCO Volume 5) also ensure that the final scheme design would not result in any loss or deterioration of ancient and veteran trees that will remain in situ within the Order Limits.

Protection of other habitats and species

4.4.55 Paragraph 4.3.19 of the NPSWRI deals with the protection of other habitats and species protected under legislation or identified as being of principal importance for the conservation of biodiversity. The SoS should "*ensure that*

applicants have taken measures to ensure these species and habitats are protected from the adverse effects of development" and "*should refuse consent where it would result in harm to these habitats and species unless the benefits of the development (including need) clearly outweigh that harm*". As clarified at footnote 107 the term "harm" should be understood to mean significant harm.

4.4.56 Species and habitats of principal importance have been considered within the assessment of likely significant effects on terrestrial and freshwater biodiversity at ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1, DCO Volume 6) which concludes that with primary and tertiary mitigation in place no significant adverse residual effects are anticipated. The balancing exercise in paragraph 4.3.19 is therefore not engaged.

Biodiversity net gain

4.4.57 Paragraph 4.3.20 notes that BNG delivers measurable improvements for biodiversity by creating or enhancing habitats. Paragraph 4.3.21 of the NPSWRI states that *"Development should contribute to and enhance the natural environment by providing net gains for biodiversity. Applicants should use the latest version of the biodiversity metric to calculate their biodiversity baseline and inform their biodiversity net gain outcomes and should present this data as part of their application".* The Applicant has committed to the delivery of at least 10% BNG and has used the latest version of the statutory biodiversity metric (version 1.0.4) in calculating the outcomes of the Project on biodiversity, as set out in the Biodiversity Gain Plan (Document reference 7.11, DCO Volume 7).

4.4.58 In accordance with Paragraphs 4.3.21 and 4.3.22 BNG can be delivered on or off site. Paragraph 4.3.21 states that "*applications for development consent should include details of any proposed on-site biodiversity gains"* and paragraph 4.3.22. states that "*any offsite delivery of biodiversity net gain should also be set out within the application for development consent"*

4.4.59 When delivering off site, paragraph 4.3.22 continues that *"developments should do this in a manner that best contributes to the achievement of relevant wider strategic outcomes, for example by increasing habitat connectivity or enhancing other ecosystem service outcomes. Reference should be made to relevant national or local plans and strategies, such as green infrastructure strategies or Nature Recovery Networks to inform off site biodiversity net gain delivery".* The Local Nature Recovery Strategy for Hampshire has been considered by the Project as set out in section 2.8 of the Biodiversity Gain Plan (Document reference 7.11, DCO Volume 7).

4.4.60 Paragraph 4.3.22 also states that "*where biodiversity net gain considerations have featured as part of the water resources management plan strategic options appraisal process to select a project, then applicants could reference that information to supplement the site-specific details".* The Applicant's WRMP19 provided recognition of biodiversity net gain principles in the context of wider ENG. The Applicant's emerging WRMP24 also makes reference to enhancing and maintaining habitats supporting biodiversity and

complying with BNG requirements. Specific details in relation to the delivery of BNG for this Project were not considered through the WRMP process.

4.4.61 Paragraph 4.3.23 states that "*development proposals potentially provide many opportunities for building in beneficial biodiversity or geological features as part of good design. When considering proposals, the Secretary of State should consider whether the applicant has maximised such opportunities in and around developments. The Secretary of State may use requirements or planning obligations where appropriate in order to ensure that such benefits are delivered*". The Biodiversity Gain Plan (Document reference 7.11, DCO Volume 7) outlines the Applicant's approach to delivering biodiversity gains, setting out a framework for how the Project will deliver at least a 10% net gain. A detailed Biodiversity Gain Plan will be produced and submitted for approval post consent in accordance with the corresponding requirement in Schedule 2 to the draft DCO (Document reference 3.1, DCO Volume 3).

4.4.62 Paragraph 4.3.24 notes that Schedule 15 of the Environment Act 2021 contains provisions for a mandatory BNG requirement for NSIPs and that a government Biodiversity Gain Statement will set out the requirements on BNG for NSIPs. This has not yet been produced but the Project is committing to delivering at least 10% BNG whilst not yet a statutory requirement, adopting an approach where BNG provision will be a combination of delivery on-site (within the Order Limits) and off-site.

4.4.63 Habitat creation and enhancement measures have been identified within the Order Limits, including:

- Measures to be delivered within and around AGP sites.
- Measures that could be delivered within EMEAs.

4.4.64 The specific measures to be delivered are detailed in section 3 of the DPD (Document reference 5.11, DCO Volume 5), the locations of which are shown in the Works Plans (Document reference 2.3, DCO Volume 2).

4.4.65 These measures have been included in the post-development biodiversity calculations for the purposes of this Biodiversity Gain Plan. Based on the on site provision there would be a requirement for a further c.170 area based habitat units, c 30 hedgerow units and c.2 watercourse units required off site to achieve a 10% gain. The approach to delivering the offsite provision is set out in section 6.3 of the Biodiversity Gain Plan (Document reference 7.11, DCO Volume 7).

4.4.66 NE's comments on a draft of the Biodiversity Gain Plan have been addressed and NE has raised no objections to the BNG approach for this project. NE is awaiting official guidance from Defra on how BNG should be applied to NSIPs so all parties can align with this guidance once published. The Applicant will align with any statutory requirements in relation to BNG applicable to the Project. This position is confirmed as agreed in section 3 of the draft SoCG between the Applicant and NE (Document reference 5.11, DCO Volume 5)

4.4.67 The updated Biodiversity Gain Plan, which would be submitted for approval in accordance with the relevant DCO Requirement in Schedule 2 to the DCO, will confirm the number of biodiversity units needed and detail exactly how the residual biodiversity unit deficit to meet the biodiversity gain objective will

be delivered on-site and off-site. It will also include a Habitat Management and Monitoring Plan for the management of the on-site BNG.

Climate Change Mitigation - Greenhouse Gas Emissions

4.4.68 Section 4.4 of the NPSWRI relates to climate change mitigation and greenhouse gas emissions and recognises that the development of water resources infrastructure could give rise to greenhouse gas emissions during construction, operational and decommissioning phases - for example through embodied carbon in materials, construction traffic, energy use required for pumping and treatment etc.

4.4.69 The Project's carbon strategic objective is to deliver solutions in relation to design, construction and operation of the Project that are optimal in terms of WLC emissions and reduce greenhouse gas emissions to as low as reasonably practicable, having regard to the UK's climate change commitment of achieving net zero emissions by 2050.

Applicant's Assessment

4.4.70 The NPSWRI notes (paragraph 4.4.10) that climate impacts are considered as part of the WRMP options process and information from WRMPs may be useful. The consideration of climate change was integral to the Applicant's WRMP19 noting the commitment to *"further improve the way that we plan for uncertainty, by considering a greater range of climate change scenarios, incorporating Regional Climate Model outputs into our weather generator model and working with regulators and regional groups to develop an industry-consistent climate change dataset"* (paragraph 2.8.5) and that strategies will be adaptable to climate change by "*investigating different climate change outcomes, and ensuring our proposed strategy is resilient to the different potential futures"* (paragraph 4.1.2).

4.4.71 The emerging WRMP24 explains how climate change considerations are baked into the adaptive pathway approach to enable adaptability to different climate change scenarios. The emerging WRMP24 notes that "*greenhouse gas impacts have been central to our decision-making process in WRMP24. Throughout our appraisal of options, we have considered the carbon equivalent impact of a range of different initiatives. We have also looked at how we can reduce both our direct and indirect emissions through the plan. We have taken a whole life approach that considers both the embodied and operational carbon equivalent (CO2e) impact of each option, prioritising those that can deliver long-term environmental and societal benefits*"[2].

4.4.72 Paragraphs 4.4.11 and 4.4.12 set out the requirements for the applicant's assessment at a project level. This recognises that whilst it is unlikely that any emissions increase from an individual development of water resources infrastructure will materially affect the government's ability to meet its emissions targets, applicants *"should provide evidence of the climate impact of the development and an assessment of emissions associated with construction and operation against the water company's ability to deliver its contribution to the government's targets and commitments"* and within the

[2] Page 222 of the Final Draft Water Resources Management Plan 2024 Technical Report

ES the applicant should "*include an assessment of any likely significant climate effects on the project itself. Where there are residual emissions, the applicant should also provide evidence of the climate impact of the project (including embodied carbon), both from construction and operation, such that it can be assessed against the government's climate obligations*".

4.4.73 These requirements are satisfied through the undertaking of a carbon assessment, which is provided in section 10.8 of ES Chapter 10 Carbon and climate change, Volume I (Document reference 6.1, DCO Volume 6). The methodology for the carbon assessment is set out in detail at ES Appendix 10.1 Carbon assessment methodology, Volume II (Document reference 6.2, DCO Volume 6).

Mitigation

4.4.74 Paragraph 4.4.13 requires evidence of appropriate mitigation measures during design, construction and operation to be presented including a demonstration that it has investigated feasible options for energy efficiency and recovery technologies and processes, renewable energy sources and greenhouse gas offsetting. Paragraph 4.4.14 then provides a non-exhaustive list of examples of mitigation that could be considered.

4.4.75 Section 10.4 of Chapter 10 of the ES sets out the primary and tertiary mitigation measures adopted as part of the design to reduce carbon emissions including:

- A reduction in the quantity of material use, fuel consumption and vehicle movements through utilising Portsmouth Water's pipelines for one section of the Project.
- The implementation of SuDS anticipated to reduce carbon emissions compared to traditional drainage solutions (secured through the DPD).
- Using resources sustainably across the Project through the development of strategies for the use of natural resources and materials. This would be secured through a Materials Management Plan and a Site Waste Management Plan (SWMP), which would be produced by the appointed Contractor prior to the commencement of construction.
- A SWMP, which would be produced by the appointed Contractor prior to the commencement of construction, in line with the Outline CEMP section 5 (Document reference 7.1, DCO Volume 7).

4.4.76 In addition, further commitments and incentives to reduce carbon emissions to as low far as reasonably practicable in line with the requirements of the NPSWRI are secured within section 5 of the Outline Carbon Management Plan (CMP) (Document reference 7.8, DCO Volume 7). Further details on the measures included within the Outline CMP are provided in section 10.9 of ES Chapter 10 Carbon and climate change, Volume I (Document reference 6.1, DCO Volume 6).

4.4.77 The approach, therefore, demonstrates commitment to reducing greenhouse gas emissions as low as reasonably practicable without being so prescriptive as to restrict innovation at the detailed design stage. This is in line with paragraph 4.4.16 of the NPSWRI, which states that the SoS will "*consider the*

effectiveness of the mitigation measures in order to ensure that the greenhouse gas emissions are as low as reasonably practicable. The SoS's view of the adequacy of the mitigation measures will be a material factor in the decision-making process, particularly the applicant's proposed offsetting measures, for any significant emissions expected from the project."

4.4.78 For completeness, Table 4-4 and Table 4-5 consider each of the options and examples of mitigation listed under paragraphs 4.4.13 and 4.4.14 of the NPSWRI.

Table 4-4: Investigation of feasible options

Options	Applicant consideration
Energy efficient technology or processes	As set out in section 5.3 of the Outline CMP (Document reference 7.8, DCO Volume 7), the Applicant has as part of its design development to date investigated measures to reduce operational carbon emissions to as low as reasonably practicable having regard to the UK's climate change commitment of achieving net zero emissions by 2050. Measures have included process selection and design optimisation that aim to identify lower energy and chemical intensity options where practicable and also reduce the amount of energy through for example reducing the amount of pumping required.
Energy recovery technologies or processes	As referenced within section 5.3 of the Outline CMP (Document reference 7.8, DCO Volume 7), the Applicant acknowledges the important impact of chemicals on the carbon emissions of the Project. Whilst the Applicant cannot control the decarbonisation trajectory of the complex global supply chain for chemicals it will engage to influence this with key suppliers and incentivise the contractor to optimise its chemical usage and use lower carbon intensity options where available. Additionally, it is committed to encourage the efficient use of all resources across the construction and operational phases of the Project and will work with the contractor and its supply chain to drive encourage resource efficiency.
Renewable energy sources, produced either on site or linked to any local renewable energy initiatives	Section 5.3 of the Outline CMP (Document reference 7.8, DCO Volume 7) sets out the renewable energy strategy for the Project. This focuses on selecting appropriate energy supply sources and energy procurement methods rather than on site generation. As part of the design development to date the Applicant has evaluated whether self-generation would be feasible. The self-generation options were evaluated in detail and it was concluded that there are insufficient viable generation opportunities available within the DCO limits to provide meaningful and efficient renewable energy contribution to the

Options	Applicant consideration
	Project power demand and would represent poor value for customers. Following these findings, the Applicant set out a process to evaluate which energy procurement routes are more efficient to achieve optimal decarbonisation of power demand. These options include the procurement of power through renewable Power Purchase Agreements (PPAs) and the purchase of Renewable Energy Guarantees of Origin (REGO) backed power. Final options would be provided in an updated energy strategy in the second iteration of the CMP as required by DCO Requirement.
Greenhouse gas offsetting measures	The Outline CMP (Document reference 7.8, DCO Volume 7) (which sets the framework to reduce operational emissions to as low as reasonably practicable) sets out the offsetting strategy for the Project at section 5.4 Having regard to the UK's net zero by 2050 climate change commitment, and as part of the UK Government and water sector's developing approach to net zero, the Applicant will consider future mitigation including the viability and possibility of carbon offsetting for residual carbon emissions from the Project after 2050. Recognising the uncertainty surrounding offsets the Applicant will set out a decision-making framework to embed into the procurement process, which will guide the contractor to evaluate, if required, suitable offsetting measures for residual emissions post 2050.

Table 4-5: Examples of mitigation that could be considered

NPSWRI 2025 paragraph 4.4.14 examples of mitigation that could be considered for the proposed development. Note, this is not a list of required mitigation and is not an exhaustive list.	Applicant consideration
Maximising the use of on-site materials, which could reduce HGV movements	Measures to ensure the use of sustainable resources will be secured through a Materials Management Plan and a SWMP, which will be produced by the appointed Contractor prior to the commencement of construction, as secured in with the Outline CEMP (Document reference 7.1, DCO Volume 7). Section 5 of the Outline CEMP requires that the SWMP will include measures to ensure that all waste management measures to be implemented on-site will

NPSWRI 2025 paragraph 4.4.14 examples of mitigation that could be considered for the proposed development. Note, this is not a list of required mitigation and is not an exhaustive list.	Applicant consideration
	be in accordance with the waste hierarchy and circular economy principles.
Incorporating the use of energy efficient materials, building techniques and energy efficient pumping and water treatment equipment	The Outline CMP (Document reference 7.8, DCO Volume 7) identifies optimisation of material specification in section 5 (for example, procuring pipelines manufactured through low carbon manufacturing processes such as electric arc furnace iron), and engineering solutions to reduce the number or sizing of assets as opportunities to reduce capital carbon during construction.
Gravity fed transfers could require less energy requirements for pumping	The proposed route corridor alignment, and the location of AGP (as explained in the SDR - Document reference 5.10, DCO Volume 5) has been informed by topography so that the pipeline could follow a hydraulically optimal route.
Opportunities could be sought for the use of, or generation of, renewable energy to help offset additional operational carbon emissions	As set out above, section 5.3 of the Outline CMP (Document reference 7.8, DCO Volume 7) sets out the renewable energy strategy for the Project.
Offsetting through woodland creation on or adjacent to the site and registered with the Woodland Carbon Code	As set out above, the Applicants approach to offsetting is set out in the section 5.4 of the Outline CMP (Document reference 7.8, DCO Volume 7).

Decision Making

4.4.79 Paragraph 4.4.15 of the NPSWRI advises that *"any increase in greenhouse gas emissions from the project alone is not a reason to refuse development consent for infrastructure to secure water supplies, unless the increase in greenhouse gas emissions resulting from the project is so significant that it would have a material impact on the ability of the government to meet its greenhouse gas reduction obligations and commitments including but not limited to, net zero, the Nationally Determined Contribution and carbon budgets"* .

4.4.80 Section 10.8 of ES Chapter 10 Carbon and climate change, Volume I (Document reference 6.1, DCO Volume 6). demonstrates that the Project will not lead to a significant increase in greenhouse gases.

4.4.81 With primary and tertiary mitigation in place estimated emissions during the construction phase would constitute approximately 0.007% and 0.003% of the Fifth and Sixth Carbon Budgets respectively (when the construction activities are anticipated to fall) and 0.004% and 0.008% of the Sixth and Seventh Carbon Budgets, respectively during operation. These conclusions

adopt a conservative approach and do not take into account any further secondary mitigation.

4.4.82 Whilst the ES presents an assessment of the effects that may occur from decommissioning activities of the Proposed Development, the Applicant is not seeking consent for decommissioning. As set out in ES Chapter 10, emissions *"from the decommissioning phase are predicted to be 110 tonnes CO_2e, with a high degree of uncertainty given the expected progress of decarbonisation of the UK economy and the development of end-of-life strategies over the lifespan of the Proposed Development."*

4.4.83 Therefore, carbon emissions released during the construction, operational and decommissioning phases of the Project are considered to have a minor (not significant) adverse effect which would not have a material impact on the UK being able to meet its emission reduction targets.

4.4.84 Paragraph 4.4.16 of the NPSWRI then requires the SoS to consider the effectiveness of the mitigation measures proposed in order to *"ensure that the greenhouse gas emissions are as low as reasonably practicable"* and that the SoS's *"view of the adequacy of the mitigation measures will be a material factor in the decision-making process, particularly the applicant's proposed offsetting measures, for any significant emissions expected from the project."* As noted above, there are no significant emissions expected from the Project. Section 3 of the Outline CMP (Document reference 7.8, DCO Volume 7), however, sets out the commitments and incentives for contractors to drive down greenhouse gas emissions as low as reasonably practicable. The overarching approach through the Outline CMP (Document reference 7.8, DCO Volume 7) is to provide a framework to incentivise reductions in greenhouse gas emissions at the detailed design stage without being so prescriptive as to reduce or stymie innovation.

Coastal Change

4.4.85 Section 4.5 of the NPSWRI relates to coastal change. Paragraph 4.5.1 sets out that where water developments are proposed to be located on or near the coast, that consideration should be given to coastal change. Consideration should be given to coastal change management to ensure that developments are resilient to ongoing and potential future coastal change; and that the *"aim of the government's planning policy is to reduce risk from coastal change by avoiding inappropriate development in vulnerable areas or adding to the impacts of physical changes to the coast."*

4.4.86 ES Appendix 10.2 Climate change resilience assessment methodology, Volume II (Document reference 6.2, DCO Volume 6) evaluates future trends in climate change impacts and the Project's vulnerability and resilience to such changes during the construction, operation and decommissioning phases has been prepared and is included within ES Chapter 10 Carbon and climate change, Volume I (Document reference 6.1, DCO Volume 6). As set out in paragraph 4.2.10 of this PPS the approach to climate change mitigation has been considered throughout the development of the Project.

4.4.87 ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6) table 196 sets out that surface waters (transitional and coastal)

are included within the ES Figure 19.1 Surface water features, Volume III (Document reference 6.3, DCO Volume 6) and have been assessed. The assessment includes an assessment of the changes that could potentially occur as a result of alterations to the existing discharge at the Eastney LSO. This has been determined on the output of dispersion and mixing zone modelling.

4.4.88 NPSWRI paragraph 4.5.2 identifies the potential for direct effects on the coastline, seabed, marine ecology and biodiversity and the historic environment as a result of any discharge outfalls and abstraction points, dredging and flood and coastal protection measures. NPSWRI paragraph 4.5.3 then advises that additionally, indirect changes to the coastline and seabed may arise as a hydrodynamic response to any direct changes.

4.4.89 The Project does not involve any physical changes to the coastline or seabed or dredging or disposal into the sea. As confirmed within ES Chapter 9 Marine biodiversity, Volume I (Document reference 6.1, DCO Volume 6) table 9-2, the impacts below the Mean High Water Springs (MHWS) have been considered for any effects on the coastline, seabed and marine biodiversity. Further information on how the Project has considered marine biodiversity and the historic environment is set out in section 5 of the PPS.

Applicant's Assessment

4.4.90 Paragraph 4.5.5 sets out that *"applications for development in a Coastal Change Management Area should make it clear why there is a need for it to be located in a Coastal Change Management Area".* Further, paragraph 4.5.5 states that *"The applicant should take into account the potential impacts of climate change during the infrastructure's operational life using the latest UK Climate Change Risk Assessment, the latest set of UK Climate Projections, and other relevant sources of climate change evidence."*

4.4.91 The Project is not within a designated Coastal Change Management Area.

4.4.92 As set out in PPS paragraph 4.3.83, ES Chapter 10 Carbon and climate change, Volume I (Document reference 6.1, DCO Volume 6) evaluates future trends in climate change impacts and the Project's vulnerability and resilience to such changes during the construction, operation and decommissioning phases.

4.4.93 At paragraph 4.5.6, the NPSWRI sets out the applicant's assessment criteria in relation to dredging or disposal into the sea and the requirement for consultation with the MMO.

4.4.94 On-going engagement has been undertaken with the MMO and NE through the EIA Working Groups and Technical Working Groups (TWG) meetings, between Summer 2022 and submission of the DCO application.

4.4.95 NPSWRI paragraph 4.5.7 sets out that the *"applicant should be particularly careful to identify any effects of physical changes on the integrity and special interest features of Marine Conservation Zones, habitats sites and Sites of Special Scientific Interest."* The Project should not significantly affect the ability of these designated sites and their interest features to adapt to climate change. There is a requirement for any project affecting the identified marine protected areas, the applicant should consult NE at an early stage.

4.4.96 The potential risk associated with flooding and coastal erosion have been considered from the outset of the Project including the potential effects of climate change. When considering the location of the WRP site, coastal erosion and flooding mapping was used to guide development away from higher risk areas as shown on ES Figure 19.9 Fluvial and coastal flood risk, Volume III (Document reference 6.3, DCO Volume 6).

4.4.97 As set out in ES Chapter 9 Marine biodiversity, Volume I (Document reference 6.1, DCO Volume 6) there are "*no harmful effects on nature conservation within the Chichester and Langstone Harbours SPA and Ramsar site, Solent Maritime SAC, Langstone Harbour SSSI, or any Sites of Importance for Nature Conservation or LNRs*".

4.4.98 ES Chapter 20 Cumulative and in-combination effects, Volume I (Document reference 6.1, DCO Volume 6) identified that no potential significant cumulative effects were identified for Marine biodiversity. In the HRA – Stage 2 Appropriate Assessment and MCZ – Stage 1 Assessment (Document reference 5.2, DCO Volume 5) stated that there were *"No significant cumulative or in-combination impacts on Habitats Sites are therefore anticipated"* (section 2.6).

4.4.99 As confirmed NE and the MMO have been engaged throughout the development of the Project. Additionally, NE and the MMO have been consulted throughout the HRA and MCZ assessment processes. This has included reviewing and commenting on draft versions of the HRA Stage 1 Screening Assessment and MCZ Screening Assessment, and draft versions of the HRA Stage 2 Appropriate Assessment and MCZ Stage 1 Assessment. Details of consultation and engagement are included in section 2.7 of the HRA – Stage 2 Appropriate Assessment and MCZ – Stage 1 Assessment (Document reference 5.2, DCO Volume 5). Further details of the discussions are set out in Row ID MMo-ES-013 in the Draft SoCG with the MMO (Document reference 5.8, DCO Volume 5).

Mitigation

4.4.100 Paragraph 4.5.8 of the NPSWRI sets out that *"applicants should propose appropriate mitigation measures to address any adverse physical changes to the coast in consultation with"* various regulators, local authorities and other statutory consultees and should demonstrate what mitigation measures have been agreed.

4.4.101 ES Chapter 9 Marine biodiversity, Volume I (Document reference 6.1, DCO Volume 6) section 9.4 provides details of the primary and tertiary mitigation for the Project. As described in section 5 of the SDR (Document reference 5.10, DCO Volume 5), the scheme has been designed to:

- Avoiding marine statutory and marine non-statutory designated sites.
- Minimising interaction with marine priority habitats, avoiding those with no or little capacity to recover.
- Avoiding sites supporting protected species.

4.4.102 Tertiary mitigation has been included within section 5 of the Outline CEMP (Document reference 7.1, DCO Volume 7) includes measures pertinent for marine biodiversity focussing on works near the tidal section of Hermitage

Stream and other measures pertinent for water environment when working in Flood Zone 2 or 3 to manage site safety and reduce pollution risk during periods of extreme weather (i.e. flooding).

4.4.103 As confirmed within ES Chapter 9 Marine biodiversity, Volume I (Document reference 6.1, DCO Volume 6) section 9.3, the approach to mitigation, as well as development of mitigation and associated management plans and the Commitments Register have been discussed within the Biodiversity and Water Environment EIA Working Group which includes technical officers from NE, the EA and the MMO.

4.4.104 Section 9.9 of ES Chapter 9 Marine biodiversity, Volume I (Document reference 6.1, DCO Volume 6) confirms that no likely significant effects have been identified as a result of the Project and that no secondary mitigation is required.

Decision Making

4.4.105 As the Project is not within a designated Coastal Change Management Area, NPSWRI paragraphs 4.5.9, 4.5.10, 4.5.11 and 4.5.12 do not apply.

4.4.106 NPSWRI paragraph 4.5.13 confirms that the SoS must *"have regard to the appropriate marine policy documents, as provided for in the Marine and Coastal Access Act 2009, in taking any decision which relates to the exercise of any function capable of affecting any part of the UK marine area. The SoS should also have regard to any relevant Shoreline Management Plans."* This is considered and set out in section 5 of this PPS and is not considered within this section any further.

4.4.107 Paragraph 4.5.14 of the NPSWRI sets out that the SoS should attach substantial weight to the risks of flooding and coastal erosion, taking account of the potential effects of climate change. Additionally, the *"applicant must demonstrate that full account has been taken of the policy on assessment"* and mitigation in the NPS, taking account of the potential effects of climate change on these risks.

4.4.108 ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6) section 19.8 assesses impacts on marine waters. Further marine impacts are set out in ES Appendix 19.2 WER compliance assessment, Volume II (Document reference 6.2, DCO Volume 6).

4.4.109 The Preliminary FRA within ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2, DCO Volume 6) provides an assessment of the potential flood risk from the sea and from the tidally influenced watercourses such as the Hermitage Stream and the River Itchen. The Preliminary flood risk confirms at section 5.3 that "*The pipeline route intersects with Flood Zones 2 and 3, representing medium and high probability of flooding. At the location of the proposed WRP and Budds Farm WTW, the primary source of this flood risk is tidally influenced. However, the pipeline will be installed below ground using trenchless or open-cut methods, and as such, it will not alter floodplain storage or conveyance of any flooding from the sea. Consequently, there will be no increase in flood risk to the surrounding area.*"

4.4.110 Tidal flood risk is also considered within the Budds Farm WTW site specific FRA (ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2, DCO Volume 6)) which confirms that the proposed WRP and proposed works within the Budds Farm WTW are all located above the 1 in 200-year tidal flood level and as such the Project is considered acceptable in these locations.

4.4.111 The potential effect of climate change on flooding has been considered within the Preliminary FRA in ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2, DCO Volume 6). Climate change allowances used in the EA's Flood Map for Planning reflect projected future conditions for both fluvial and tidal flooding and for *"tidal flooding, the 'upper end' allowance to account for cumulative sea level rise to 2125, based on the 95th percentile, is applied."* This allowance is considered to *"ensure that flood risk assessments consider long-term climate impacts of tidal flooding in line with national guidance."* The Preliminary flood risk Assessment states that "*The pipeline is shown to intersect with areas at risk of tidal flooding as a result of climate change up to 2125. However, the pipeline will be installed below ground using trenchless or open-cut methods, and as such, it will not alter floodplain storage or conveyance of any flooding from the sea, ensuring no increased flood risk to the surrounding area both now and under future scenarios accounting for climate change."*

4.4.112 The existing Budds Farm WTW is shown to have a future risk of tidal flooding due to the impact of climate change on extreme sea levels. A new Pumping Station is required at the Budds Farm WTW and a site-specific detailed FRA has been produced for this. The conclusions of the site-specific FRA for the Budds Farm WTW Pumping Station are that the Proposed Development will be elevated above the 1 in 200-year tidal flood level with the H++ climate change allowance applied. The H++ allowance represents a credible maximum scenario for sea level rise due to climate change. It is used to account for extreme climate change impacts and involves adding 1.9 meters to the present-day 1 in 200-year tidal flood level. As such the new development within the Budds Farm WTW will be resilient to this future tidal flood risk, to ensure that treated wastewater can continue to be sent to the WRP for ongoing treatment.

4.4.113 Potential operational impacts include erosion of the riverbed from the released water from the WRP site SuDS outfall. However, the WRP site SuDS outfall would be designed in accordance with 'site specific design principles' which will be secured through the DPD (Document reference 5.11, DCO Volume 5) to reduce disturbance of the existing scour protection on the banks of Hermitage Stream.

4.4.114 It is considered that the Applicant has given full consideration to the effects of flooding and coastal erosion as demonstrated within PPS paragraphs 4.3.108-4.3.113. The risks of flooding have been identified within the Preliminary FRA ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2, DCO Volume 6) and in the Budds Farm WTW site specific detailed FRA ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2, DCO Volume 6). Further as confirmed within paragraph 4.3.112, the potential effects of climate change have been considered.

Dust, Odour, Artificial Light, Smoke and Steam

4.4.115 Section 4.6 of the NPSWRI relates to dust, odour, artificial light, smoke and steam. Paragraph 4.6.1 acknowledges that the construction and operation of the Project could result in a range of emissions being released, such as dust, odour, artificial light, smoke and steam. These emissions have the potential to have a detrimental impact on amenity or cause a common law nuisance or statutory nuisance under Part III, Environmental Protection Act 1990. There is acknowledgement in the NPSWRI that some amenity impacts from emissions will be unavoidable, particularly during construction. However, amenity impacts should be limited and at acceptable levels (paragraph 4.6.3).

4.4.116 The Project does not include any elements which could have smoke or steam emissions and as such these impacts are not considered further within this PPS.

Applicant's Assessment

4.4.117 Paragraph 4.6.4 of the NPSWRI sets out that the applicant should assess the likely significant effects on amenity from emissions of dust, odour and artificial light. The applicant should describe the type and quantity of emissions, when the emission will arise, e.g. construction, operation and/or decommissioning; premises or locations that may be affected by the emissions; effects of the emission on the premises or locations and measures to be employed in preventing or mitigating the emissions.

4.4.118 The potential emissions impacts from the construction phase of the Project on local human and ecological receptors has been assessed throughout the ES chapters. Of particular reference are the following chapters:

- ES Chapter 6 Air quality and odour, Volume I (Document reference 6.1, DCO Volume 6) provides the assessment of the likely significant effects on air quality and odour from the construction, operation and decommissioning of the Project. ES Chapter 6 Air quality and odour, Volume I (Document reference 6.1, DCO Volume 6) includes an assessment of the effects on human receptors as a result of dust and particulate matter emissions and effects on human receptors as a result of odour emissions.
- ES Appendix 6.1 Construction dust and fine particulate matter assessment methodology, Volume II (Document reference 6.2, DCO Volume 6).
- ES Chapter 12 Land use and agriculture, Volume I (Document reference 6.1, DCO Volume 6) section 12.8 provides details of in-combination effects on amenity, taking into account the relevant environmental assessments including the air quality, odour, traffic, transport, noise and vibration.
- ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6) considers the effects of artificial lighting on landscapes.

4.4.119 Paragraph 4.6.5 of the NPSWRI advises the Applicant to consult the relevant local authority and EA (where appropriate on the scope and methodology of the assessment). As set out within the previous sections of this document

discussions have been held with the relevant local authorities as part of the EIA Working Groups.

Mitigation

4.4.120 Paragraph 4.6.6 of the NPSWRI states the Applicant should provide sufficient information to show necessary mitigation will be put into place. It invites the SoS to consider whether mitigation should be secured through management plans.

4.4.121 Details of design, mitigation and monitoring are summarised within sections 4 and 9 of the ES chapters and secured in the Outline CEMP (Document reference 7.1, DCO Volume 7), the Framework Construction Traffic Management Plan (CTMP) (Document reference 7.2, DCO Volume 2), and DPD (Document reference 5.11, DCO Volume 5), which provides a comprehensive framework for implementing and monitoring the agreed strategies.

Decision making

4.4.122 Paragraph 4.6.7 of the NPSWRI advises that the "*Secretary of State should be satisfied that all reasonable steps have been taken, and will be taken, to minimise any detrimental impact on amenity from emissions of dust, odour and artificial light, smoke and steam. This includes the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.*"

4.4.123 As set out within the SDR (Document reference 5.10, DCO Volume 5), the Project has been designed to avoid or reduce environmental effects including those related to dust, odour and light.

4.4.124 Relevant primary mitigation measures include:

- Seeking to reduce the overall footprint of the Project to reduce the number of receptors.
- Avoiding population areas where practicable.

4.4.125 Tertiary measures relating to dust, odour and light include:

- Through implementing good construction practices which are secured in the Outline CEMP (Document reference 7.1, DCO Volume 7) which would be secured by a requirement in the DCO. For dust, this would include controlling and managing emissions at the source, for odour, timing works to align with more favourable meteorological conditions, engagement with local residents and regular on-site sniff testing and keeping construction light to a minimum luminosity necessary for safe working within temporary construction compounds and site compounds.
- All road construction vehicles associated with moving materials will adhere to Ultra Low Emission Zone (for light duty vehicles (LDVs)) or Low Emission Zone (for heavy duty vehicles (HDVs))-equivalent emissions standards.

4.4.126 Paragraph 4.6.8 requires the SoS to consider if there is a *"justification for all of the authorised development to be covered by a defence of statutory*

authority against nuisance claims." Section 2 of the Statutory Nuisance Statement (Document reference 5.3, DCO Volume 5) identifies the potential for the Project to cause *"statutory nuisance"* according to section 79(1) of the Environmental Protection Act 1990. Additionally, the Statutory Nuisance Statement considers whether the Project would engage in matters that have the potential to constitute *"statutory nuisance"*. The assessments within the ES (DCO, Volume 6) have been used to inform the assessment of "statutory nuisance". The Statutory Nuisance Statement states that the potential for the project to be in breach of section 79(1) of the Environmental Protection Act 1990 relate to the following:

- Matters that relate to dust, steam, smell or other effluvia arising on industrial, trade or business premises. This relates to ES Chapter 6 Air quality and odour, Volume I (Document reference 6.1, DCO Volume 6).
- Matters that relate to artificial light emitted from premises. This relates to ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6).
- Matters that relate to noise emitted. This relates to ES Chapter 15 Noise and vibration, Volume I (Document reference 6.1, DCO Volume 6).

4.4.127 The Statutory Nuisance Statement concludes in section 2, that the implementation of mitigation measures contained within the Outline CEMP (Document reference 7.1, DCO Volume 7), DPD (Document reference 5.11, DCO Volume 5) and ES Commitments Register would ensure that the Project would not result in the potential for *"statutory nuisance".*

4.4.128 Section 3 of the Statutory Nuisance Statement states that the *"implementation of mitigation measures outlined within the ES* (Document reference 6.1, DCO Volume 6), *which are secured in the Outline CEMP (Document reference 7.1, DCO Volume 7), OEMP (Document reference 7.7, DCO Volume 7), and the Design Principles Document (Document reference 5.11, DCO Volume 5) will prevent impacts such that statutory nuisances are not anticipated during the construction, operation and maintenance of the Project, as defined under the EPA 1990".*

Flood Risk

4.4.129 Section 4.7 of the NPSWRI relates to flood risk. In accordance with paragraph 4.7.2, the Project should be directed away from areas at highest risk of flooding now and in the future. If the development is necessary, it must be made safe for its lifetime and must not increase flood risk elsewhere. Further, paragraph 4.7.2 sets out that *"Supporting guidance[128] explains that essential infrastructure* (which can include NSIPs covered by the National Policy Statement) *is permissible in areas of high flood risk, subject to the sequential and exception tests[129]. In addition, as set out in the National Planning Policy Framework new development should be planned to avoid increased vulnerability to the range of impacts arising from climate change."*

4.4.130 Paragraph 4.7.3 of the NPSWRI sets out that the *"development of water resources infrastructure could affect, or be affected by, areas at risk of flooding during construction and operational phases."*

Applicant's Assessment

4.4.131 NPSWRI paragraph 4.7.4 states that applications for infrastructure projects should be accompanied by a flood risk assessment if the infrastructure project is located within flood zone 2 or 3. Paragraph 4.7.5 sets out that local flood risk management strategies and surface water management plans provide useful sources of local information for consideration in FRA. Paragraph 4.7.6 requires the applicant to identify and assess the risks of all forms of flooding to and from the development, and "*demonstrate how these floods risks will be managed, taking climate change into account*[130]". Paragraph 4.7.7 provides details of what elements need to form part of an FRA.

4.4.132 ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2, DCO Volume 6) which includes a preliminary FRA which evaluates flood risk along the proposed pipeline route during its construction and operational phases has been prepared to accompany the Project. Additionally, six detailed FRAs are contained in ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2, DCO Volume 6) which again cover both construction and operational flooding for the permanent parts of the Project have been prepared and cover the following:

- FRA BPT-IPS-E (ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2, DCO Volume 6).
- FRA BPT-K (ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2, DCO Volume 6).
- FRA Budds Farm (ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2, DCO Volume 6).
- FRA IPS-F (ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2, DCO Volume 6).
- FRA IPS-G (ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2, DCO Volume 6).
- FRA WRP (ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2, DCO Volume 6).

4.4.133 Key elements of the FRA are as summarised as follows:

Table 4-6: Flood risk consideration by Project component

FRA	Does the FRA demonstrate that Project will not result in a loss of floodplain storage capacity?	Will the Project remain safe and operational in times of flooding over the duration of its intended lifetime?	Does the FRA demonstrate that the Project won't result in an increase in the volume or rate of surface water runoff leaving the Project site?
FRABPT-IPS-E	✓	✓	✓
FRA BPT-K	✓	✓	✓

FRA	Does the FRA demonstrate that Project will not result in a loss of floodplain storage capacity?	Will the Project remain safe and operational in times of flooding over the duration of its intended lifetime?	Does the FRA demonstrate that the Project won't result in an increase in the volume or rate of surface water runoff leaving the Project site?
FRA Budds Farm	✓	✓	✓
FRA IPS-F	✓	✓	✓
FRA IPS-G	✓	✓	✓
FRA WRP	✓	✓	✓
Pipelines	✓	✓	✓

4.4.134 The PFRA and the FRA considers flood risk from all sources; fluvial, tidal, surface water, groundwater, sewers, and artificial sources, using data from the EA, including the updated National FRA 2, which provides enhanced flood risk mapping and climate change scenarios.

4.4.135 As set out in section 4 of the PFRA (ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2, DCO Volume 6) a range of sources of flood risk information was utilised, including using EA mapping, reviewing the Partnership for Urban South Hampshire strategic FRA and requesting flood datasets from HCC as lead local flood authority and from the local authorities within the Order limits (except for WCC who do not have any flood data available).

4.4.136 Paragraph 4.7.8 of the NPSWRI advises that early pre-application discussions with the EA and other relevant flood risk management bodies, if the infrastructure project could be affected by or add to flood risk. The paragraph confirms that these discussions "*can be used to identify the likelihood and possible extent and nature of the flood risk, help scope the flood risk assessment, and identify the information that may be required by the Secretary of State to reach a decision on the application.*"

4.4.137 Discussions with the EA have been held through the various EIA working Groups. The EA have reviewed the FRAs and have made no comments as all the permanent above-ground infrastructure is within Flood Zone 1. With regards to temporary compounds, during the construction phase flood risk an assessment of the flood risks and appropriate mitigation measures will be identified and managed within the Outline CEMP (Document reference 7.1, DCO volume 7). For example, Ref WE3 states that "*A Water Monitoring Plan will be developed by the Contractor produced and submitted for approval in accordance with the corresponding requirement in Schedule 2 to the draft DCO (Document reference 3.1, DCO Volume 3). This will ascertain the pre-construction baseline and verify predicted impacts to the local surface water*

and groundwater regime from temporary and permanent construction effects during and post-construction." The management of surface water during the construction period is covered by WE5 in the Outline CEMP.

4.4.138 A full description of each of the EIA Working Groups, the key stakeholders, and an overview of the topics presented can be found in ES Chapter 5 EIA approach and methodology, Volume I, (Document reference 6.1, DCO Volume 6). The Applicant engaged with the Lead Local Flood Authorities, including PCC and HCC as LLFA as set out in the Draft SOCG - PCC (Document reference 5.8, DCO Volume 5) and Draft SOCG - HCC (Document reference 5.8, DCO Volume 5).

Mitigation

4.4.139 Paragraph 4.7.9 of the NPSWRI sets out that "*the Applicant should ensure that the development's design takes into account flood risk and should put forward measures to mitigate the impact of flooding." The mitigation should ensure that the Project is "safe from flooding and will not increase flood risk elsewhere for the Project's lifetime, taking into account climate change."*

4.4.140 A sequential approach was adopted for the siting of the permanent works, with the proposed permanent above-ground infrastructure being located in Flood Zone 1, as detailed in the site specific FRA (ES Vol II - ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2, DCO Volume 6)).The site specific FRA confirms that the Project will remain safe and operational in times of flooding over the duration of its intended lifetime, taking to account climate change. The FRA for Budds Farm (ES Vol II - ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2, DCO Volume 6)) considers the H++ sea level climate allowance within the assessment. section 5.1 concludes that the Project will therefore remain safe and operational even when considering the credible maximum scenario of sea level rise allowances for climate change.

4.4.141 The proposed pipeline for the Project will cover approximately 35km and will consist of the following elements (note the full project description is set out in ES Chapter 1 Introduction, Volume I (Document reference 6.1, DCO Volume 6):

- Transfer treated wastewater from Budds Farm WTW to the WRP site.
- Transfer reject water created during the water recycling process at the WRP site would be released via the existing infrastructure, consisting of Eastney TT, Eastney PS and Eastney LSO.
- Transfer waste and foul drainage from the WRP site will be pumped to the existing sewer network for return to Budds Farm WTW.
- Transfer water from WRP to Otterbourne WSW.

4.4.142 Except for when there is a watercourse crossing, the proposed pipeline will be below ground, ensuring its structural integrity and continuous operation during flood events. As set out in the ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2, DCO Volume 6) "*The Preferred Pipeline Route inherently intersects areas of Flood Zones 2 and 3 as it crosses watercourses; however, the vast majority of the pipeline will be constructed below ground using trenchless or open-cut methods, ensuring*

no impact on floodplain storage or flow paths." The pipeline infrastructure is classified as water-compatible under the PPG and is therefore appropriate for location within these flood zones. ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2, DCO Volume 6) section 8 confirms that the "*Preferred Pipeline Route will remain safe and operational throughout its design life, will not increase flood risk elsewhere, and complies with the requirements of the section 4.7 of the National Policy Statement (NPS) for Water Resources Infrastructure, the NPPF, and the Planning Policy Guidance (PPG)."*

4.4.143 As set out in ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6), activities with the construction of the new above and below ground infrastructure has the potential to permanently alter surface and subsurface water flows and drainage patterns. Therefore, any changes in surface and subsurface flows could therefore increase flood risk in and around the Project, particularly where receptors are already at increased flood risk (e.g. within Flood Zones 2 or 3 or in areas of increased surface water flood risk). However, the Project includes a range of mitigation measures that have been identified to minimise potential changes to flood risk. These measures are set out in section 5 of the Outline CEMP (Document reference 7.1, DCO Volume 7).

4.4.144 It is acknowledged at paragraph 4.7.10 that "*good design and infrastructure mitigation measures may need to be secured using requirements and/or planning obligations."* This mitigation can be delivered within the Order Limits or off site. Off-site mitigation can be in the form of flood storage or providing contributions towards other flood risk management activities or within the order limits (paragraph 4.7.11) in the form of sustainable drainage systems (SuDS) which covers a range of sustainable approaches to water drainage management.

4.4.145 Paragraph 4.7.12 of the NPSWRI states that *"site layout and surface water drainage systems should be able to cope with events that exceed the design capacity of the system, so that excess water can be safely stored on, or conveyed from, the site without adverse impacts"*.

4.4.146 The SuDS Drainage Systems Strategy (Document reference 19.1, DCO Volume 6) details the approach and performance of the proposed SuDS for the proposed AGP and WRP within the SuDS Drainage Systems Strategy there has been performance testing of the SuDS to show how they can manage surface water runoff for events up to the 1 in 100-year +45% climate change event. This performance testing has not gone above the 1 in 100-year+45% CC event. The SuDS designs are inherently conservative as they do not consider the losses to infiltration, all attenuation features (basins) are in topographical low points of the site so if they were to be exceeded, they would spill to their receptor which we have chosen as the existing baseline receptor in all cases, as such the approach mirrors existing greenfield conditions.

4.4.147 Paragraph 4.7.13 of the NPSWRI sets out that "*surface water drainage arrangements for any project should be such that the volumes and peak flow rates of surface water leaving the site are equivalent to greenfield runoff rates, taking into account climate change, unless specific off-site*

arrangements are made and result in the same net effect". Paragraph 4.7.14 sets out that it may be *"necessary to provide surface water storage and infiltration to limit and reduce both the peak rate of discharge from the site."*

4.4.148 Additionally, the sequential approach should be applied to the layout and design of the project and vulnerable uses should be located within the part of the order limits which is at a lower probability and residual risk of flooding. Additionally, the *"applicant should seek opportunities, where appropriate, to use open space for multiple purposes such as amenity, wildlife habitat, and flood storage uses. Opportunities can be taken to lower flood risk by improving flow routes, flood storage capacity and using sustainable drainage systems"* (paragraph 4.7.15).

4.4.149 The SuDS Drainage Systems Strategy (ES Vol II - ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2, DCO Volume 6)) sets out the proposed permanent AGP and WRP surface water management system which will be implemented. The proposed SuDS Drainage Systems Strategy demonstrates that:

- The SuDS Strategy mimics natural drainage using surface-based features such as gravel cover, filter strips, bioretention area, swales, and a detention basin in accordance with NPSWRI policy 4.7.15.
- The SuDS Strategy will not increase surface water runoff rates or volumes leaving the site, when compared with existing greenfield rates, over a range of return periods from 1 in 2-year up to 1 in 100-year in accordance with NPSWRI policy 4.7.13.
- The SuDS Strategy will provide a sufficient volume of attenuation storage (i.e. within the loose gravel long-term storage and the attenuation features) to accommodate all of the runoff generated by the AGP and WRP during the design event (whilst taking climate change into account) in accordance with NPSWRI policy 4.7.13.
- The AGP and WRP site layout and surface water drainage systems should be able to cope with events that exceed the design capacity of the system, so that excess water can be safely stored on, or conveyed from, the site without adverse impacts in accordance with NPSWRI policy 4.7.13.

Decision Making

4.4.150 Where flood risk is a factor in determining an application for development consent Paragraph 4.7.16 of the NPSWRI requires that the SoS will need to be satisfied, where relevant that the application is supported by an appropriate FRA, and the sequential test has been applied as part of site selection (and if required the exceptions test). The application is supported by a FRA (as described in paragraphs 4.3.136-4.3.139 of this PPS) and a sequential approach to site selection was applied, with all above ground infrastructure located in flood zone 1. As such the Sequential Test is passed, and it is not necessary to apply the Exception Test.

4.4.151 Table 4.5 in PPS paragraph 4.3.130 confirms that the Project does not result in the loss of any flood plain storage capacity, it will remain safe and

operational in times of flooding over its lifetime and will not result in an increase in the volume or rate of surface water run-off.

4.4.152 NPSWRI paragraph 4.7.17 states that when determining an application, the SoS should be satisfied "*that flood risk will not be increased elsewhere, and will only consider development appropriate in areas at risk of flooding where, informed by a flood risk assessment, following the Sequential Test and, if required, the Exception Test*." As confirmed in paragraphs 5.4.132 - 5.4.135 of this PPS, a PFRA and FRA have been prepared and considers flood risk from all sources and demonstrates that flooding will not be increased elsewhere. Additionally, the Sequential Test is passed, and it is not necessary to apply the Exception Test.

4.4.153 NPSWRI paragraph 4.7.18 sets out that the applicant, the ExA and the SoS *"in taking decisions should take account of the policy on climate change adaptation as set out in the National Planning Policy Framework and supporting guidance[134]. The supporting guidance is updated regularly to incorporate the latest UK Climate Projections. The applicant should take into account the potential impacts of climate change using the latest UK Climate Change Risk Assessment[135], the latest set of UK Climate Projections, and other relevant sources of climate change evidence."* Additionally, there is a requirement that the applicant should also ensure any ES and FRA identifies appropriate mitigation or adaptation measures and how these will be secured and should cover the lifetime of the infrastructure.

4.4.154 As set out in SDR (Document reference 5.10, DCO Volume 5), the project has been designed to consider climate change mitigation and adaptation which has been incorporated into the design of the project to avoid and reduce environmental effects. Tertiary mitigation relating to climate change mitigation and adoption are set out in ES Chapter 10 Carbon and climate change, Volume I (Document reference 6.1, DCO Volume 6) section 10.4. These tertiary measures will be secured in the Outline CEMP (Document reference 7.1, DCO Volume 7) and carried forward in the detailed CEMP.

4.4.155 ES Appendix 19.1 Flood Risk Assessment, Volume II (ES Vol II - ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2, DCO Volume 6)) and PFRA (ES Vol II - ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2, DCO Volume 6)) have taken into account the NPPF guidance.

4.4.156 ES Vol II - ES Appendix 10.2 Climate change resilience assessment methodology (Document reference 6.2, DCO Volume 6) which evaluates future trends in climate change impacts and the Project's vulnerability and resilience to such changes during the construction, operation and decommissioning phases has been prepared and is included within ES Chapter 10 Carbon and climate change, Volume I (Document reference 6.1, DCO Volume 6).

4.4.157 ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6) section 19.4 includes primary and tertiary mitigations which form part of the design of the Project. The primary mitigation has been incorporated into the design. The approach to securing a framework for *'good design'* is set out in the Design Approach Document (Document reference 5.12, DCO Volume 5) with commitments secured in the DPD (Document

reference 5.11, DCO Volume 5) with which detailed design would need to be in accordance. The tertiary mitigation includes implementing good construction practices which are secured in the Outline CEMP (Document reference 7.1, DCO Volume 7) and will manage the effects of construction.

4.4.158 NPSWRI paragraph 4.7.19 confirms that when determining an application the SoS *"will need to be satisfied that the potential effects of climate change on flood risk on the development have been considered as part of the design."*

4.4.159 As set out in the Design Approach Document (Document reference 5.12, DCO Volume 5) in section 7.2, when considering potential locations for the WRP. The search area excluded areas of coastline susceptible to sea flooding and coastal erosion. These locations were considered unsuitable due to their lack of resilience to future climate change. Further the Project includes the inclusion of SuDS to ensure that the Project does not result in an increase in rates or volumes of surface water runoff, or increase flood elsewhere.

4.4.160 Paragraph 4.7.20 of the NPSWRI sets out that "*Approval for the development's overall approach to drainage systems will form part of any development consent issued by the Secretary of State*[136]*. The Secretary of State will therefore need to be satisfied that the proposed drainage system complies with the National Standards for Sustainable Drainage Systems."* Further, there is a requirement for the Applicant to provide details of the long-term maintenance of the SuDS.

4.4.161 The proposed SuDS strategy for the AGP and WRP aligns with the principles that underpin guidance National Standards for SuDS (Department for Environment, Food and Rural Affairs updated July 2025). The maintenance of the SuDS system is set out within Appendix G of the SuDS Strategy document. The proposed maintenance has been tailored to each SuDS component to ensure their long-term functionality in accordance with the 'Construction Industry Research and Information Association The SuDS Manual (C753), December 2015'.

4.4.162 As confirmed within section 14.4 of ES Chapter 14 Major accidents and disasters, Volume I (Document reference 6.1, DCO Volume 6) the construction compounds have been sited to avoid identified flood risk zones where possible, as detailed in ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2, DCO Volume 6). An assessment of potential flood risks for compounds within flood risk zones appropriate mitigation measures will be identified and managed within the Outline CEMP (Document reference 7.1, DCO Volume 7).

4.4.163 Paragraph 4.7.21 of the NPSWRI states that if the EA or the Lead Local Flood Authority (LLFA) objects, then the SoS can grant consent, provided that they are satisfied that all reasonable steps have been undertaken by the Applicant to resolve the concerns.

4.4.164 The EA have been consulted on the AGP and the WRP and have not objected to this element of the Project. Further, the Applicant has held discussions have been held with the LLFA as confirmed within section 3 of the Draft SOCG - HCC (Document reference 5.8, DCO Volume 5). There are matters on the FRA which are currently subject to further discussion, however the matters identified by HCC are not considered to be fundamental and the

discussions are on-going. The Draft SOCG - PCC demonstrates that all flooding issues have been resolved and matters agreed.

Historic Environment

4.4.165 The NPSWRI recognises (paragraph 4.8.1) that construction and operation of water resources infrastructure have the potential to result in adverse impacts on the historic environment above and below ground.

4.4.166 Heritage assets are elements of the historic environment identified as having a degree of significance meriting consideration in planning decisions because of their historic interest (paragraph 4.8.3). Heritage assets can be designated (as described by paragraph 4.8.4 of the NPSWRI) or non-designated (as described at paragraphs 4.8.5 and 4.8.6).

4.4.167 The Infrastructure Planning (Decisions) Regulations 2010 requires the SoS to *"have regard to the desirability of preserving"* any listed building or its setting or any features of special architectural or historic interest which it possesses, the preservation or enhancement of the character or appearance of a conservation area, and the preservation of any scheduled monument or its setting.

Applicant's Assessment

4.4.168 Applicants are required as part of the ES to include an assessment of any likely significant heritage impacts, including any cumulative impacts (paragraph 4.8.7). As set out in paragraph 4.8.8, this should include a proportionate description of the significance of the heritage assets affected by the Project, and the contribution of their setting to that significance. Individual heritage assets and their significance are considered within ES Chapter 7 Archaeology and cultural heritage, Volume I (Document reference 6.1, DCO Volume 6) including consultation of the relevant Historic Environment Record and National Heritage List for England. Paragraph 4.8.10 requires careful consideration of whether impacts would be direct or indirect and temporary or permanent, which are covered in the assessment (as set out in the methodology at section 7.5 of ES Chapter 7 Archaeology and cultural heritage, Volume I (Document reference 6.1, DCO Volume 6)).

4.4.169 Where there is potential for archaeological interest, the applicant should include an appropriate desk-based assessment and, where necessary, an appropriate level of field evaluation. Details of archaeological and geoarchaeological desk-based assessments and geophysical and trial trenching evaluation undertaken by the Applicant, are set out in ES Appendices 7.1 to 7.10, Volume II (Document reference 6.2, DCO Volume 6).

4.4.170 Paragraph 4.8.9 of the NPSWRI encourages applicants, *"where opportunities exist, to make a positive contribution to the historic environment and to consider how proposals take account of the significance of heritage assets affected"* and that this can include, where possible, enhancing the significance of heritage assets and its setting (though measures such as sensitive design) and considering how visual and noise impacts can affect heritage assets and whether there are opportunities to enhance access to or interpretation, understand and appreciation of affected heritage assets.

4.4.171 The multi criteria decision making for route and site selection included the avoidance of heritage assets where reasonably practicable (as described in section 3 of the SDR (Document reference 5.10, DCO Volume 5). Other primary mitigation measures include minimising disturbance, using landforms and planting provide screening, use of screening and other landscape treatments and ensuring buffers are maintained to known assets (including the two identified second world war crash sites at Frith Farm and Pigeon House Farm). Tertiary mitigation measures in section 5 of the Outline CEMP (Document reference 7.1, DCO volume 7) will also manage the effects of construction in relation to archaeology and heritage (for example measures to control drainage of water into and from the site, use of matting for access to avoid disturbance in areas of archaeological interest etc).

4.4.172 The approach to securing a framework for 'good design' is set out in section 6 of the Design Approach Document (Document reference 5.12, DCO Volume 5) with commitments secured in section 3 of the DPD (Document reference 5.11, DCO Volume 5) with which detailed design would need to be in accordance. This includes commitments which will ensure sensitive design of permanent development within the setting of heritage assets.

4.4.173 Section 11 of the Outline Written Scheme of Investigation (WSI) (Document reference 7.6, DCO Volume 7) provides details of an outreach initiative in the event that significant archaeological finds generate public interest.

Mitigation

4.4.174 Paragraphs 4.8.11 to 4.8.14 of the NPSWRI set out principles relating to mitigation.

4.4.175 Paragraph 4.8.11 establishes that "*a documentary record of an asset is not as valuable as retaining the heritage asset and the ability to record evidence of an asset should not be a factor in deciding whether such loss should be permitted, and whether or not consent should be given".* As set out in ES Chapter 7 Archaeology and cultural heritage, Volume I (Document reference 6.1, DCO Volume 6).

4.4.176 The assessment includes archaeological recording as secondary mitigation and presents the effect in the absence of mitigation in the chapter narrative before discussing that mitigation and noting any reduction in significance of effect following mitigation. This includes significant adverse effects prior to mitigation in relation to archaeology and geoarchaeology in relation to works along the WRP to Otterbourne pipeline route and at each of the four AGPs. With the application of secondary mitigation through investigation and recording, it is anticipated that the magnitude of impact and significance of effect of direct physical effects to non-designated archaeological remains can be reduced or offset to a residual non-significant effect in EIA terms (i.e. anticipated to be no worse than a minor adverse significance of effect). Although the effect would reduce as a result of secondary mitigation this would not be a decisive factor (applying the principle established in Hayes, R (on the application of) v City of York Council & Anor [2017] EWHC 1374) for decision making, either in relation to potential loss of archaeological remains or deposits of geoarchaeological interest.

4.4.177 Paragraph 4.8.12 states that where the loss to the whole or part of a heritage asset's significance would be justified, the SoS will require the applicant to record and advance understanding of the significance of the heritage asset before it is lost (in a manner proportionate to the asset's significance and impact). Section 7.9 of ES Chapter 7 Archaeology and cultural heritage, Volume I (Document reference 6.1, DCO Volume 6) sets out the proposed approach to archaeological investigation aimed at providing mitigation of the loss of archaeological information as framed in section 7 of the Project specific Outline WSI (Document reference 7.6, DCO Volume 7).

4.4.178 Paragraph 4.8.13 sets out that where appropriate, the SoS will "*impose requirements on the Development Consent Order to ensure that the work is undertaken in a timely manner, in accordance with a written scheme of investigation that complies with the policy in the National Policy Statement and which has been agreed in writing with the relevant local authority, and to ensure that the completion of the exercise is properly secured".*

4.4.179 Where there is high probability based on assessment that the Project may contain as yet undiscovered heritage assets, the SoS may require appropriate procedures in place for identification and treatment of such assets discovered during construction (NPSWRI paragraph 4.8.14).

4.4.180 Section 7.4 of ES Chapter 7 Archaeology and cultural heritage, Volume I (Document reference 6.1, DCO Volume 6) sets out measures embedded into the Project design to reduce and mitigate adverse impacts and to respond to historic landscape character to inform wider environmental and landscape mitigation proposals and the good practice techniques used to reduce effects during construction. The ES (at section 7.9) also sets out any additional mitigation required to address adverse effects.

4.4.181 Mitigation is secured through the DPD (Document reference 5.11, DCO Volume 5). Good construction practices are set out in the Outline CEMP (Document reference 7.1, DCO Volume 7) which is secured by a requirement in the DCO and will manage the effects of construction. The mitigation measures contained in the Outline CEMP are secured by a requirement in Schedule 2 to the draft DCO (Document reference 3.1, DCO Volume 3). A detailed CEMP will be produced and submitted for approval in accordance with the corresponding requirement in Schedule 2 to the draft DCO (Document reference 3.1, DCO Volume 3).

4.4.182 The additional mitigation in section 7 of the Outline WSI (Document reference 7.6, DCO Volume 7) sets out a staged programme of archaeological investigation intended to allow the definition of locations and methodologies for detailed investigation through non-intrusive survey, set-piece excavation, watching brief and purposive geoarchaeological investigation. A detailed WSI will be produced and submitted for approval in accordance with the corresponding requirement in Schedule 2 to the draft DCO (Document reference 3.1, DCO Volume 3). Historic England has confirmed that it is satisfied with the Outline WSI as recorded in section 3 of the draft SoCG with Historic England (Document reference 5.8).

Decision Making

4.4.183 The SoS will, in determining the application, assess and take into account the particular significance of any heritage assets that may be affected by the Project (paragraphs 4.8.15 and 4.8.17) and (as referenced above) comply with the obligations of the Infrastructure Planning (Decisions) Regulations 2010 (paragraph 4.8.16).

4.4.184 Paragraph 4.8.18 notes that the SoS will also take into account the desirability of new development making a positive contribution to the local character and distinctiveness. The consideration of design of the Project should include scale, height, massing, alignment, materials, use and landscaping (for example screen planting). As set out above, the commitments in section 2 and 3 of the DPD (Document reference 5.11, DCO Volume 5) include measures which will ensure sensitive design of permanent development within the setting of heritage assets. For example, the use of screening bunding, planting, noise and light controls and other landscape treatments at AGP and restoring land and using appropriate planting to restore areas disturbed during pipeline construction or temporary works to pre-existing condition where possible.

Designated heritage assets

4.4.185 When considering the impact of a Project on the significance of a designated heritage asset, the SoS is required to give great weight to its conservation - with greater weight given to more important assets. This is irrespective of whether any potential harm amounts to 'substantial harm', total loss or 'less than substantial harm' to its significance (paragraph 4.8.19).

4.4.186 Paragraph 4.8.20 requires that any harm or loss to a designated heritage asset has clear and convincing justification. That requirement relates to any level of harm including at the lowest end of the less than substantial harm spectrum.

4.4.187 The NPSWRI does not prescribe the approach to identifying the extent of harm, though this is confirmed in the Court of Appeal's judgment in Bramshill v SSHCLG [2021] EWCA Civ 320 as what amounts to substantial harm or less than substantial harm in a particular case will always depend on the circumstances.

4.4.188 The PPG (Paragraph 18a-018) does provide some guidance which is relevant that in *"general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting."*

4.4.189 Less than substantial harm is a continuum that can run from anything above negligible harm up to harm that is just below substantial harm. Looking to the PPG again it advises (Paragraph 18a-018) that "*within each category of harm (which category applies should be explicitly identified), the extent of the*

harm may vary and should be clearly articulated". For the purposes of this planning assessment, in the absence of any hard and fast guidance, less than substantial harm has been placed on a scale of 'lowest', 'lower', 'medium' and 'higher' (although as set out in table 4.6 the assessment does not conclude any occurrences in the middle or higher end of the scale). The PPG also provides guidance that: "*what matters in assessing whether a proposal might cause harm is the impact on the significance of the heritage asset. As the National Planning Policy Framework makes clear, significance derives not only from a heritage asset's physical presence, but also from its setting*" (PPG Para 18 Reference ID: 18a-018-20190723).

4.4.190 ES Chapter 7 Archaeology and cultural heritage, Volume I (Document Reference 6.1, DCO Volume 6) (at section 7.10) provides a summary of residual effects relating to the construction, operation and decommissioning of the Project with regard to archaeology and cultural heritage receptors. This identifies residual adverse effects on designated heritage assets and provides a judgement of the magnitude of residual effects in EIA terms. Table 4-7 uses these conclusions (and the more detailed description at section 7.8 of ES Chapter 7 Archaeology and cultural heritage, Volume I (Document Reference 6.1, DCO Volume 6)) as the basis for the judgment on the extent of harm on these designated heritage assets in terms of planning policy, having regard to the significance of the asset, the duration and reversibility of the effect and whether the impacts relate to a direct physical change to the asset or a change to setting.

Table 4-7: Statement of Harm to designated heritage assets

Designated heritage asset	Component	ES assessment summary	Planning judgement of harm to significance (and explanation)
Old Bedhampton Conservation Area	Pipelines between WRP site and Bedhampton Springs	Combination of i) a direct physical change to the Conservation Area due to the construction of an above-ground section of pipeline on the eastern and western sides of Old Mill Dam and ii) change in its setting arising from the perception of works at Bedhampton Springs and to the west of Mill Lane. Construction - temporary moderate adverse (significant) which would reduce to a minor adverse (not significant) effect on completion of construction works. Operation – no effect. Decommissioning - temporary neutral effect.	Lower end of less than substantial harm The significant effects to the Conservation Area would result from construction works only with no effect resulting from the operation of the project. Whilst the adverse effects of construction may persist through to the operational stage these would not be significant.
The Old Mill House (Grade II listed NHLE 1340188)	Pipelines between the WRP site and Bedhampton Springs	Temporary effects to setting as a result of the construction of the open-cut and trenchless pipeline and associated construction work. Construction - temporary minor adverse (not significant) reducing to neutral permanent on completion of construction persisting through operation. Operation – no effect. Decommissioning - no effect.	Lowest end of less than substantial harm The effects (which would not be significant in EIA terms) would be to setting only and temporary during construction and would be reversed on completion of construction, with no effects resulting from the operation of the Project.

Designated heritage asset	Component	ES assessment summary	Planning judgement of harm to significance (and explanation)
Fort Purbrook (Scheduled Monument, also Grade II* listed NHLE 1001842)	Pipeline between WRP and Otterbourne WSW – Section D	Temporary change to setting as a result of the construction of a shaft and associated construction compound D-1 to the south-east on Portsdown Hill Road would affect views of the asset as the viewer approaches from the south-east Construction - temporary moderate adverse (significant). Operation – no effect. Decommissioning - no effect.	Lower end of less than substantial harm The temporary significant adverse effect, to the setting only, would be reversed at the completion of construction and as the works are restored, with no effects resulting from the operation of the Project.
Fort Widley (Scheduled Monument, also Grade II* listed NHLE 1001862)	Section E (BPT/IPS-E)	Temporary effects to the setting of the heritage asset due to visibility of construction works in the open vista of the cleared field of fire on Portsdown Hill to the north would arguably form a detracting element in the setting of Fort Widley. Construction - temporary moderate adverse (significant). Operation – no effect. Decommissioning - temporary minor adverse (not significant).	Lower end of less than substantial harm The temporary significant adverse effect, to the setting only, would be reversed at the completion of construction and as the works are restored, with no effects resulting from the operation of the Project.
Fort Southwick (Scheduled Monument, also Grade I listed NHLE 1001808)	Section E	Temporary effects to the setting of the heritage asset. Visibility of construction works to the north of the asset forming a detracting element in the setting of Fort Southwick. Construction - temporary moderate adverse (significant).	Lower end of less than substantial harm The temporary significant adverse effect, to the setting only, would be reversed at the completion of construction and as the

Designated heritage asset	Component	ES assessment summary	Planning judgement of harm to significance (and explanation)
		Operation – no effect. Decommissioning - no effect.	works are restored, with no effects resulting from the operation of the Project.
Fort Nelson (Scheduled Monument, also Grade I listed NHLE 1001860)	Section E	Temporary effects to the setting of the heritage asset Visibility of construction works forming a detracting element in the field of fire to the north of Fort Nelson. Construction - temporary moderate adverse (significant). Operation – no effect. Decommissioning - no effect.	Lower end of less than substantial harm The temporary significant adverse effect, to the setting only, would be reversed at the completion of construction and as the works are restored, with no effects resulting from the operation of the Project.
Church of St Nicholas, Boarhunt (Grade I listed NHLE 1350613)	Section E	Temporary effects to the setting due to construction noise, particularly from temporary construction compounds E-6a and E-6b and the Boarhunt Road crossing to the south, combined with glimpsed visibility of works would affect the rural and contemplative setting and tangible links to the past of the church and graveyard. Construction - temporary moderate adverse (significant). Operation – no effect. Decommissioning - no effect.	Lower end of less than substantial harm The temporary significant adverse effect, to the setting only, would be reversed at the completion of construction and as the works are restored, with no effects resulting from the operation of the Project.
House at Saw Mills (Pink and Company Limited) (Grade II listed NHLE 1230002)	Section F	Temporary change to setting due to visibility of the pipeline construction and construction noise would be audible.	Lowest end of less than substantial harm Effects to the setting of the listed building would be

Designated heritage asset	Component	ES assessment summary	Planning judgement of harm to significance (and explanation)
		Construction - temporary minor adverse (not significant). Operation – no effect. Decommissioning - no effect.	minor during construction works only with no effects resulting from the operation of the Project.
Mission Room with Cottage Adjoining Grade II (NHLE 1351248)	Section F	Temporary change to setting due to visibility of the pipeline construction and construction noise maybe audible at times. Construction - temporary minor adverse (not significant). Operation – no effect. Decommissioning - no effect.	Lowest end of less than substantial harm Effects to the setting of the listed building would be minor during construction works only with no effects resulting from the operation of the Project.
Castle Farmhouse (Grade II listed NHLE 1095637)	Section F	Temporary change to setting due to visibility of the pipeline construction and construction noise would be audible. Construction - temporary minor adverse (not significant). Operation – no effect. Decommissioning - no effect.	Lowest end of less than substantial harm Effects to the setting of the listed building would be minor during construction works only with no effects resulting from the operation of the Project.
Little Park Mansions Grade II listed building (NHLE 1350591)	Section G (IPS-G)	The retention of permanent above-ground infrastructure (IPS-G) during operation would result in a minor adverse effect on significance of the heritage asset. Construction - permanent minor adverse (not significant). Operation – no effect.	Lower end of less than substantial harm Effects to the setting of the listed building would be minor adverse throughout the operational period

Designated heritage asset	Component	ES assessment summary	Planning judgement of harm to significance (and explanation)
		Decommissioning - Temporary neutral (not significant).	
Park Place (Grade II* listed NHLE 1095586)	Section G (IPS-G)	The adverse effect on the high importance Park Place would reduce at the completion of construction as fields are restored, but the retention of permanent above-ground infrastructure (IPS-G) means that these effects would reduce to a negligible magnitude as a permanent adverse effect. This would be a minor adverse effect and not significant in the context of the EIA Regulations. permanent effects arising through change to setting. Construction - permanent minor adverse (not significant) persisting into operation. Operation – no effect. Decommissioning - Temporary minor adverse (not significant).	Lower end of less than substantial harm Effects to the setting of the listed building would be minor adverse throughout the operational period.
Sandy Hill House (Grade II listed NHLE 1350573)	Section J	Temporary change to setting due to visibility of the pipeline construction and construction noise would be audible. Construction - temporary minor adverse (not significant). Operation – no effect. Decommissioning - no effect.	Lowest end of less than substantial harm Effects to the setting of the listed building would be minor during construction works only with no effects resulting from the operation of the Project.

Designated heritage asset	Component	ES assessment summary	Planning judgement of harm to significance (and explanation)
Low Hill Farmhouse (NHLE 1302822)	Section L	Temporary change to setting primarily due to construction noise. Construction - temporary minor adverse (not significant). Operation – no effect. Decommissioning - no effect.	Lowest end of less than substantial harm Effects to the setting of the listed building would be minor during construction works only with no effects resulting from the operation of the Project.
Keepers Cottage (NHLE 1095822)	Section L	Temporary change to setting due to visibility of a construction access and from construction traffic movements. Construction - temporary minor adverse (not significant). Operation – no effect. Decommissioning - no effect.	Lowest end of less than substantial harm Effects to the setting of the listed building would be minor during construction works only with no effects resulting from the operation of the Project.
Park Pale at Marwell Park (Scheduled Monument NHLE 1012308)	Section L	Temporary effects to setting due to perceptibility of construction works to the south and west of the asset, including construction noise and vehicle movements as well as visibility of the trenchless crossing works and associated construction compounds would affect the viewers ability to 'read' the layout of the historic fishponds and their relationship to the asset. Construction - temporary moderate adverse (significant). Operation – no effect. Decommissioning - no effect.	Lower end of less than substantial harm The temporary significant adverse effect, to the setting only, would be reversed at the completion of construction and as the works are restored, with no effects resulting from the operation of the Project.

Designated heritage asset	Component	ES assessment summary	Planning judgement of harm to significance (and explanation)
Otterbourne Manor (Scheduled Monument, NHLE 1013055)	Section M	Temporary effects to setting due to perceptibility of construction works, including visibility of open-cut trenching and associated vehicle movements to the west of Otterbourne Manor, and of temporary construction compound M-1 to the south-west with associated construction noise, which would slightly erode the existing rural context. Construction - temporary moderate adverse (significant). Operation – no effect. Decommissioning - no effect.	Lower end of less than substantial harm The temporary significant adverse effect, to the setting only, would be reversed at the completion of construction and as the works are restored, with no effects resulting from the operation of the Project.
Otterbourne Manor House (Grade II listed NHLE 1095795)	Section M	Temporary effect to setting due to perceptibility of pipeline construction works (including construction noise, vehicle movements and launch/reception pits) and associated temporary construction compounds for trenchless works. Construction - temporary minor adverse (not significant). Operation – no effect. Decommissioning - no effect.	Lowest end of less than substantial harm Effects to the setting of the listed building would be minor during construction works only with no effects resulting from the operation of the Project.

4.4.191 The Project would not result in any total loss or substantial harm to a designated heritage asset. The policy tests at paragraphs 4.8.21 and 4.8.23 of the NPSWRI are not therefore applicable.

4.4.192 Paragraphs 4.8.22 and 4.8.24 apply where there would be a less than substantial harm to the significance of a designated heritage asset. 4.8.22 requires that *"any harmful impact on the significance of a designated heritage asset should be weighed against the public benefit of development, recognising that the greater the harm to the significance of the heritage asset, the greater the justification that will be needed for any loss*". Paragraph 4.8.24 requires that "*this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use*".

4.4.193 In most cases, harm that would be caused by the Project to designated assets would be temporary effects to their setting (ranging from minor to moderate adverse in EIA significance terms) as a result of construction activity, with no direct physical works to the assets (i.e. the significance embodied in the asset itself would remain intact).

4.4.194 The only exception is where, in addition to temporary change to setting, there would be direct physical change to the asset would be at Old Bedhampton Conservation Area where construction compound B1-1 and the entry/exit point for the trenchless crossing of Mill Lane would be located adjacent to and slightly overlapping the western edge of the Conservation Area. Construction activity adjacent to the Conservation Area has also been considered as part of the change to the character of the Conservation Area.

4.4.195 Some construction effects will continue into operation for a period but would reduce to not significant / nil relatively quickly (within 10 years as a worst case). The operational stage of the Project would not give rise to any adverse effects.

4.4.196 In planning terms, it is considered that the harm would range from the lowest end up to the lower end of the less than substantial harm spectrum (as set out in Table 4-7). These low level harms would be predominantly temporary with any permanent effects reducing over time. The long lasting and significant public benefits of the proposal, as set out in Chapter 3 of this report, would by far outweigh these low levels of harm to designated heritage assets. Any changes to seek to reduce these low level temporary effects would impact on the effectiveness and efficiency of the Project. It is improbable that any route alignment could be delivered that would entirely avoid any harm to heritage assets.

Non designated heritage assets

4.4.197 Paragraph 4.8.25 applies to non-designated heritage assets requiring that "*the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset*".

4.4.198 As concluded in ES Chapter 7 Archaeology and cultural heritage, Volume I of the ES (Document Reference 6.1, DCO Volume 6) the Project would result in the following residual effects on seven non designated heritage assets, namely:

Table 4-8: Harm to non-designated heritage assets

Non designated heritage asset	Component	ES assessment summary	Scale of harm or loss
Farm Range at Albany Farm:	Section F (IPS-F)	Effects to setting - where construction of the Pipeline along with temporary construction compounds and access roads from Wickham Road to the east would be discernible in the fields immediately to the north, south and east of the These changes would result in the temporary change of the agricultural landscape during the construction period. Construction - temporary minor adverse (not significant). Operation – no effect. Decommissioning - temporary minor adverse (not significant).	Low
Wickham Park Deer Park:	Section G (IPS-G)	Direct physical effect - poorly preserved parkland of low importance for historic interest. Pipeline routing would not affect any key elements of the parkland and any impact on significance would be negligible. Construction - Permanent neutral (not significant). Operation – no effect. Decommissioning - no effect.	Low
Bishop's Waltham Deer Park	Section J and Section K	Physical disturbance - the Project has aimed at avoiding the physical elements of the park that contribute to this parkland character and as a result, change would primarily result from visibility of the Pipeline construction during the construction period. any loss of parkland character would be limited to the construction period. Construction - temporary minor adverse (not significant). Operation – no effect. Decommissioning - no effect.	Low
Park At Park Place	Section G (IPS-G)	Direct physical effect - the perceptibility of construction works and associated	Low

Non designated heritage asset	Component	ES assessment summary	Scale of harm or loss
		temporary construction compounds and structures related IPS-G to the north, are limited from Park Place by mature tree screening to the north, but there may still be glimpsed views. These views would represent change to setting of a heritage asset of low importance. Construction – Permanent neutral (not significant). Operation – no effect. Decommissioning – Temporary neutral (not significant).	
Wintershill Hall:	Section K (BPT-K)	Effect to setting of heritage asset the perceptibility of construction works at BPT-K and the Pipeline would also represent an adverse impact on Wintershill Hall, in the form of construction noise and changes to views. These effects would be greatest during the construction period, and on completion of construction would reduce significantly. Construction – Temporary minor adverse (not significant) falling to permanent neutral (not significant) on maturation of reinstatement. Operation – No effect Decommissioning – Temporary neutral (not significant).	Low
Wintershill Hall Park	Section K (BPT-K)	Physical disturbance - works to BPT-K and the associated access would affect the periphery of the clump-planted field to the west of the Wintershill Hall. These works would be well screened and would not affect the underlying grain of the parkland, following existing field boundaries. Perceptibility of the construction of the Pipeline between the WRP site and Otterbourne WSW would add to this effect. Construction – Permanent minor adverse (not significant) persisting through operation. Operation – no effect. Decommissioning – Temporary minor adverse (not significant).	Low

Non designated heritage asset	Component	ES assessment summary	Scale of harm or loss
Marwell Park	Section L	Construction - Temporary minor adverse (not significant) Operation – no effect Decommissioning – no effect	Low

4.4.199 With regard to non-designated archaeological remains, and the application of secondary mitigation through investigation and recording, it is anticipated that the magnitude of impact and significance of effect of direct physical effects can be reduced or offset to a residual non-significant effect in EIA terms (i.e. anticipated to be no worse than a minor adverse significance of effect).

4.4.200 In all cases the level of harm to these non-designated heritage assets would be low and largely temporary and would be clearly outweighed by the benefits of the Project. The residual harm on non-designated heritage assets should accordingly be afforded very limited weight in the overall planning balance.

4.4.201 Paragraph 4.8.26 of the NPSWRI relates to loss of buildings or other elements that make a positive contribution to the significance of a World Heritage Site or Conservation Area. The Project would not result in any such loss of non-designated heritage assets and this paragraph is not therefore engaged.

4.4.202 Paragraph 4.8.27 states that where the loss of significance of any heritage asset is justified the SoS will consider imposing a requirement on the consent, or require a legal agreement, that will prevent any loss occurring until the relevant part of the development has commenced. Schedule 2 of the proposed draft DCO (Document reference 3.1, DCO Volume 3) includes a proposed Requirement that would prevent any part of the authorised development commencing until a written scheme of investigation for that part or those investigations have been submitted to and approved by the relevant planning authority.

4.4.203 Paragraph 4.8.28 states that applicants should *"look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance and better reveal their significance Proposals that preserve those elements of the setting that make a positive contribution to, or better reveal the significance of, the asset should be treated favourably*". This is addressed above in relation to paragraph 4.8.9 which considers potential for enhancement through sensitive design and access to or interpretation, understanding or appreciate of heritage assets, including an outreach initiative in the event that significant archaeological finds generate public interest (secured in section 11 of the Outline WSI (Document reference 7.6, DCO Volume 7)).

4.4.204 Paragraph 4.8.29 which relates to evidence of deliberate neglect is not engaged.

Landscape and Visual Impacts

4.4.205 The NPSWRI at paragraph 4.9.1 recognises that the landscape and visual impacts of proposed water resources projects will vary depending on the type of infrastructure and its setting. In this case, the Project covers a broad geographical area though includes above ground permanent infrastructure at a relatively small number of disparate locations (including the works at Budds Farm WTW, the WRP site, AGP sites and Otterbourne WSW).

4.4.206 Particular regard has been given to the proximity of the South Downs National Park (SDNP) and the Applicant has undertaken extensive engagement with the SDNP Authority and the relevant local authorities (evidenced through the Draft SoCG documents (Document reference 5.8, DCO Volume 5) as advised in paragraph 4.9.1 of the NPSWRI.

Applicant's Assessment

4.4.207 Applicants are required to undertake an assessment of any likely significant landscape and visual impacts and proposed mitigation of the Project, including any cumulative impacts within the ES. The assessment should include any significant effects during construction and during operation on landscape components, landscape character, including historic characterisation and tranquillity.

4.4.208 Paragraphs 4.9.2 to 4.9.6 of the NPSWRI set out the requirements for the scope of the assessment of landscape and visual impacts and how these should be reported. This is addressed in the methodology for the Landscape and Visual Impact Assessment (LVIA), which is set out in detail in ES Appendix 13.2 Landscape and visual impact assessment methodology, Volume II (Document reference 6.2, DCO Volume 6).

4.4.209 Paragraph 4.9.5 notes the requirement for applications for development consent within, or to affect land in a National Park to comply with the duties set out in the National Parks and Access to Countryside Act 1949 as amended by s245 of the Levelling up and Regeneration Act 2023, including the duty to "seek to further" the statutory purposes of National Parks. At an early stage of the development of the Project a decision was made by the Applicant to ensure that no development was located within the SDNP boundary. The Applicant subsequently engaged with SDNPA to understand how best to comply with the duty in a proportionate manner, given that the Project is outside the SDNP but elements are still within its setting.

4.4.210 As recorded in section 3 of the draft SoCG - SDNPA (Document reference 5.8, DCO Volume 5) the SDNPA agree with the principal that that the following three actions or measures ensure that the Project will not conflict with the statutory purposes or undermine their fulfilment:

- The approach to route selection to avoid any direct incursion into the SDNPA.
- The inherent benefits of the Project to protect Hampshire's valuable chalk streams including where they originate from or pass through the SDNP.

- Additional mitigation and enhancement measures committed to by the Applicant as part of the Project within the setting of the SDNP as set out in Table 4-9.

Table 4-9: EMEAs within the setting of the SDNP

EMEA	Purpose	Description
EMEA-G-1	Environmental mitigation	Loss of HPI lowland mixed deciduous woodland (UKHab type w1f) will be mitigated through the creation of broadleaved woodland where ash and field maple are the predominant tree species (NVC sub-community W8d as set out in the Outline LEMP or the relevant approved LEMP as the case may be) within grassland along the existing woodland edge and will consider the Wickham Park golf course landscape character and historic character.
EMEA-G-2	Environmental mitigation	Mature trees will be avoided where practicable. Hedgerow with trees and wet woodland will be reinstated and enhanced after construction, as set out in the Outline LEMP or the relevant approved LEMP as the case may be, and will consider the Wickham Park golf course landscape character and historic character.
EMEA-K-1a	Environmental mitigation	Protected species mitigation to be provided as determined by pre-construction surveys, associated planting in this EMEA will be in accordance with the Outline LEMP or the relevant approved LEMP as the case may be.
EMEA-K-1b and EMEA-K-2	Additional environmental enhancement	Landscape reinstatement and enhancements will be delivered associated with the River Hamble and to improve connectivity between SDNP and NFNP. River bank restoration, riparian grassland creation and enhancement, and PRoW enhancements will be considered (as set out in the Outline LEMP or the relevant approved LEMP as the case may be). Where this EMEA borders the park lug, planting will consider impacts to and enhancements of the historic earthworks and planting associated with the Bishop's Waltham deer park.
EMEA-K-3	Additional environmental enhancement	Landscape enhancements will be delivered in this EMEA, associated with

EMEA	Purpose	Description
		the River Hamble and to improve connectivity between SDNP and NFNP. River bank restoration and species enhancements, and PRoW enhancements will be considered. Where this EMEA borders the park lug, planting will consider impacts to and enhancements of the historic earthworks and planting associated with the Bishop's Waltham deer park. Other neutral grassland habitat will be created for BNG as set out in the BGP.
EMEA-L-5	Environmental mitigation	Pre-construction ecology survey data will be used to inform layout/location of construction compound L-5 to retain areas of important habitat. Fielders Farm Meadows SINC will be reinstated and enhanced to good condition (including treatment and removal of Schedule 9 Himalayan balsam) as set out in the Outline CEMP or the relevant approved CEMP as the case may be. The translocation of notable plant species may be required. In the northeastern corner of EMEA-L-5, planting will consider impacts to and enhancements of the scheduled park pale fishpond dam adjacent east at Fisher's Pond.
EMEA-M-1	Additional environmental enhancement	Enhancements to the Otterbourne Stream will be carried out, delivering improved habitat for southern damselfly. The existing Coastal and Floodplain Grazing Marsh HPI (NVC MG7d) will be enhanced from poor condition.

4.4.211 The combination of these measures allows both the Applicant and the SoS to be satisfied that this duty has been addressed.

Mitigation

4.4.212 Paragraph 4.9.7 of the NPSWRI advises that whilst reducing the scale of a project or changing its operation may help to avoid or mitigate landscape and visual effects, any such changes may result in "*a significant operational constraint and reduction in function*" and that only in exceptional circumstances where mitigation through reducing scale or making changes to its operation would have a very significant benefit would the loss of scale or function be outweighed.

4.4.213 Paragraphs 4.9.8 to 4.9.9 further address the mitigation of landscape and visual effects, including through appropriate siting, design and landscape measures. Primary and tertiary mitigation measures are summarised in section 13.4 of ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6). Mitigation measures in relation to landscape and visual effects are contained and secured within section 2 and 3 of the DPD (Document reference 5.11, DCO Volume 5) and the Outline LEMP (Document reference 7.5, DCO Volume 7).

Decision Making

Landscape character impact

4.4.214 Paragraph 4.9.10 relates to landscape character impact and requires the Project to "*be designed and located carefully and with sensitivity, taking account of the potential impact on the landscape character and visual amenity".* It states that "*a proposed development needs to be designed and located carefully and with sensitivity, taking account of the potential impact on the landscape character and visual amenity. Having regard to siting, operational and other relevant constraints, the aim should be to avoid or minimise harm to the landscape and visual amenity, providing appropriate mitigation or enhancement measures where possible".*

4.4.215 The approach to delivering 'good design' is set out in detail in the Design Approach Document (Document reference 5.12, DCO Volume 5) and the iterative scheme development process in the SDR (Document reference 5.10, DCO Volume 5). The LVIA as described in ES Chapter 13 Landscape and Visual, Volume I (Document reference 6.1, DCO Volume 6) has informed this process and the team of landscape architects leading the LVIA have also informed the project level design principles, which are set out in the DPD (Document reference 5.11, DCO Volume 5).

4.4.216 A range of primary measures have been embedded into the design of the Project to avoid or reduce landscape or visual effects or deliver environmental benefits.

4.4.217 The design principles and primary mitigation measures that the Applicant has developed respond to the policy requirements, published landscape character assessments, consultation responses and fieldwork analysis, to avoid or mitigate the likely adverse effects of the Project and to introduce enhancements where desirable, reasonably practicable and subject to securing agreements with landowners (for example by carefully siting the Project in the landscape to avoid or reduce loss of existing vegetation, establish principles to reinforce the character of the landscape through locally distinctive planting and earthworks, reinstating the existing landscape pattern following construction etc). This is set out in detail in ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6), which provides an assessment of the landscape and visual effects during the construction, operation and decommissioning phases.

4.4.218 Some significant adverse residual effects are, however, expected to be experienced at around 60 different landscape and visual receptors during the

construction phase. These effects would be primarily a result of disturbance through the construction works being undertaken and would be temporary. With the proposed mitigation in place, landscape and visual effects will reduce as planting establishes. No likely significant residual landscape effects are identified at year 15 of operation. Monitoring of planting growth and maintenance would be undertaken by a suitably qualified landscape architect during the first five years following implementation to ensure it establishes successfully.

4.4.219 As addressed further below, under the subheading 'visual effects' permanent significant adverse visual effects would, with the proposed mitigation in place, be very few and localised. This reflects the efforts of the Applicant to minimise visual effects through site and route selection and through the adoption of appropriate mitigation. At year 15 of operation there would be residual significant (moderate adverse) effects associated with people travelling along two footpaths. These relate to views of BPT / IPS E and BPT-K. The mitigation proposed has reduced the effects for these receptors as far as reasonably practicable and to reduce further or remove would require a change to the operation of the Project and its proposed role and function.

4.4.220 Paragraphs 4.9.11 to 4.9.13 of the NPSWRI relate to development proposed within nationally designated landscapes and are not therefore relevant to the Project.

Developments outside nationally designated areas which might affect them

4.4.221 Paragraph 4.9.14 deals separately with developments outside nationally designated areas which may affect them, confirming that the duty to seek to further the statutory purposes of protected landscapes also applies when considering applications for projects outside their boundaries but which may have impacts within them. Paragraph 4.9.14 requires that "*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*".

4.4.222 As noted above, and as set out in the SDR (Document reference 5.10, DCO Volume 5), one of the key early decisions on route selection was the avoidance of sensitive landscapes, in particular the SDNP.

4.4.223 ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6) has assessed the functional connections and extent of visibility from within the SDNP as well as the Chichester Harbour National Landscape.

4.4.224 ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6) identifies that land within the Order Limits is more noticeable from within the SDNP where closer to its boundary at three locations:

- Near Wickham - where the Order Limits is in close proximity to the SDNP at two viewpoints (VP048, VP051) and is close to its southern boundary, approximately 600m to the south (VP046).

- Between Bishop's Waltham and Marwell – where the Order Limits are adjacent to the SDNP boundary near Lower Upham (VP117) and are between 175m and 850m away further to the west (VP082, VP085, VP112, VP118).
- Near Brambridge – where the Order Limits wrap around the south-western edge of the SDNP, between 200m and 380m away (VP099) though noting that dense vegetation along the River Itchen prevents views of the landscape beyond.

4.4.225 Three of the five AGPs would be located within the setting of the SDNP.

- IPS-G would be sited such that existing mature vegetation would provide substantial enclosure, and this would be reinforced by proposed planting.
- BPT/IPS-E would be located approximately 6.5km at its closest point from the SDNP boundary.
- There would be some intervisibility with BPT-K on the north facing slope of Winters Hill associated with the landscape north-west of Lower Upham and a short section of the Pilgrim's Way promoted route.

4.4.226 ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6) provides a detailed assessment of effects on Local Landscape Character Areas (LLCA) within the SDNP, its setting, effects on the special qualities of the SDNP and effects on the purposes of the SDNP. In summary:

- The assessment concludes that there could be a moderate adverse (significant) effect on one LLCA within the SDNP (namely LLCA 27: Upper Meon Valley). This would be temporary during construction and reversible, reducing to no effect post construction.
- The construction of the Project would result in impacts on the landscape within the setting of the SDNP. These impacts would be limited to areas where there is intervisibility with construction or where the noise of construction would reduce tranquillity locally. The impacts would again be temporary and reversible. The assessment finds that adverse impacts on the setting of the SDNP are likely to extend into the operational phase, but these would be localised and would reduce over time with the establishment of mitigation planting.
- There would be some temporary impacts on some of the Special Qualities of the SDNP during construction, though limited to localised reductions in tranquillity, changes to the historic landscape fabric and setting of a small number of heritage assets and distinctive settlements. The temporary effects of construction would be reduced through the application of the measures set out in the Outline CEMP. The vast majority of the SDNP would be largely unaffected during operation.
- As a result of these reported effects the ES concludes that there is potential for the purposes of the SDNP to be temporarily affected during construction but that these effects would cease on completion. During operation, localised impacts on the character of the landscape within the SDNP would be largely mitigated within 15 years of operation by the

establishment of proposed planting. With the application of mitigation during operation, the natural beauty, wildlife and cultural heritage of the SDNP would be conserved and the Project would not compromise Purpose 1 (to conserve and enhance the natural beauty, wildlife and cultural heritage of the area). Furthermore, the Project would not prevent opportunities for the understanding and enjoyment of the Special Qualities of the National Park by the public and therefore Purpose 2 (to promote opportunities for the understanding and enjoyment of the Special Qualities of the National Park by the public) would also not be compromised in operation.

4.4.227 Although there would be the potential for temporary effects during construction, the Project as a whole satisfies the duty to further the purposes of the SDNP for the reasons set out above – in summary, the route selection to avoid the SDNP, the intrinsic benefits of the Project in protecting the region's chalk streams and the measures outlined for the EMEAs within the Order Limits which would contribute to the conservation and enhancement of the landscape, including within the setting of the SDNP (the following EMEAs would contribute to the duty to further the purpose (EMEA-K-1b; EMEA-K-2; EMEA-K-3; EMEA-M-1)..

4.4.228 There is almost no visibility of the Order Limits from within the Chichester Harbour National Landscape (which is approximately 800m from the closest part of the Order Limits at Budds Farm WTW) due to intervening built form and existing vegetation within this designation. ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, Volume 6) concludes that it is unlikely that there would be any perceptible change to the character of the Chichester Harbour National Landscape or its setting, Special Qualities or Purposes during construction, operation or decommissioning of the Project. Paragraph 4.9.14 of the NPSWRI is not therefore engaged in relation to Chichester Harbour National Landscape.

Developments in other areas

4.4.229 The majority of the Project would not affect nationally designated areas. For these areas paragraphs 4.9.15 and 4.9.16 apply, which deal with developments in other areas'.

4.4.230 Paragraph 4.9.15 states that *"outside nationally designated areas, there are local landscapes that are highly valued locally. Where a local development document in England has policies based on landscape character assessment and identified valued landscapes, these should be given particular consideration. However, locally valued landscape should not be used in themselves as reasons to refuse consent, as this may unduly restrict acceptable development".*

4.4.231 ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6) in assessing landscape and visual effects has had regard to and assessed the effects of the Project on relevant LLCAs and any local landscape designations (which are limited to the Areas of Special Landscape Quality in Fareham).

4.4.232 Paragraph 4.9.16 requires the SoS in taking decisions to "*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*."

4.4.233 As set out above, site and route selection have considered potential effects on the landscape as demonstrated in the SDR (Document reference 5.11, DCO Volume 5). The assessment of landscape and visual effects has informed the design principles which will control detailed design (Document reference 5.11, DCO Volume 5). The design principles address the NIC's Design Principles for National Infrastructure, which explains that organisations should develop their own vision that embraces the national principles of climate, people, places and value, which are all strongly linked to how the landscape is valued and perceived.

4.4.234 Landscape architects have also facilitated multi-disciplinary workshops with the Applicant and environmental, engineering and planning teams to identify strategic environmental opportunities. Workshops were held to establish scope, discuss the landscape integration of the AGP and WRP site, and discuss the multi-functional environmental mitigation and enhancement measures

4.4.235 Mitigation during construction is proposed and secured through the Outline CEMP which would reduce effects during construction, although there would be some residual significant adverse landscape effects. These would, however, be largely temporary and reversible and no likely significant residual landscape effects have been identified at year 15 of operation with the implementation of mitigation secured in the DPD and the Outline LEMP (Document reference 7.5, DCO Volume 7).

Visual effects

4.4.236 With regards to visual effects, paragraph 4.9.17 of the NPSWRI requires 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. 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"*.

4.4.237 The Project would result in some significant adverse visual effects but again these would be mainly experienced during the construction (and decommissioning) stage and in the early years of operation, as the proposed mitigation planting takes time to establish.

4.4.238 Permanent significant adverse effects would be very few and localised:

- People travelling along footpath 218/28/1 (VP022) – a residual significant adverse effect is concluded for people travelling along footpath 218/28/1 where views of BPT/IPS-E from the footpath would gradually increase on the approach to the new built form and would be seen in the foreground of the view.

- People travelling along the Pilgrim's Way (VP082) - a residual significant adverse effect is concluded for people travelling along the Pilgrims Way (within the SDNP) as a result of open views towards BPT-K on the side of Wintershill from a short section of the route on elevated ground.

4.4.239 All other residual adverse effects would not be significant.

4.4.240 Visual effects have been avoided or minimised wherever possible. Notwithstanding the physical scale of the Project, residual significant visual effects have been limited to two receptors only, demonstrating the effectiveness of the route / site selection and mitigation measures implemented.

4.4.241 For those two remaining effects, these effects are not able to be reduced further without affecting the scale or resulting in a significant operational constraint.

4.4.242 The Applicant considers that with the approach to design and reducing visual effects where practicable, the residual adverse effects are substantially outweighed by the benefits as set out in Chapter 3 of this report.

Land use including open space, green infrastructure and Green Belt

4.4.243 Section 4.10 of the NPSWRI sets out the guidance on land use, including open space, green infrastructure and the Green Belt. Paragraph 4.10.1 encourages early engagement with the host local authorities, or with the MMO in coastal locations, to discuss land use implications of proposals. There is also an emphasis on exploring opportunities to use previously developed land.

4.4.244 As set out in section 3 of the draft SoCG (Document reference 5.8, DCO Volume 5) the Applicant has proactively engaged with host local authorities and with the MMO throughout the preparation of the Project. Note, section 5 of this PPS sets out the response to the MPS and provides further information on the coastal elements of the Project.

4.4.245 The SDR (Document reference 5.10 DCO Volume 5) provides an overview of the scheme development process in section 1.3 and the assessment of potential sites for the WRP that included the use of previously developed sites.

4.4.246 Paragraph 4.10.2 and paragraph 4.10.26 relate to Green Belt land. As the Order Limits are not located within the Green Belt, this is not considered any further within this PPS.

4.4.247 Paragraph 4.10.3 sets out that best and most versatile (BMV) agricultural land is grades 1, 2 and 3a (as defined by the Agricultural Land Classification (ALC) system). Where development on agricultural land is demonstrated to be necessary areas of poorer quality land should be preferred to those of higher quality.

4.4.248 ES Appendix 12.1 Agricultural Land Quality, Volume II (Document reference 6.2, DCO Volume 6), a technical appendix of ES Chapter 12 Land use and agriculture, Volume I (Document reference 6.1, DCO Volume 6) sets out the

assessment of agricultural land classification. The Project has sought to avoid BMV agricultural land in the first instance, where reasonably practicable, however this has not been possible across the whole of the Order Limits.

4.4.249 A majority of the Project is located on non-agricultural land. However, due to locational requirements, there is a need to use BMV Grade 2 and 3a land for the Break Pressure Tank and Intermediate Pumping Station E (BPT/IPS-E) in Section E; and Subgrade 3a land at IPS-G in Section G. Intermediate Pumping Station F (IPS-F) in Section F would use non-BMV Subgrade 3b land; and Break Pressure Tank K (BPT-K) in Section K would use non-BMV land in Grade 4. The positioning of the AGP on BMV land is based on a number of requirements, including access requirements, opportunities for noise minimisation, minimisation of environmental impacts, potential impacts to protected species, topography and security considerations (the need for fencing and other security features).

4.4.250 As demonstrated within ES Chapter 4 Consideration of alternatives, Volume I (Document reference 6.1, DCO Volume 6) sections 4.4 and 4.5, the Project has been subject to staged reviews which sought to identify the most appropriate locations for the AGP and the most appropriate Pipeline route. As described within ES Chapter 4 Consideration of alternatives, Volume I (Document reference 6.1, DCO Volume 6), the project design was subject to design refinements to retain as much agricultural land as reasonably practicable.

4.4.251 There is a demonstrable locational need for elements of the Project to be situated on BMV land but, where reasonably practicable, poorer quality land is proposed to be used.

4.4.252 Further, primary and tertiary mitigation measures to reduce impacts on BMV agricultural land are set out in section 12.4 of ES Chapter 12 Land use and agriculture, Volume I (Document reference 6.1, DCO Volume 6) and the approach to the assessment of impacts on farms and on BMV agricultural land is set out in section 12.5 of ES Chapter 12 Land use and agriculture, Volume I (Document reference 6.1, DCO Volume 6).

4.4.253 Paragraph 4.10.4 of the NPSWRI acknowledges that development of land will affect soil resources, including physical loss of and damage to soil resources, through land contamination and structural damage. Additionally, paragraph 4.10.4 confirms that there may also be indirect impacts from changes in the local water regime, organic matter content, soil biodiversity and soil process.

4.4.254 ES Appendix 12.1 Agricultural Land Quality, Volume II (Document reference 6.2, DCO Volume 6) provides an assessment of the temporary disruption to soils from construction. Good practice guidance in the Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites would be followed in the handling of soils to ensure that they can be reinstated in a similar condition to their pre-construction condition and that they can continue to perform the same functions as before. This guidance is included in the Outline Soil Resource Management Plan (outline SRMP (which is within Appendix B of the outline CEMP (Document reference 7.1, DCO

Volume 7). Further, within the Outline SRMP there is detail about the handing of soils and good practice measures for the operational stage of the project.

4.4.255 Paragraph 4.10.5 of the NPSWRI states that the risk of contamination needs to be assessed if any water infrastructure projects are located on previously developed land.

4.4.256 Effects of contamination on previously developed land and the WRP site have been considered in ES Chapter 1 Land quality and ground conditions, Volume I, (Document reference 6.1, DCO Volume 6) which provides an assessment of the likely risk posed by land contamination during construction, operation and decommissioning of the Project. ES Chapter 11 Land quality and ground conditions, Volume I (Document reference 6.1, DCO Volume 6), section 11.8 presents the assessment of likely significant effects on land quality and ground conditions resulting from the construction, operation and decommissioning of the Project. It concludes that with primary mitigation measures, which are set out in section 11.4 and tertiary measures, which will be secured in the Outline CEMP (Document reference 7.1, DCO Volume 7). Tertiary measure include:

- Implementing Good construction practices which will be secured within the Outline CEMP (Document reference 7.1, DCO Volume 7).
- Adopting CL:AIRE Definition of Waste: Code of Practice to manage the re-use of excavated soils on site, where applicable and appropriate.
- Implementing a watching brief and discovery strategy will also be in place during the construction phase.
- In areas which are considered to represent a potentially unacceptable risk to land quality and ground conditions receptors, remediation strategies will be developed following the guidance provided within the appropriate contaminated land statutory guidance and, for example, the EA Land Contamination Risk Management Framework.

4.4.257 Further ground investigation, including monitoring should it be considered necessary, will be undertaken in areas considered to potentially pose an unacceptable risk to land quality and ground conditions receptors. The ground investigation will be interpreted and compared against relevant screening criteria, this will aid in the determination of whether an unacceptable risk is posed and informing whether a remediation strategy is required for that area of the Project as secured within LQGC11 in section 5 of the Outline CEMP (Document reference 7.1, DCO Volume 7).

4.4.258 ES Chapter 11 Land Quality and ground conditions, Volume I, (Document reference 6.1, DCO Volume 6) section 11.9.2 confirms that there is no secondary mitigation measures proposed in relation to ground conditions.

4.4.259 Access to high quality open spaces (as defined in footnote 153), the countryside and blue and green infrastructure has been identified as offering positive health outcomes in terms of improving mental and physical health (paragraph 4.10.6). Further, green and blue infrastructure offers climate change reduction benefits, including carbon capture, reducing heat island effects and removing pollutants from the ground and water (4.10.7).

4.4.260 The ENG Statement at section 4 (Document reference 7.12, DCO Volume 7) sets out the Applicant's ambitions for the Project in relation to ENGs. The benefits and legacy the Project will deliver of relevance to communities are set out in section 4 of the CftP (Document reference 5.6, DCO Volume 1) and includes:

- BNG benefits – a minimum of 10% BNG will be delivered as a result of the project, with the precise on and off-site interventions to be finalised post DCO.
- Broadmarsh Coastal Park improvements – a package of interventions which are likely to include surface and pathway improvements, improved lighting, new benches and enhanced planting and landscaping.
- Portsdown Hill improvements – a package of interventions including providing ecological and social co-benefits.
- Community Fund – support for water-related projects, including nature enhancement, to increase community resilience to climate and weather events.

4.4.261 As confirmed within section 5 and Appendix E of the Biodiversity Gain Plan (including Habitat Management and Monitoring Plan) (Document reference 7.11, DCO Volume 7), there are target habitats and relevant Environmental Mitigation and Enhancement Areas (EMEA) E5 includes the creation of microclimates which provide opportunities for insects, birds and small mammals to live and breed.

4.4.262 Paragraph 4.10.8 sets out that trees and woodlands also contribute to a number of other sustainability considerations and that there is a government commitment to planting more trees and protecting existing trees.

4.4.263 As set out in section 3.2 of the SDR (Document reference 5.10, DCO Volume 5), the potential initial locations for the Project were assessed against environmental and planning criteria, including avoiding ancient woodland and veteran trees. Further during the Summer 2022 Consultation, the Best Engineering Solution Pipeline Route (BESPR) was amended as it was in close proximity to veteran and ancient trees.

4.4.264 Table 71 in the Design Approach Document (Document reference 5.12, DCO Volume 5) confirms that Preliminary Design Principles PDP_11, PDP_12, PDP_13 and PDP_16 provides landscape integration which reinforces and protects mature trees.

Applicant's Assessment

Land uses

4.4.265 Paragraph 4.10.9 of the NPSWRI, confirms that there is a requirement for the existing and proposed land uses near the Project to be identified. These land uses should then be assessed to understand if the Project would stop an existing development from continuing or potentially precluding new development or a proposed use on a site which is identified within the host authority's local development plan. Further, the policy states that for

"*developments on previously developed land, the applicant should ensure that they have considered the risk posed by land contamination and how it is proposed to address this".* The paragraph states that the "assessment should be proportionate to the scale of the preferred scheme and its likely impacts on such receptors".

4.4.266 The process of identifying the location of the AGP and the Pipeline locations for the Project included assessing potential sites, identifying and considering the existing uses on the site, the previous uses and the surrounding uses as set out within the SDR (Document reference 5.10, DCO Volume 5). Further, ES Chapter 12 Land use and agriculture, Volume I (Document reference 6.1, DCO Volume 6) identifies the following land uses in and within 500m of the Order Limits:

- Residential properties
- Community land and facilities
- Commercial properties and land
- Development land (major land allocations)
- Agricultural land

4.4.267 Development sites with planning permission or sites which are pending consideration were identified through the relevant adopted local plans and through searches using the planning application portals on the local authorities' websites and through engagement with local planning authority planning officers through the Community EIA Working Group. Refer to ES Appendix 20.2 Cumulative effects assessment, Volume II (Document reference 6.2, DCO Volume 6) Updated list of 'other developments' – longlist and shortlist.

Contamination

4.4.268 The risk posed by land contamination including on the WRP site and how it is proposed to address this is set out within ES Chapter 11 Land quality and ground conditions, Volume I (Document reference 6.1, DCO Volume 6). This ES chapter provides details of the land quality and the potential sources of contamination based on historical and current land uses and the existing ground conditions (including underlying geological and hydrogeological conditions and how these may interact or be impacted by potential sources of ground contamination).

Open space and recreational sites

4.4.269 Paragraph 4.10.10 of the NPSWRI sets out that existing open space, sports and recreational buildings and land should not be developed unless the land is no longer needed or the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.

4.4.270 ES Chapter 12 Land use and agriculture, Volume I (Document reference 6.1, DCO Volume 6) confirms that the project does not have any land take requirements from any open/recreational spaces and the construction of the

Pipelines would not require the temporary or permanent loss of any community land or facilities.

Trees

4.4.271 Existing trees and woodlands should be retained where possible. Where this is not possible, then mitigation measures to minimise adverse impacts and any risk of net deforestation as a result of the scheme should be implemented. Where woodland loss is unavoidable, compensation schemes should be required, and the long-term management and maintenance of newly planted trees should be secured (4.10.11).

4.4.272 As set out in PPS paragraph 4.3.262, the Project and the Order Limits has been designed to avoid the loss of trees and woodland as far as practicable.

4.4.273 ES Appendix 13.5 Arboricultural Impact Assessment (AIA), Volume II (Document reference 6.2, DCO Volume 6) provides the baseline for trees within the Order Limits and sets out measures to protect trees including the installation of tree protection fencing, ground protection fencing and facilitation pruning and site supervision.

Pre-application discussions

4.4.274 Paragraph 4.10.12 sets out that during pre-application discussions with the local authority should be held about the potential impacts on land uses (including relevant planning applications).

4.4.275 As set out within the preceding paragraphs, there has been pre-submission discussions with the local authority to discuss potential land uses. A full description of each of the EIA Working Groups, the key stakeholders, and an overview of the topics presented can be found in ES Chapter 5 EIA approach and methodology, Volume I (Document reference 6.1, DCO Volume 6). Further information can be found within the Draft SoCG – HBC (Document reference 5.8, DCO Volume 5) which includes details of the Applicant's discussions with HBC and the WRP site in section 3.

Local Green Space designations

4.4.276 At paragraph 4.10.13, the NPSWRI reinforces that land designated as Local Green Space in a local or neighbourhood plan are subject to the same policies of protection as Green Belt. As set out in ES Chapter 12 Land use and agriculture, Volume I (Document reference 6.1, DCO Volume 6) paragraph 12.7.4, the Order Limits do not include any Local Green Space designations, and this is therefore not considered any further within this PPS.

Agricultural land

4.4.277 Paragraph 4.10.14 sets out that where "*significant development on agricultural land is demonstrated by the applicant to be necessary, applicants should use poorer quality land (grades 3b, 4 and 5) where possible to minimise impacts on soil health (except where doing so would be inconsistent with other sustainability considerations).*" Applicants should seek to minimise

impacts on the BMV agricultural land and poorer quality land should be used. There is a requirement for assessments of agricultural land to confirm the agricultural land grades through relevant survey information and a requirement for the potential effects on soil quality to be identified and details provided on how these effects would be minimised.

4.4.278 There is a demonstrable need to use BMV for some AGP elements of the project within the Order Limits. The land classification across the Order Limits is confirmed within ES Appendix 12.1 Agricultural Land Quality, Volume II (Document reference 6.2, DCO Volume 6). This appendix identifies that:

- 422ha or 64% is non-agricultural land.
- 240ha or 36% is agricultural land.

4.4.279 The agricultural land is then split into BMV and non-BMV:

- 114ha (17% of the total area or 48% of the agricultural area) is classified as BMV land in Grades 1, 2 and 3a.
- 126ha (19% of the total area or 52% of the agricultural area) is classified as non-BMV land in Grades 3b and 4.

4.4.280 The distribution of grades is shown on ES Figure 12.6 Agricultural land classification, Volume III (Document reference 6.3, DCO Volume 6).

Temporary BMV land loss

4.4.281 The construction of the Pipelines and the construction compounds (other than those associated with the AGP), will result in the temporary loss of BMV land as land will be taken out of agricultural production and use. Following the installation and completion of construction, the land would be restored to its pre-existing agricultural use using the same soils in the same locations from which they would have been excavated, as set out in the Outline SRMP (Document reference 7.1, DCO Volume 7) appended to the Outline CEMP at Appendix B (Document reference 7.1, DCO Volume 7). Additionally, any effects on the soils will be minimised through primary and tertiary mitigation measures including the measures and principles within the good practice guidance in the Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites which would be followed to ensure the remaining BMV land is protected. Permanent losses are therefore restricted to the footprints of the AGP.

Permanent BMV land loss

4.4.282 The permanent loss of agricultural land would be associated with the development of the AGP sites. As set out in table 3-3 in ES Chapter 3, Description of the Proposed Development, Volume I (Document reference 6.1, DCO Volume 6) provides details of the maximum footprints. The total loss of BMV land is 1.6ha, which is approximately 1.4% of the BMV land across the Order Limits.

4.4.283 The positioning of this AGP is based on a number of requirements, including access requirements, opportunities for noise minimisation, minimisation of

environmental impacts, potential impacts to protected species, topography and security considerations (the need for fencing and other security features). There is also a requirement for the AGP to be located in strategic locations to enable it to function as required. Break pressure tanks are used to reduce excessive pressure in longer or steeply sloping pipelines and the location is determined as a result of hydraulic calculations, topography and system requirements. Intermediate pumping stations are used to maintain flow rates and to increase internal pressure and again, the location is determined as a result of hydraulic calculations, topography and system requirements.

4.4.284 The amount of BMV land to be permanently lost has been minimised as much as possible through considered siting of the AGP element of the Project as detailed within ES Chapter 4 Consideration of alternatives, Volume I (Document reference 6.1, DCO Volume 6) and the SDR (Document reference 5.10, DCO Volume 5). NE has confirmed that it is satisfied with the approach taken to minimising BMV land loss as recorded in section 3 of the draft SoCG with NE (Document reference 5.8).

4.4.285 To summarise, there will be temporary BMV land loss during the construction of the Pipelines and the construction compounds (other than those associated with the AGP), as land will be temporarily taken out of agricultural production and use. However following the installation and completion of construction, the land would be restored to its pre-existing agricultural use using the same soils in the same locations. Additionally, there will be a permanent BMV land loss of approximately 1.6ha's or 1.4% of BMV land across the Order Limits. This is a minimal loss of BMV land in the context of the Project as a whole.

4.4.286 As set out between PPS paragraphs 4.3.275-4.3.282, section 5.1 in the SDR (Document reference 5.10, DCO Volume 5) confirms that the Project design has sought to minimise impacts on BMV land in the first instance, however this has not been possible across the whole of the Order Limits. As set out within this DCO application, there is a locational requirement for this Project in this area due to the urgent and critical need for new water resources in the Applicant's Hampshire supply area. The total loss of BMV land is 1.6ha, which is approximately 1.4% of the BMV land across the Order Limits.

4.4.287 The remaining BMV land will be protected through primary and tertiary mitigation measures identified in the ES Chapter 12 Land use and agriculture, Volume I (Document reference 6.1, DCO Volume 6) and through the implementation of the principles within the good practice guidance in the Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites.

Contamination

4.4.288 Paragraph 4.10.15 of the NPSWRI sets out that where required, preliminary assessment of ground instability should be carried out at the earliest possible stage to ensure that the site is and will remain stable, or can be made so, as part of the development. Risks to the quality and quantity of groundwater resources should also be assessed.

4.4.289 Section 11.8 of ES Chapter 11 Land quality and ground conditions, Volume I (Document reference 6.1, DCO Volume 6) presents the assessment of likely significant effects on land quality and ground conditions with primary and tertiary mitigation measures resulting from the construction, operation and decommissioning of the Project.

4.4.290 Ground stability of many types of soil/rock was understood and included within excavation and groundwater control chapters within the geotechnical and geo-environmental desk study for this project. The ground and groundwater conditions encountered were subsequently investigated and later interpreted. Multiple investigations were completed and details can be found within ES Chapter 11 Land quality and ground conditions, Volume I (Document reference 6.1, DCO Volume 6) and its appendices.

WRP Site

4.4.291 The WRP site is located within areas anticipated to contain localised Made Ground (land that is either artificial or disturbed natural materials) due to historical activities as indicated on geological mapping. Following specific ground investigations on the WRP, primary and tertiary mitigation measures have been identified in ES Chapter 11 Land quality and ground conditions, Volume I (Document reference 6.1, DCO Volume 6), these measures include:

- Adhering to good construction practices as secured within the Outline CEMP (Document reference 7.1, DCO Volume 7).
- Implementing a watching brief and discovery strategy during the construction phase.

4.4.292 As set out within the preceding paragraph, targeted ground investigations have allowed for the characterisation of current ground conditions within the Order Limits and have assisted in the identification of potentially unacceptable risks to land quality and ground conditions receptors.

Mineral safeguarded areas

4.4.293 Paragraph 4.10.16. confirms that the applicant should identify and assess any impacts the proposed project may have for mineral safeguarded areas (or other minerals supply aspects) with the relevant Mineral Planning Authority.

4.4.294 The Hampshire Minerals and Waste Plan (HMWP) has defined Mineral Consultation Areas (MCA) which includes safeguarded mineral resources and safeguarded minerals extraction sites and is presented on ES Figure 16.1 Proposed Development and Mineral Safeguarded Sites and Mineral Consultation Areas, Volume III (Document reference 6.3, DCO Volume 6). Note, Within the Glossary of the HWMP for MCA it states *"The Hampshire Mineral Consultation Area covers the same areas as the Mineral Safeguarding Area"*. Therefore, within this PPS and within ES Chapter 16 Resources and waste management, Volume I (Document reference 6.1, Volume 6) MSAs cover the same area as the MCA.

4.4.295 The assessment of the impacts that the Project may have on mineral safeguarded areas (MSA) is set out in ES Appendix 16.1 Mineral Safeguarding Assessment, Volume II (Document reference 6.2, DCO Volume 6). The mineral safeguarding assessment focuses on identifying the potential impact of the construction of the Project on the potential for extraction of future mineral resources. The methodology for the mineral safeguarding assessment has been informed by the requirements set out in the Hampshire Minerals and Waste Plan (HMWP) (adopted 2013) and in particular HMWP Policy 15. HMWP Policy 15 outlines that mineral resources should be safeguarded against needless sterilisation unless prior extraction takes place.

4.4.296 The assessment of the significance of the impacts identified in ES Appendix 16.1 Mineral Safeguarding Assessment, Volume II (Document reference 6.2, DCO Volume 6) are presented in section 16.8 of ES Chapter 16 Resources and waste management, Volume I (Document reference 6.1, DCO Volume 6). Section 16.8 of ES Chapter 16 Resources and waste management, Volume I (Document reference 6.1, DCO Volume 6) focuses on the assessment of likely significant effects on minerals resulting from the construction and decommissioning of the Project. The primary mitigation is outlined in section 16.4 of ES Chapter 16 Resources and waste management, Volume I (Document reference 6.1, DCO Volume 6).

4.4.297 Where safeguarded minerals are encountered during excavation and are not required for the construction of the Project, the potential for offsite reuse will be considered, subject to reasonable practicability, viability, and potential additional impacts over and above those assessed in the ES.' The Mineral Safeguarding Assessment has been discussed and the matter agreed with HCC, as the Minerals and Waste Planning Authority as set out in section 3 of the Draft SoCG - HCC (Document reference 5.8, DCO Volume 5).

Minerals Safeguarding

4.4.298 Primary mitigation measures includes avoiding mineral safeguarding areas where practicable. Tertiary measures to be implemented, as set out in ES Chapter 16 Resources and waste management, Volume I (Document reference 6.1, DCO Volume 6), section 16.4 includes implementing good construction measures which will be secured within the Outline CEMP (Document reference 7.1, DCO Volume 7). The Outline CEMP includes:

- A requirement in the Outline CEMP for a Minerals Management Strategy (MMS) to be developed by the Contractor as part of the detailed CEMP and prior to the commencement of any excavation activities. The MMS will align with the principles within the Construction Code of Practice for the Sustainable Use of Soils on Construction Sites.

4.4.299 As confirmed in section 16.9 of ES Chapter 16 Resources and waste management, Volume I (Document reference 6.1, DCO Volume 6), the ES assessment has not indicated that likely significant effects would result from the Project with regard to minerals safeguarding. Therefore, no secondary mitigation is proposed.

Mitigation

4.4.300 Paragraph 4.10.17 of the NPSWRI sets out that the *"applicant can minimise the direct effects of a project on the existing use of the proposed site, or proposed uses near the site, by the application of good design principles, including the layout of the project and the protection of soils during construction."*

4.4.301 Primary (embedded) mitigation has been identified as part of the design process and embedded within the Project's design to avoid or reduce potential environmental impacts. The mitigation is set out in section 3 of the DPD (Document reference 5.11, DCO Volume 5). An Outline CEMP (Document reference 7.1, DCO Volume 7) has been prepared which sets out the responsibilities with regards to compliance with legislation and to implement any mitigation measures and management measures to minimise environmental impacts from the construction phase of the development. Appropriate soil protection measures are included in the Outline SRMP, located within Appendix B of the Outline CEMP (Document reference 7.1, DCO Volume 7).

4.4.302 The NPSWRI states in paragraph 4.10.18 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."* Further paragraph 4.10.19 confirms that the SoS must also consider whether mitigation of any adverse effects on green infrastructure or open space is adequately provided for by means of requirements, planning obligations, or any other means (such as legal agreement). Paragraph 4.10.20 states that where land take has a sterilising effect on land, there may be scope for this to be mitigated.

4.4.303 Paragraph 4.10.21 highlights the importance of Public Rights of Ways (PRoW) and other access to land for encouraging recreational uses for walkers, cyclists and equestrians. Additionally, in *"considering revisions to an existing right of way, consideration needs to be given to the use, character, attractiveness and convenience of the right of way. The SoS should consider whether the mitigation measures put forward by an applicant are acceptable and whether requirements or other provisions in respect of these measures might be attached to any grant of development consent."*

4.4.304 Impacts on PRoW, National Trails and other rights of access to land for recreation are assessed in ES Chapter 17 Socio-economics, tourism and health, Volume I (Document reference 6.1, DCO Volume 6), and in ES Chapter 18 Traffic and transport, Volume I (Document reference 6.1, DCO Volume 6). The Framework RoWMP (Appendix B of the Framework CTMP, Document reference 7.2, DCO Volume 7) outlines the temporary and permanent closures and/or diversions to the PRoW network associated with the construction of the Project. It includes an indicative programme and the likely length of closure/diversion of each footpath impacted by the Project.

Decision Making

4.4.305 Paragraph 4.10.22 sets out that if there is a conflict with a *"proposal in a development plan or emerging development plan, the SoS should take account of the stage which the development plan document in England has reached. The weight given to the conflict will depend on the stage of preparation, the more advanced the plan, the more weight will be given to the conflict".*

4.4.306 The WRP site which is proposed to be located on a site currently allocated in Havant's adopted Development Plan (under site BD11 in Policy HB2 of the Havant Borough Local Plan- Allocations, 2014) for employment use. HBC has, through pre application engagement, confirmed the principle of the proposed land use for the WRP site is appropriate and propose to reflect this through amendments to their site allocations as set out in section 3 of the Draft SoCG - HBC (Document reference 5.8, DCO Volume 5).

4.4.307 Paragraph 4.10.23 sets out that the SoS should not grant consent for development on existing open space, land used for sports and recreational buildings and for other sports and recreational purposes, unless an assessment has been undertaken either by the local authority or independently, which has shown the open space and the buildings and/or land to be no longer needed. Alternatively, the SoS determines that the benefits of the project (including need) outweigh the potential loss of such facilities, taking into account any positive proposals made by the applicant to provide new, improved or compensatory land or facilities.

4.4.308 ES Chapter 12 Land use and agriculture, Volume I (Document reference 6.1, DCO Volume 6) section 12.8 provides an assessment of the impacts on open space, sports and recreational buildings. Chapter 12 confirms that the construction of the Pipeline between the WRP site and Otterbourne WSW (section G) would require open-cut trenching through parts of Wickham Park Golf Course and through the car park. Although Wickham Park Golf Club is assessed as a commercial receptor, the golf club is recognised as providing land for sports and recreation and offers structured leisure opportunities, social engagement, and event hosting, contributing to local amenity and employment.

4.4.309 Paragraph 4.10.23 of the NPSWRI is engaged as confirmed within ES Chapter 12 Land use and agriculture, Volume I (Document reference 6.1, DCO Volume 6) section 12.8.85 there is:

"Potential for an adverse effect on Wickham Park Golf Club during construction. The sensitivity of the receptor is considered to be medium due to its value from an economic, social and community perspective. The golf club is recognised as providing land for sports and recreation and offers structured leisure opportunities, social engagement, and event hosting, contributing to local amenity and employment. The magnitude of the impact will depend on the location of the land required and the duration of the effect but could be major as a reasonable worst case. This would result in a major adverse effect which is considered significant."

4.4.310 No assessment has been undertaken either by the local authority or independently, which has shown the open space and the buildings and/or land to be no longer needed. There is a demonstrable need for the Project (as demonstrated by the DCO application) and as set out in chapter 3.2 of this PPS. Despite this identifiable need, the Applicant has been actively engaging with the owners and operators of Wickham Park Golf Club to understand their functional requirements and to seek to reduce impacts as far as practicable. Proactive engagement by the Contractor would also continue post-consent specifically around the extent of the proposed temporary possession of land, the approach to access and expected impacts from the relevant construction works. The Contractor will have regard to any feedback received when finalising its proposals. This will take place with a view to reducing effects on the operations of Wickham Park Golf Club as far as practicable during the construction phase. This requirement to continue engagement is set out within the Outline CEMP (Document reference 7.1, DCO Volume 7) as set out in Land use and agriculture, Volume I (Document reference 6.1, DCO Volume 6) section 12.4.

4.4.311 A construction compound is also proposed to be situated in the southern part of the golf course, to support the trenchless crossing of the River Meon. The impact on the golf club would be temporary and short-term as land will be reinstated to a similar pre-construction condition in accordance with industry standards and good practice and in accordance with specified construction methodology, so that it can continue to perform the same functions as before.

4.4.312 Paragraph 4.10.24. of the NPSWRI sets out that where *"networks of green or blue infrastructure have been identified in development plans, they should normally be protected from development and, where possible, strengthened by or integrated within it."*

4.4.313 Green and blue networks are considered within ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1, DCO Volume 6) and ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6). Opportunities to reinforce and enhance the green infrastructure network, including access to the public right of way network, have been considered in the development of the Indicative Environmental Masterplan which is appended to the Design Approach Document (appendix C) (Document reference 5.12, DCO Volume 5).

4.4.314 As set out in paragraph 4.10.25 of the NPSWRI, the SoS will take into account the economic and other benefits of BMV land and that mitigation put forward will minimise impacts on soils. Additionally, the Outline CEMP (Document reference 7.2, DCO Volume 7) includes measures in relation to protecting agricultural land and soils, with soil management measures incorporated into the Outline SRMP (at Appendix B) (Document reference 7.1, DCO Volume 7).

4.4.315 Paragraph 4.10.27 of the NPSWRI requires the SoS to consider the impact on maintaining coastal recreation sites and features and would expect the *"applicant to have taken advantage of opportunities to maintain and enhance access to the coast."* In doing so, the SoS should consider the *"implications of development for the creation of a continuous signed and managed route*

around the coast, as provided for in the Marine and Coastal Access Act 2009."

4.4.316 The importance of maintaining coastal access has been considered in section 3 of the DPD (Document reference 5.11, DCO Volume 5) which accompanies the DCO application under WRP_8 and WRP_15. Further consideration is within the Design Approach Document (Document reference 5.13, DCO Volume 5).

Noise and Vibration

4.4.317 Section 4.11 of the NPSWRI (paragraph 4.11.1) notes that excessive noise can have wide ranging impacts on various receptors including quality of human life and health, use and enjoyment of areas of areas of value or landscape quality and can affect biodiversity. The government's policy is set out in the Noise Policy Statement for England, which promotes good health and good quality of life through effective noise management. Further, paragraph 4.11 confirms that similar *"considerations apply to vibration, which can also cause damage to buildings."*

4.4.318 ES Chapter 15 Noise and vibration, Volume I (Document reference 6.1, DCO Volume 6) section 15.8 identifies the potential for significant adverse impacts on health and quality of life to occur. Sections 15.4 and 15.9 of ES Chapter 15 Noise and vibration Volume I (Document reference 6.1, DCO Volume 6) identify the mitigation that will be implemented to reduce adverse impacts. The assessment of effects considers changes in the short and long-term and at particular times. ES Chapter 17 Socio-economics, tourism and health, Volume I (Document reference 6.1, DCO Volume 6) considers noise impacts in the assessment of potential effects on health and wellbeing.

4.4.319 Section 15.5 of ES Chapter 15 Noise and vibration, Volume I (Document reference 6.1, DCO Volume 6) confirms that due regard has been given to the noise elements of the NPSWRI, Department for Environment, Food and Rural Affairs (Defra) Noise Action Planning Important Areas Round 3 England and Defra Strategic Noise mapping in the development of the assessment methodology which is described in section 15.5 of the chapter.

4.4.320 Paragraph 4.11.2 of the NPSWRI sets out factors that will determine likely noise impact, including:

- *"Construction noise and the inherent operational noise from the proposed development and its characteristics*
- *The proximity of the proposed development to noise-sensitive premises, (including residential properties, schools and hospitals) and noise-sensitive areas (including certain parks and open spaces)*
- *The proximity of the proposed development to tranquil places and other areas that are particularly valued for their soundscape or landscape quality*
- *The proximity of the proposed development to designated sites where noise may have an adverse impact on protected species or other wildlife."*

4.4.321 ES Appendix 15.1 Construction noise and vibration assessment, Volume II (Document reference 6.2, DCO Volume 6) provides technical detail on the assessment of construction noise and vibration impacts of the Project. ES Appendix 15.2 Construction traffic noise assessment, Volume II (Document reference 6.2, DCO Volume 6) provides technical detail on the assessment of construction traffic noise impacts of the Project. ES Appendix 15.3 Operational noise assessment, Volume II (Document reference 6.2, DCO Volume 6) provides details of the operational noise assessment methodology and noise modelling details.

4.4.322 Noise sensitive receptors are defined in ES Chapter 15 Noise and vibration, Volume I (Document reference 6.1, DCO Volume 6) section 15.5 and in Table 15-8 with corresponding sensitivity levels related to noise and vibration impacts.

4.4.323 Tranquillity is considered within ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6) which considers effects from disruption to tranquillity, which could include noise impacts.

4.4.324 ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1, DCO Volume 6), and ES Chapter 9 Marine biodiversity, Volume I, (Document reference 6.1, DCO Volume 6) provide details of potential effects of noise and vibration on protected species, designations and habitats and on underwater noise and vibration effects.

Applicant's Assessment

4.4.325 Paragraph 4.11.3 of the NPSWRI states that if "*noise impacts are likely to arise from water resources infrastructure, the applicant should include a noise assessment as part of the Environmental Statement"* and provides a list of what needs to be included within a noise assessment. NPSWRI paragraph 4.11.4. confirms that the "*nature and extent of the noise assessment should be proportionate to the likely noise impact."*

4.4.326 ES Chapter 15 Noise and vibration, Volume I (Document reference 6.1, DCO Volume 6) provides an assessment of the noise and vibration impacts of the Project during its construction and operation in compliance with the requirements of paragraphs 4.11.3.

4.4.327 ES Chapter 15 Noise and vibration, Volume I (Document reference 6.1, DCO Volume 6) and appendices provide a clear and concise summary of the potential sensitivity of receptors and magnitudes of impacts and the likely effects, both direct and indirect. ES Chapter 15 Noise and vibration, Volume I (Document reference 6.1, DCO Volume 6) is based on relevant data and evidence and seeks to assess all potential impacts and provides details of primary and tertiary mitigation.

4.4.328 Paragraph 4.11.5 of the NPSWRI considers that the "*potential noise impact of ancillary activities associated with the development, such as increased road and rail traffic movements, or other forms of transportation, should also be considered as appropriate*."

4.4.329 Road traffic noise impacts from the construction and decommissioning phases of the Project are included in the scope of the assessment set out in ES Chapter 15 Noise and vibration, Volume I (Document reference 6.1, DCO Volume 6).

4.4.330 NPSWRI paragraph 4.11.6 sets out that *"For the prediction, assessment and management of construction noise, reference should be made to any relevant British Standards[165] and other guidance which also give examples of mitigation strategies. Operational noise, with respect to human receptors, should be assessed using the principles of the relevant British Standards and other guidance."*

4.4.331 The assessment methodology as described in the ES Chapter 15 Noise and vibration, Volume I (Document reference 6.1, DCO Volume 6) has been developed in line with the requirements of relevant guidance and the British Standards identified in the NPSWRI.

4.4.332 NPSWRI paragraph 4.11.7 confirms that applicants should consult with NE, EA, and the MMO. The paragraph continues by stating that the "*results of any noise surveys and predictions may inform the ecological assessment. The seasonality of potentially affected species in nearby sites may also need to be taken into account."* ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1, DCO Volume 6) and ES Chapter 9 Marine biodiversity, Volume I (Document reference 6.1, DCO Volume 6) considers potential effects of noise and vibration on protected species, designations and habitats.

4.4.333 Consultations have been held monthly with NE, the EA and MMO through the Biodiversity and Water Environment EIA Working Group and through the Emission and Transport EIA Working Group. An overview of the topics discussed can be found in ES Chapter 5 EIA approach and methodology, Volume I, (Document reference 6.1, DCO Volume 6). Discussions with NE are set out in ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1, DCO Volume 6). Discussions have included looking at potential noise and vibration impacts on River Meon fish and asking for comments on the freshwater survey methodologies which are set out in ES Appendix 8.9 Freshwater ecology, Volume II (Document reference 6.2, DCO Volume 6) and is summarised in section 8.5 of ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1, DCO Volume 6).

Mitigation

4.4.334 Paragraph 4.11.8 of the NPSWRI advises that mitigation measures should be proportionate and reasonable and sets out examples of measures including through engineering, use of materials, site layout and restriction of activities or use – which should (as noted by paragraph 4.11.9) take into account any seasonality of wildlife in any nearby designated sites.

4.4.335 As detailed in ES Chapter 3 Description of the Proposed Development, Volume I (Document reference 6.1, DCO Volume 6), a range of measures have been embedded into the Project design to avoid or reduce

environmental effects. These measures are then secured in WRP_3, BPT/IPS-E_4, IPS-F_3, IPS-G_1, BPT-K_1 and OWSW_2 in section 3 of the DPD (Document reference 5.11, DCO Volume 5). Section 15.4 of ES Chapter 15 Noise and vibration, Volume I (Document reference 6.1, DCO Volume 6) provides details of the primary and tertiary mitigation. The tertiary mitigation includes implementing good construction practices which are secured in the Outline CEMP (Document reference 7.1, DCO Volume 7) and will manage the effects of construction.

4.4.336 Secondary measures have been identified and are set out in ES Chapter 15 Noise and vibration, Volume I (Document reference 6.1, DCO Volume 6) section 15.9. These secondary measures have been identified for those impacts which are assessed as likely to result in significant adverse effects for construction airborne noise, construction ground-borne vibration and operational airborne noise. Section 5 of the Outline CEMP (Document reference 7.1, DCO Volume 7) secures that the Contractor will produce a Noise and Vibration Management Plan (NVMP), to be submitted post-DCO grant and prior to construction, that is based on the final construction methods, programme and Project design. This NVMP will include updated noise modelling and assessments in order to identify appropriate secondary mitigation measures to reduce construction noise effects.

4.4.337 The general approach to mitigation has applied the following hierarchy:

- Avoidance of noise and vibration by, for example, selection of quiet/low vibration plant.
- Control noise and vibration at source by, for example, maximising the distance from sources of potentially high noise and vibration levels to NVSRs where possible, utilising screening from existing landforms or structures, introducing additional silencers or enclosures, and upgrades to the fabric of buildings with high indoor noise levels.
- Implement good practice environmental noise management measures.
- Introduce additional screening to obstruct line of sight between the source and receptor, for example boundary screening.

4.4.338 Mitigation impacts have considered seasonality of wildlife as set out in ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1, DCO Volume 6) section 8.4, in accordance with NPSWRI 4.11.9. Primary and tertiary measures include:

- Tertiary mitigation which seeks to avoid, where practicable, disturbance to breeding birds by timing vegetation clearance and removal of structures outside of the bird nesting season (March to August inclusive) as secured within section 5 of the Outline CEMP (Document reference 7.1, DCO Volume 7).
- Implementing good practice measures for noise and vibration reduction as included in the Outline CEMP and with further detail to be included within the NVMP that will be prepared post DCO consent to limit disturbance to badgers, hazel dormouse and birds. Additional measures include locating plant away from sensitive receptors and switching off

equipment when not in use. Suitable exclusion zones are to be demarcated around retained badger setts to prevent any disturbance as a result of construction activities.

4.4.339 Secondary mitigation measures are identified in section 8.9 of ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1, DCO Volume 6). Identified secondary measures include:

- Implementing watching briefs which have utilised noise modelling for qualifying species at Budds Farm which will seek to minimise the impact on qualifying species.
- Applying a 'soft start' methodology during piling works at Budds Farm and the WRP, which will avoid a sudden impulsive loud noise and the subsequent startle effect on qualifying species present.
- Implementing acoustic barriers where noise from night-time construction activities will encroach on key connective locations (hedgerows and rivers etc). Additionally, acoustic barriers are to be used where the presence of noise and vibrations from construction activities may result in the loss of bat roosting habitat or the abandonment of a roost due to behavioural avoidance of species from areas with high level of noise or vibration.

4.4.340 NPSWRI paragraph 4.11.10 notes that "*in certain situations, and only when all other forms of noise mitigation have been exhausted, it may be appropriate for the Secretary of State to consider requiring noise mitigation through improved sound insulation to noise sensitive receptors".*

4.4.341 As demonstrated in ES Chapter 15 Noise and vibration, Volume I (Document reference 6.1, DCO Volume 6) the Applicant is not providing improved sound insulation to noise sensitive receptors as the proposed primary, tertiary and secondary mitigation has been assessed as being proportionate and reasonable based on the scope of the Project.

Decision Making

4.4.342 Paragraph 4.11.11 of the NPSWRI advises that a development must be undertaken in accordance with statutory requirements for noise. *"Due regard must be given to the relevant sections of the Noise Policy Statement for England, the National Planning Policy Framework, and the government's associated planning practice guidance on noise."*

4.4.343 ES Chapter 15 Noise and vibration, Volume I (Document reference 6.1, DCO Volume 6) table 152, confirms that the Project design has considered the policies within the NPPF (2024), the Noise Policy Statement for England (2010) and the PPG on Noise (PPG-Noise), 2019. These documents have been considered when developing the Project. Additionally, the PPG on Noise has been used to develop a noise exposure hierarchy (table 15-10 of ES Chapter 15 Noise and vibration Volume I (Document reference 6.1, DCO Volume 6).

4.4.344 NPSWRI paragraph 4.11.12 states that a development "*should demonstrate good design through selection of the approach with the most acceptable soundscape available; containment of noise within buildings wherever*

possible; optimisation of facility layout to minimise noise emissions; and, where possible, the use of landscaping, bunds or noise barriers to reduce noise transmission." As confirmed within ES Chapter 15 Noise and vibration, Volume I (Document reference 6.1, DCO Volume 6) a range of good design measures have been embedded into the Project design (primary mitigation) and will be secured by the DPD (Document reference 5.11, DCO Volume 5). As detailed in ES Chapter 15 Noise and vibration Volume I (Document reference 6.1, DCO Volume 6) section 15.4, these primary mitigation measures specific to noise and vibration, which form part of the design that has been assessed and are secured in the DPD (Document reference 7.16, DCO Volume 7) are:

- Avoidance of sensitive receptors through the site/route selection process.
- Detailed design will ensure that operational noise levels at noise sensitive receptors do not exceed the Lowest Observed Adverse Effect Level (LOAEL).

4.4.345 Paragraph 4.11.13 of the NPSWRI advises the SoS "*should not grant development consent unless satisfied that the proposals will meet the following aims, through the effective management and control of noise, within the context of government policy on sustainable development:*

- *"Avoid significant adverse impacts on health and quality of life from noise as a result of new development*
- *Mitigate and minimise other adverse impacts on health and quality of life from noise from new development*
- *Where possible, contribute to improvements to health and quality of life".*

4.4.346 ES Chapter 15 Noise and vibration, Volume I (Document reference 6.1, DCO Volume 6) section 15.10 summarises residual effects and shows that, with the identified mitigation, significant adverse impacts on health and quality of life are not anticipated. Chapter 15 Noise and vibration, Volume I (Document reference 6.1, DCO Volume 6) also demonstrates that adverse impacts will be mitigated and minimised. As confirmed in table 15-2 of ES Chapter 15 Noise and vibration, Volume I (Document reference 6.1, DCO Volume 6), due to the nature of the Proposed Development, it has not been possible to identify noise-related opportunities to improve health and quality of life.

4.4.347 NPSWRI paragraph 4.11.14 states that when determining an application, the SoS should consider whether mitigation measures are needed both for construction noise and operational noise.

4.4.348 The primary mitigation measures specific to noise and vibration identified in ES Chapter 15 Noise and vibration, Volume I (Document reference 6.1, DCO Volume 6) are secured in the DPD (Document reference 7.16, DCO Volume 7). Tertiary and secondary mitigation measures are secured in section 5 of the Outline CEMP (Document reference 7.1, DCO Volume 7) which will be secured by the DCO requirement to submit a final CEMP which will be produced and submitted for approval in accordance with the corresponding requirement in Schedule 2 to the draft DCO (Document reference 3.1, DCO Volume 3).

4.4.349 As set out in ES Chapter 15 Noise and vibration, Volume I (Document reference 6.1, DCO Volume 6) section 15.4. Detailed design will ensure that operational noise levels at noise sensitive receptors do not exceed the LOAEL and mitigation measures will be adopted according to the mitigation hierarchy as set out at paragraph 4.4.340.

4.4.350 NPSWRI paragraph 4.11.15 requires applicants to propose appropriate mitigation measures to limit the impact of any noise emissions on amenity.

4.4.351 ES Chapter 12 Land use and agriculture, Volume I (Document reference 6.1, DCO Volume 6) considers effects on amenity, taking into account potential noise impacts. Primary mitigation measures to limit noise emissions on amenity which is secured in section 5 of the DPD (Document reference 7.16, DCO Volume 7) which are set out in ES Chapter 15 Noise and vibration, Volume I (Document reference 6.1, DCO Volume 6) section 15.4, include for example avoiding sensitive receptors through the site/route selection process, using quiet/low vibration plant and utilising screening from existing landforms and structures.

4.4.352 Tertiary mitigation measures secured in section 5 of the Outline CEMP (Document reference 7.1, DCO Volume 7) and set out in ES Chapter 15 Noise and vibration, Volume I (Document reference 6.1, DCO Volume 6) section 15.4 which will limit the impact of any noise emissions on amenity, include:

- Scheduling works, where practicable, to reduce noise and vibration emissions at highly sensitive times.
- Selection of plant and working methods to reduce noise and vibration emissions whilst carrying out the work in an efficient and cost-effective manner.
- Reducing intensity of works during noise sensitive periods, where required.
- Locating noisy equipment to reduce noise levels at NVSRs.
- Scheduling works, where practicable, to avoid multiple activities near to NVSRs.
- Provision of acoustic screening and enclosures where required.
- Provision of plant movement alarms that vary the loudness level according to ambient noise levels.
- Provision of contact details for complaints via site environmental notice boards and adoption of a procedure for monitoring and investigating complaints.

4.4.353 Further at set out in ES Chapter 15 Noise and vibration, Volume I (Document reference 6.1, DCO Volume 6) section 15.4, the Contractor, post-DCO application, will undertake a scheme of noise and vibration monitoring and assessment periodically during construction. Details of the monitoring will be defined in the NVMP and any Section 61 application submitted post-DCO application, which will be agreed with the local planning authorities prior to commencement and is secured by the DCO requirement to submit a final

CEMP which will be produced and submitted for approval in accordance with the corresponding requirement in Schedule 2 to the draft DCO (Document reference 3.1, DCO Volume 3).

4.4.354 NPSWRI paragraph 4.11.16 states that "*for those processes in a development that would require an Environmental Permit, the Secretary of State may assume that the regime will exercise the necessary controls over noise impacts. However, the Secretary of State must take into account the potential impact from all noise sources, as relevant, when deciding whether to grant development consent and, if so, on what terms".* As confirmed within section 15.4 of ES Chapter 15 Noise and Vibration, Volume I (Document reference 6.1, DCO Volume 6), good construction practices are secured in the Outline CEMP (Document reference 7.1, DCO Volume 7) and these measures will manage the effects of construction. Additionally, secondary mitigation measures secured in section 5 of the Outline CEMP (Document reference 7.1, DCO Volume 7) that the NVMP and Section 61 consent applications will consider and apply where relevant and practicable are:

- Further limiting working hours to avoid the most noise-sensitive times such as weekends.
- Selection of quieter plant, equipment or working methods.
- Use of additional silencers, screening and/or enclosures.
- Reduce intensity of works (e.g. numbers or on-time of noisy equipment such as circular saws or pneumatic breakers). Interspersing of noisy works between quieter works to provide periods of respite.
- Phasing of the works to ensure that the noisiest operations are performed during the least sensitive times and vice-versa.
- Review of the construction programme to reduce the duration of the works at the closest approach to properties where practicable to give periods of respite.

4.4.355 Section 5 of the Outline CEMP (Document reference 7.1, DCO Volume 7) sets out the mitigation measures will be implemented to avoid significant effects and exceedances of the SOAEL. Due to the practicalities of constructing the Project, some adverse noise effects are inevitable; however, the Outline CEMP (Document reference 7.1, DCO Volume 7) also secures that all mitigation measures identified as practicable by the Contractor and necessary due to predicted exceedances of the LOAEL will be implemented. This will mitigate and reduce other adverse impacts on health and quality of life in section 5.

Resource and waste management

4.4.356 Section 4.12 (resource and waste management) in the NPSWRI confirms the government's commitment to reducing waste and using resources responsibly to contribute to a better environment and in turn human health. Where this is not possible, waste management regulation ensures that waste is disposed of in a way that is least damaging to the environment and to human health.

4.4.357 Paragraph 4.12.2 of the NPSWRI confirms that sustainable waste management should be implemented through the 'waste hierarchy, which sets out the priority order that must be applied when managing waste. These are (in order):

- Prevention
- Preparing for reuse
- Recycling
- Other recovery, including energy recovery
- Disposal.

4.4.358 Paragraph 4.12.3 advises that it is possible to deviate from the priority order of the waste hierarchy if a life-cycle analysis demonstrates that an alternative approach results in a better overall environmental outcome, considering the impacts of waste generation and management.

4.4.359 This requirement to follow the waste hierarchy has been incorporated into the tertiary mitigation which is outlined in section 16.4 of ES Chapter 16 Resources and waste management, Volume I (Document reference 6.1, DCO Volume 6). Measures included in the Outline CEMP (Document reference 7.1, DCO Volume 7) set out how reuse and waste minimisation measures are incorporated into the Project in section 5. Further sustainable waste management measures will be applied through development of a SWMP which is a requirement of the Outline CEMP to be developed by the Contractor. The SWMP will ensure that waste is managed in line with good practice and the waste hierarchy.

4.4.360 As set out in paragraph 4.12.4, "*Water resources infrastructure projects may generate hazardous and non-hazardous waste during the construction and operation. The applicant should consult with the relevant waste planning authority and operators to ensure that there is sufficient local waste management capacity".*

4.4.361 ES Chapter 16 Resources and waste management, Volume I (Document reference 6.1, DCO Volume 6), section 16.5 confirms that potential waste from the Project has been assessed against the landfill capacity likely to be available in the years in which the waste is generated. Forecasts have been made of the likely available landfill capacity up until the end of construction, the period between 2024-2034 and they confirm that there is sufficient capacity.

4.4.362 Paragraph 4.12.5 of the NPSWRI sets out that as a producer of waste, *"the applicant has a duty of care to ensure their waste is appropriately managed, specifically in taking all reasonable steps to:*

- *Prevent unauthorised or harmful deposit, treatment or disposal of waste*
- *Prevent any other person failing to meet the requirement to have an environmental permit, or a breach of a permit condition*
- *Prevent the escape of waste from their control*

- *Ensure that any person they transfer the waste to has the correct authorisation*
- *Provide an accurate description of the waste when it is transferred to another person."*

4.4.363 The measures set out in Paragraph 4.12.5 of the NPSWRI will be included within the SWMP, which is a requirement of the Outline CEMP (Document reference 7.1, DCO Volume 7). This will ensure that the waste is managed in accordance with good practice measures.

Applicant's Assessment

4.4.364 Paragraph 4.12.6 requires that applicants should set out the arrangements that are proposed for managing any waste produced in the application for development consent and prepare a "*Site Waste Management Plan and Materials Management Plan where relevant".* Further, the *"arrangements in the plan should include information on the proposed waste recovery and disposal system for all waste generated by the development and should also include details of the alternatives that have been considered."*

4.4.365 As set out in the preceding paragraphs, a SWMP will be produced by the Contractor, and this will be a requirement of the Outline CEMP, which will be secured through the DCO application. This will include information on the proposed waste recovery and disposal system for all waste generated by the development and should also include details of the alternatives that have been considered. Further, section 5 of the Outline CEMP (Document reference 7.1, DCO Volume 7) set out how reuse and waste minimisation measures are incorporated into the Project. Further sustainable waste management measures will be applied through development of a SWMP, which will ensure that waste will be managed in line with good practice and the waste hierarchy.

4.4.366 Paragraph 4.12.7 requires applicants to demonstrate that all waste produced by the facility will be managed in accordance with the waste hierarchy as set out in NPSWRI paragraph 4.12.2 and that, during construction, excavated soil, subsoil and rock will, where possible, be reused as per the Materials Management Plan and/or Soil Management Plan. Further the Applicant *"must also set out the process in place to ensure their duty of care as a waste producer outlined in section 4.12.4 above is met. The applicant should seek to minimise the volume of waste produced. The applicant should also seek to minimise the volume of waste sent for disposal unless it can be demonstrated that this is the best overall environmental, social and economic outcome when considered over the whole lifetime of the project."*

4.4.367 As set out within the preceding paragraph, sustainable waste management measures will be applied through development of a SWMP which is a requirement of the Outline CEMP to be developed by the Contractor. The measures secured in the Outline CEMP regarding site waste management ensure that waste will be managed in line with good practice and the waste hierarchy. This will reduce waste sent to landfill and will direct an effective circular economy approach to the management of waste materials during the

construction phase. This will promote waste management activities higher up the waste hierarchy, to ensure that as much material is reused and/or recycled as reasonably practicable to reduce the amount of construction waste requiring disposal. Further, the Outline CEMP site management principles include a requirement to ensure there is regular training and compliance with waste duty of care obligations.

4.4.368 The Outline SRMP (Document reference 7.1, DCO Volume 7) appended to the Outline CEMP (Document reference 7.1, DCO Volume 7) sets out in section 5 that the soil protection measures and how any effects on soils will be minimised through primary and tertiary mitigation measures including the measures set out in the Outline SRMP and the principles within the good practice guidance in the Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites.

Mitigation

4.4.369 Paragraph 4.12.8 of the NPS requires the applicant to set out a comprehensive suite of mitigations to eliminate or significantly reduce the risk of adverse impacts associated with resource and waste management.

4.4.370 The SDR (Document reference 5.10, DCO Volume 5) and ES Chapter 4 Consideration of alternatives, Volume I, (Document reference 6.1, DCO Volume 6) sets out the how the scheme has been designed and provides details of the embedded primary mitigation. The primary measures have been embedded into the Project design to avoid or reduce environmental effects.

4.4.371 Additionally, tertiary measures have been included within section 16.4 of ES Chapter 16 Resources and waste management, Volume I (Document reference 6.1, DCO Volume 6) which include the following:

- A SWMP to be developed by the Contractor as part of the detailed CEMP. The SWMP will record any decisions given to material resource efficiency when designing and planning the proposed works.
- The application of good construction practices and the waste hierarchy.

4.4.372 ES Chapter 16 Resources and waste management, Volume I (Document reference 6.1, DCO Volume 6) confirms that appropriate mitigation for hazardous construction waste management effects has been set out in the Outline CEMP, and will be incorporated into the Project and described in the SWMP which will be produced by the Contractor. Further details on how waste generation and its management would be monitored and reported, are set out in the Outline CEMP.

4.4.373 Minerals and minerals safeguarding are covered within paragraphs 4.3.289-4.3.295 of this PPS.

Decision Making

4.4.374 Paragraph 4.12.9 of the NPSWRI advises that the SoS will consider the extent to which the applicant has proposed an effective process that will be followed to ensure effective management of hazardous and non-hazardous

waste arising from all stages of the lifetime of the development. The SoS should be satisfied that the process set out provides assurance that:

- *"Waste produced will be appropriately managed, both onsite and offsite and the waste hierarchy principles will be followed*
- *The waste from the proposed development can be dealt with appropriately by the waste infrastructure which is, or is likely to be, available. Such waste arisings should not have an adverse effect on the capacity of existing waste management facilities to deal with other waste arising in the area."*

4.4.375 Adequate steps have been taken to reduce the volume of waste arising, and of the volume of waste arising sent to disposal.

4.4.376 As confirmed previously within this PPS, sustainable waste management measures will be applied through development of a SWMP. The measures in section 5 secured in the Outline CEMP (Document reference 7.1, DCO Volume 7) regarding site waste management ensure that waste will be managed in line with good practice and the waste hierarchy. This will reduce waste sent to landfill, and will direct an effective circular economy approach to the management of waste materials during the construction phase.

4.4.377 ES Chapter 16 Resources and waste management, Volume I (Document reference 6.1, DCO Volume 6), section 16.5 confirms that potential waste from the Project has been assessed against the landfill capacity likely to be available in the years in which the waste is generated. Forecasts have been made of the likely available landfill capacity up until the end of construction.

4.4.378 Section 16.8 of ES Chapter 16 Resources and waste management, Volume I (Document reference 6.1, DCO Volume 6) sets out details of hazardous waste which will require off-site disposal outside of the county. A 0.31% reduction in the available hazardous landfill capacity projected to be available in England at the end of construction.

4.4.379 However, as demonstrated in ES Chapter 16 Resources and waste management, Volume I (Document reference 6.1, DCO Volume 6) and in accordance with the criteria set out in the IEMA Waste Guidance (note IEMA, is now the Institute of Sustainability and Environmental professionals ISEP)), forecasts show that sufficient hazardous waste landfill capacity is likely to remain regionally and nationally after completion of construction of the Project, such that the ability for other hazardous waste producers to manage their waste would be unaffected. As confirmed in section 16.9 of ES Chapter 16 Resources and waste management, Volume I (Document reference 6.1, DCO Volume 6) *"The hazardous waste management measures secured in the Outline CEMP will ensure that all suitable options for diverting hazardous waste from landfill will be considered by the Contractor during construction, and that wherever possible, no hazardous waste excavated from historic landfills will be sent directly off-site for disposal at landfill, without assessing the possibility for treatment, remediation, and/or recovery".*

4.4.380 Paragraph 4.12.10 of the NPSWRI advises that where necessary, the SoS should use requirements or obligations to ensure that appropriate mitigations are applied. Schedule 2 of the draft DCO (Document reference 3.1, DCO

Volume 3) include the requirement for the appointed Contractor to prepare a SWMP (or SWMPs), CEMP, Materials management plan/soil management plan and MMP (or MMPs).

Socio-economic impacts

4.4.381 Section 4.13 of the NPSWRI addresses socio economic impacts and states that Applicants should look to maximise local employment opportunities during construction and operational phase (paragraph 4.13.1) and water resources infrastructure may also offer opportunities to supply local business water users' needs directly, for example local industries or agricultural operations (paragraph 4.13.2).

Applicant's Assessment

4.4.382 Paragraph 4.13.3 of the NPSWRI requires that consideration should be had for the impacts of the proposed projects during construction and operation may affect local communities and amenities, including job creation, increased spending, visual impacts and traffic and transport. The latter two topics are addressed 13 and 18 of the ES respectively and in the relevant sections of the PPS. Chapter 12 Land use and agriculture, Volume I (Document reference 6.1, DCO Volume 6) separately considers impacts on residential properties, commercial properties and land, and community land and facilities, including as a result of impacts on access.

4.4.383 The assessment in ES Chapter 17 Socio-economics, tourism and health, Volume I (Document reference 6.1, Volume 6) considers the effects on employment, the supply chain, training and apprenticeship and effects on employment from impacts on allocated employment land.

4.4.384 Paragraph 4.13.4 requires applicants to describe existing socio-economic conditions in the areas surrounding the proposed development, following appropriate consultation with those most affected, and should refer to how the development's socio-economic impacts correlate with local planning policies. The applicant should also describe the existing demographics within the area and assess how the development could affect any groups who have 'Protected Characteristics' Under the Equality Act 2010. The EQIA (Document reference 7.13, DCO Volume 7) (EQIA)has been prepared with the purpose of ensuring compliance with the Equality Act 2010 and the associated Public Sector Equality Duty. It helps identify and mitigate potential discrimination or disadvantage against people based on protected characteristics.

4.4.385 Paragraph 4.13.5 states that the assessment should consider any relevant socio-economic impacts associated with the proposed development. These may include job creation, training opportunities, educational or visitor facilities, effects on tourism and local businesses or services, and the potential to supply water directly to nearby commercial users.

4.4.386 The economic benefits of the Project are set out in section 3 of the PPS and in section 4.3 of the CftP (Document reference 5.7, DCO Volume 5). This includes the Outline SEP (Document reference 7.9, DCO Volume 7), which

sets out a range of skills and employment measures that will help to maximise the opportunity the Project provides to local people and businesses, and an additional Skills and Employment Fund which will provide funding to a new skills centre initiative.

4.4.387 The assessment within ES Chapter 17 Socio-economics, tourism and health, Volume I (Document reference 6.1, DCO Volume 6) considers the employment and training opportunities arising from the construction and operation of the Project, and the impact on strategic tourism receptors. This assessment should be read in conjunction with ES Chapter 12 Land use and agriculture, Volume I (Document reference 6.1, DCO Volume 6), which considers impacts on residential properties, commercial properties and land, and community land and facilities.

4.4.388 Paragraph 4.13.6 notes that socio-economic impacts may be linked to other impacts, such as the visual impact or an individual's perception of a development, and that this should be included in the assessment of the project. The assessment in ES Chapter 17 Socio-economics, tourism and health, Volume I (Document reference 6.1, DCO Volume 6) includes consideration of the impact on strategic tourism receptors from in-combination effects on their amenity as a result of visual, traffic, noise or air quality effects.

4.4.389 The requirements in relation to assessing cumulative effects (paragraph 4.13.7) are reported in ES Chapter 20 Cumulative and in-combination effects, Volume I (Document reference 6.1, DCO Volume 6).

4.4.390 During operation ES Chapter 17 Socio-economics, tourism and health, Volume I (Document reference 6.1, DCO Volume 6) concludes a significant major beneficial effect for consumers of drinking water in the wider community supplied by the Applicant. By improving water security and increasing its supply in an identified water scarce area, it could increase the investability of development land for residential and commercial uses. It could also increase the likelihood of these developments being consented due to a reduction in sensitivities related to local water supply impacts.

Mitigation

4.4.391 Paragraph 4.13.9 of the NPSWRI advises that the SoS should consider whether the mitigation measures put forward by the applicant are acceptable to mitigate any adverse socio-economic impacts of the development.

4.4.392 As identified within the ES Chapter 17 Socio-economics, tourism and health, Volume I (Document reference 6.1, DCO Volume 6) primary mitigation measures specific to socio-economics and tourism and health has included avoiding settlements, commercial land, allocated employment land, tourism receptors, PRoW, and property and major housing allocations where practicable, to reduce the risk of disruption to property, land and access.

4.4.393 A range of mitigation measures have been identified within the following ES chapters which seek to mitigate any adverse socio-economic impacts of the development, as set out in Table 4-10. Each chapter identified below will provide full details of the potential adverse impacts and what primary and

tertiary mitigation will be implemented and if necessary, details of secondary mitigation.

Table 4-10: mitigation measures for socio economic impacts

ES Chapter	Summary of effects identified	Examples of proposed mitigation in the relevant ES Chapter	Are the adverse impacts able to be mitigated?
Chapter 6 Air quality and odour, Volume I (Document reference 6.1, DCO Volume 6)	Considers likely significant effects on air quality and odour for human health receptors including residential properties, schools, hospitals and care homes.	Primary and tertiary measures are set out in section 6.4 of the Chapter. Primary measures include preference for the shortest pipeline route to reduce the overall footprint and the number of receptors that would be affected and the avoidance of populated areas (where possible). Tertiary measures include good construction measures during the construction period are secured in section 5 of the Outline CEMP (Document reference 7.1, DCO Volume 7)	✓
ES Chapter 11 Land quality and ground conditions, Volume I (Document reference 6.1, DCO Volume 6)	Considers human health in relation to pollution that may exist in the ground and become mobilised during construction.	Primary and tertiary measures are set out in section 11.4 of the Chapter. Primary measures include a commitment to trenchless construction where the Project crosses Main Rivers to reduce the potential for contaminated material to enter surface water via surface run-off. Tertiary measures include implementing a watching brief and discovery strategy will also be in place during the construction phase. Should visual and/or olfactory indicators of unforeseen contamination (including asbestos) be encountered, works will cease in that area and advice be sought	✓

ES Chapter	Summary of effects identified	Examples of proposed mitigation in the relevant ES Chapter	Are the adverse impacts able to be mitigated?
		from a suitably qualified geoenvironmental professional.	
ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6)	Considers likely significant effects from changes in the landscape and visual environment for receptors including recreational, tourism and community receptors.	Primary and tertiary measures are set out in section 13.4 of the Chapter. Primary measures include the LVIA has informed the iterative design through the scheme development process described in ES Chapter 4 Consideration of alternatives Volume I (Document reference 6.1, DCO Volume 6) and the SDR (Document reference 5.11, DCO Volume 5), from the outset. Tertiary measures include implementing the Outline LEMP (Document reference 7.5, DCO Volume 7) which sets out the actions that will be implemented to achieve the successful establishment of planting and the management of existing and proposed habitats within the Project.	✓
ES Chapter 15 Noise and vibration, Volume I (Document reference 6.1, DCO Volume 6)	Considers likely significant effects from changes in the noise environment for sensitive receptors, including relevant businesses and commercial properties	Primary and tertiary measures are set out in section 15.4 of the Chapter. Primary measures include the avoidance of sensitive receptors through the site/route selection process. Detailed design will ensure that operational noise levels at noise sensitive receptors do not exceed the LOAEL Tertiary measures include a commitment within the Outline CEMP (Document reference 7.1, DCO Volume 7) to produce a NVMP.	✓
ES Chapter 18 Traffic and transport, Volume I (Document	Considers changes in current traffic and transport and any resultant likely significant effects	Primary and tertiary measures are set out in section 18.4 of the Chapter. Primary measures include Where practicable, avoiding	✓

ES Chapter	Summary of effects identified	Examples of proposed mitigation in the relevant ES Chapter	Are the adverse impacts able to be mitigated?
reference 6.1, DCO Volume 6)	on receptors including community safety along with effects on walking, cycling and horse riding (WCH) infrastructure, including PRoW.	temporary closures on national trails, the National Cycle Network (NCN) or other Rights of Way where there are not deemed to be suitable alternatives. PRoW impacted by the Project would be reinstated to its previous condition. Tertiary measures include implementing the Framework CTMP provides detail on the routes that would be designated for use by construction vehicles when travelling to and from the various components of the Project.	

4.4.394 Additional tertiary measures include (in summary):

- The Applicant's Contractor implementing good construction practices, as set out in the Outline CEMP (Document reference 7.1, DCO Volume 7) which will be secured by a requirement in the DCO, will manage the effects of construction.
- The Applicant's Contractor implementing the Framework CTMP (including Framework Construction Worker Travel Plan and Framework Rights of Way Management Plan (RoWMP)) (Document reference 7.2, DCO Volume 7) which secures measures to reduce construction traffic impacts and the magnitude of adverse effects on residents and businesses as well as the inherent in-combination effects on amenity.
- The Applicant will engage with employers and stakeholders to ensure local residents have the skills to access the construction jobs created as secured within the Outline (SEP) (Document reference 7.9, DCO Volume 7).
- The Applicant's Contractor implementing the Framework RoWMP (Appendix B of the Framework CTMP (Document reference 7.2, DCO Volume 7)) provides details of measures to reduce impacts as a result of a PRoW being temporarily or permanently affected during construction.

4.4.395 The Applicant's Contractor implementing a Traffic Management Strategy (TMS) (Document reference 7.3, DCO Volume 7) which will help to manage the potential road closures and associated traffic management that may be required during the construction phase. Where road closures are proposed in proximity to each other, a sequential approach will be adopted to reduce potential traffic impacts.

4.4.396 As demonstrated within ES Chapter 17 Socio-economics, tourism and health, Volume I (Document reference 6.1, DCO Volume 6), and as summarised in table 4.10 of this PPS, the proposed primary and tertiary mitigation will ensure any potential adverse impacts are effectively managed.

Decision making

4.4.397 NPSWRI paragraph 4.13.10 sets out that the SoS should consider any *"relevant provisions the applicant has made, or is proposing to make, to mitigate impacts (for example through planning obligations), and any community investment that may arise, as well as any options for phasing development, that would mitigate any negative socio-economic impacts."* There is a requirement for the SoS to ensure that infrastructure projects can be integrated effectively with existing communities and businesses. Further the NPSWRI is clear that "*Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established".* Where there is a significant *"adverse effect on new infrastructure projects in its vicinity, the applicant should be required to provide suitable mitigation before the development has been completed"*

4.4.398 With commitments and mitigation in place ES Chapter 17 Socio-economics, tourism and health, Volume I (Document reference 6.1, DCO Volume 6) concludes that the Project would result in minor beneficial effects during construction on employment and supply chain in Hampshire and the South-East and the local population, including young people, through training and apprenticeships.

4.4.399 During operation ES Chapter 17 Socio-economics, tourism and health, Volume I (Document reference 6.1, DCO Volume 6) concludes a significant major beneficial effect for consumers of drinking water in the wider community supplied by the Applicant. By improving water security and increasing its supply in an identified water scarce area, it could increase the investabiltiy of development land for residential and commercial uses.

4.4.400 There are no significant adverse socio-economic effects on the receptors assessed (in relation to access to or amenity effects on strategic tourism receptors or effects on tourism accommodation). The only potentially residual adverse effect in relation to socio economic receptors would be a minor adverse effect in relation to access to Marwell Zoo during construction. Any adverse effect would be temporary and short-term with road closures occurring only at night and lasting no longer than 21 days.

4.4.401 ES Chapter 12 Land use and agriculture, Volume I (Document reference 6.1, Volume 6) provides an assessment on residential properties, commercial properties and land, and community land and facilities. The assessment concludes significant residual adverse effects on two receptors namely Wickham Park Golf Club (temporary loss of land and in-combination effects on amenity) and temporary and permanent loss of land and in-combination effects on amenity at Winters Hill Hall wedding and events venue.

4.4.402 In relation to Wickham Park Golf Club the construction of the pipeline between the WRP site and Otterbourne WSW would require open-cut trenching through parts of Wickham Park Golf Course and through the car park. A construction compound is also proposed to be situated in the southern part of the golf course, to support the trenchless crossing of the River Meon. The impact on the golf club would be temporary, and the proposed flexibility and controls in the Project would allow impacts on the golf course to be reduced as reasonably practicable through detailed design however, a major adverse effect which is considered significant is reported.

4.4.403 Open-cut trenching would also be required through parkland at Winters Hill Hall. BPT-K and an associated construction compound are also proposed to be located on land to the immediate north-east of the Hall. It is considered that there is the potential for temporary and permanent adverse effects on the wedding and events business at Winters Hill Hall. During construction, the temporary moderate adverse effect is associated with open-cut trenching and the construction compound

4.4.404 In terms of decision taking paragraph 4.13.10 requires the SoS to consider the provisions the Applicant has made to mitigate impacts. The mitigation measures described above would be secured through various management plans including:

- Outline CEMP (Document reference 7.2, DCO Volume 7).
- Framework CTMP (Document reference 7.2, DCO Volume 7).
- Outline SEP (Document reference 7.9, DCO Volume 7).

4.4.405 The measures contained in these management plans would be secured by Requirements in Schedule 2 to the DCO.

4.4.406 Paragraph 4.13.11 also requires the decision maker to consider equality impacts, and whether measures put forward by the applicant to mitigate any adverse equality impacts caused by the development are acceptable. The assessment in section 6 of the EqIA (Document reference 7.13, DCO Volume 7) has not identified any potential disproportionate or differential equality effects associated with the Project for any specific receptors but some potential disproportionate and differential effects for protected characteristic groups have been identified. An action plan has been included as an appendix to the EqIA which sets out the actions that have been identified through the assessment process to reduce or remove adverse effects for protected characteristic groups, and to support the delivery of positive (beneficial) effects. The Outline CEMP specifies requirement for the Contractor to align with actions in EqIA action plan.

Traffic and transport

4.4.407 Paragraph 4.14.1 of the NPSWRI sets out that the *"transport of materials, goods and personnel to and from a water resources infrastructure site can have a variety of impacts on the surrounding transport infrastructure and potentially on connecting transport networks during the construction and*

operational phases. Impacts include economic, social and environmental effects."

4.4.408 ES Chapter 18 Traffic and transport, Volume I (Document reference 6.1, DCO Volume 6) provides the assessment of the likely significant effects on traffic and transport from the construction, operation and decommissioning of the Project. Social and economic impacts have been considered within ES Chapter 17 Socio-economics, tourism and health, Volume I (Document reference 6.1, DCO Volume 6). ES Chapter 20 Cumulative and in-combination effects, Volume I (Document reference 6.1, DCO Volume 6) provides an assessment of the cumulative effects i.e. effects from the interrelationship between the Project and other developments, and an assessment of the in-combination effects i.e. effects from the interaction between the individual effects of the Project.

4.4.409 It is confirmed in paragraph 4.14.2 of the NPSWRI that *"environmental impacts may result particularly from trips generated on roads which may increase noise and air pollution as well as greenhouse gas emissions"* .

4.4.410 ES Chapter 18 Traffic and transport, Volume I (Document reference 6.1, DCO Volume 6) should be read in conjunction with ES Chapter 6 Air quality and odour, Volume I (Document reference 6.1, DCO Volume 6) which provides an assessment of the effects associated with exhaust emissions from construction vehicles on the road network, informed by the construction traffic demand forecasts detailed in ES Chapter 18 Traffic and transport, Volume I (Document reference 6.1, DCO Volume 6). ES Chapter 15 Noise and vibration, Volume I

4.4.411 ES Chapter 15 Noise and vibration, Volume I (Document reference 6.1, DCO Volume 6) provides an assessment of the effects associated with airborne noise generated by construction vehicles on the road network, informed by the construction traffic demand forecasts detailed in ES Chapter 18. ES Chapter 18 Traffic and transport, Volume I (Document reference 6.1, DCO Volume 6) and the supporting Framework CTMP (Document reference 7.2 DCO Volume 7) measures to reduce vehicle movements, and therefore carbon emissions.

4.4.412 Paragraph 4.15.3 confirms that *"disturbance caused by traffic and abnormal loads generated during the construction phase will depend on the scale and type of the proposal".* ES Chapter 18 Traffic and transport (Document reference 6.1, DCO Volume 6) at section 18.8 sets out an assessment of likely significant effects arising from possible disruption to services and infrastructure. Discussions and engagement have been held with Network Rail, National Highways and the relevant Local Highways authority (LHA) as set out in section 18.3 of ES 18 Traffic and transport, Volume I (Document reference 6.1, DCO Volume 6).

4.4.413 Network rail (NR) is the owner/operator of much of the UK railway network and have been consulted regarding the potential impacts of the Project primarily associated with the proposed tunnelling works below the railway. Whilst engagement is ongoing, it is not expected that the Project would have any impact on the passenger rail services.

4.4.414 The assessment of likely significant effects arising from construction traffic with regards to driver and bus passenger delay and abnormal loads is set out in section 18.8 of 4.3.324 ES Chapter 18 Traffic and transport, Volume I (Document reference 6.1, DCO Volume 6).

4.4.415 As set out in paragraph 4.14.4 of the NPSWRI, the "*consideration and mitigation of transport impacts is an essential part of government's wider policy objectives for sustainable development and the Transport Decarbonisation Plan.*"

4.4.416 Sustainable development and the governments Transport Decarbonisation Plan guidance has been considered within primary and tertiary measures relating to construction vehicles as set out section 18.4 of ES Chapter 18 Traffic and transport, Volume I (Document reference 6.1, DCO Volume 6).

Applicant's Assessment

4.4.417 If the Project's construction and operation would have individually or cumulatively significant transport implications, then a transport appraisal will need to be included within the ES (paragraph 4.14.5). *"The Department for Transport's Transport Analysis Guidance[173] provides guidance on modelling and assessing the impacts of transport schemes. Appraisals should adopt a vision led approach that seeks to prioritise modal shift to sustainable transport modes and supports transport as a principal mechanism by which to mitigate the impact of the scheme."*

4.4.418 ES Chapter 18 Traffic and transport, Volume I (Document reference 6.1, DCO Volume 6) includes ES Appendix 18.1 Transport Assessment, Volume II (Document reference 6.2, DCO Volume 6) assesses the extent of the Project's transport impact, specifically in relation to the construction and operation phases of the Project and includes modelling to understand potential impacts of the Project.

4.4.419 The Framework Construction Worker Travel Plan (Framework CWTP), which is appended to the Framework CTMP (Document reference 7.2, DCO Volume 7), has also been prepared and issued as part of the DCO application. The Framework CWTP secures a package of measures that aim to encourage more sustainable travel behaviours among construction workers.

4.4.420 Paragraph 4.14.6 states that Applicants should demonstrate that they have consulted with National Highways (NH), Network Rail (NR) and the Local Highway Authorities (LHA) on the Project.

4.4.421 As confirmed in section 18.3 of ES Chapter 18 Traffic and transport, Volume I (Document reference 6.1, DCO Volume 6), NH has been consulted via the Emissions and Transport EIA Working Group as well as bespoke meetings to discuss the Transport Assessment. A detailed summary of these meetings and workshops, including meeting minutes, can be found in ES Appendix 18.1 Transport Assessment, Volume II (Document reference 6.2, DCO Volume 6). A draft version of the Framework CTMP (and appended Framework CWTP) (Document reference 7.2, DCO Volume 7) was provided to NH for comment.

4.4.422 Network Rail have been consulted regarding the potential impacts of the scheme, primarily associated with the proposed tunnelling works below the railway. These consultations are currently on-going, and it is not expected that the Project would have any impact on the passenger rail services.

4.4.423 HCC in its role as LHA, has been consulted via several methods and groups including the Emissions and Transport EIA Working Group, bilateral meetings, Joint Officers Group meetings and other bespoke meetings to discuss the Transport Assessment and transport management plans. A detailed summary of these meetings and workshops, including meeting minutes, can be found in ES Appendix 18.1 Transport Assessment, Volume II (Document reference 6.2, DCO Volume 6).

4.4.424 Additional engagement has been held with PCC who are the LHA for the roads to the south of Sections D and E of the Pipeline between the WRP site and Otterbourne WSW). PCC have been engaged via the Emissions and Transport EIA Working Group, as part of the bi-lateral meetings, Joint Officers Group meetings and the Transport Assessment scoping discussions.

4.4.425 Paragraph 4.14.7 of the NPSWRI states the Applicant should prepare a Construction Management Plan for construction stages and a Travel Plan for operational stage, which should provide monitoring measures to mitigate transport impacts and improve access to sustainable modes of transport. The applicant should also provide details of proposed measures to improve access by walking, wheeling, cycling, public and shared transport to:

- Reduce the need for parking associated with the proposal.
- Contribute to decarbonisation of the transport network.
- Reduce the need to travel.
- Secure behavioural change and modal shift through an offer of genuine modal choice and to mitigate transport impacts.

4.4.426 A Framework CTMP (Document reference 7.2, DCO Volume 7) has also been included as part of the DCO application. The Framework CTMP relates to the construction phase of the Project, setting out how the traffic impacts of construction will be managed. The Framework CTMP includes details of how traffic will be monitored, including though the appointment of a road safety officer.

4.4.427 The Framework CWTP (Document reference 7.2, DCO Volume 7) which is appended to the Framework CTMP, provides measures to encourage construction workers to travel by sustainable modes of transport, including walking, cycling, public transport (buses) and rail.

4.4.428 Given the very low traffic demands of the Project, it has been agreed with the highway authorities (HCC and PCC), National Highways and the approach was presented at the Emissions and Transport Working Group that an Operational Travel Plan is not required in this instance.

4.4.429 As set out in paragraph 4.14.8 of the NPSWRI, there is a requirement for the assessment to consider any possible disruption to services and infrastructure (such as road, rail and airports).

4.4.430 A Travel Plan Coordinator (TPC) will be appointed who will be responsible for implementing the CWTP on behalf of the Applicant. The TCP will be responsible for the day-to-day management, co-ordination, promotion and implementation of the CWTP. Further, all construction workers will be made aware of various travel options (as set out above). All construction works will be provided with travel packs which would include details of walking routes, bus routes, cycling routes and the use of mini-bus pick up points which would provide alternative sustainable travel options if there are any disruption to services.

4.4.431 Paragraph 4.14.9 of the NPSWRI states that *if "additional transport infrastructure is needed or proposed, it should always include good quality walking, wheeling and cycle routes, and associated facilities (changing and storage etc needed to enhance active transport provision".* As set out in the Framework RoWMP, which is an appendix to the Framework CTMP (Appendix B) (Document reference 7.2, DCO Volume 7), there will be one permanent change to the Public Right of Way (PRoW) network which would be implemented during the construction phase. The PRoW which is subject to a permanent diversion will be instated to the satisfaction and inspection of the Area Countryside Access Manager and with regard to HCC standards. Applicants should discuss with network providers the possibility of co-funding by government for any third-party benefits (Paragraph 4.4.10 of the NPSWRI). This paragraph is not considered to be relevant to the Project as the only additional transport infrastructure is the permanent diversion of a PROW. Therefore, this is not considered any further within this PPS. Paragraph 4.14.11 confirms that is a Project is likely to have *"transport implications, the applicant's Environmental Statement should also include a transport assessment."* A Transport Assessment Appendix 18.1 Transport Assessment, Volume II (Document reference 6.2, DCO Volume 6) has been prepared to accompany ES Chapter 18 Traffic and transport, Volume I (Document reference 6.1, DCO Volume 6) Mitigation. Paragraph 4.14.12 of the NPSWRI states that where *"mitigation is needed, possible demand management measures must be considered. This could include: reduce the need to travel by consolidating trips, locate development in areas already accessible by active travel and public transport, provide opportunities for shared mobility, re-mode by shifting travel to a sustainable mode that is more beneficial to the network, retime travel outside of the known peak times, reroute to use parts of the network that are less busy".*

4.4.432 Section 18.4 of ES Chapter 18 Traffic and transport, Volume I (Document reference 6.1, DCO Volume 6) sets out details of primary and tertiary mitigation, including some demand management measures. This includes the Framework CWTP, which is appended to the Framework CTMP (at Appendix A) (Document reference 7.2, DCO Volume 7) which secures a package of measures that aim to encourage more sustainable travel behaviours among construction workers. For example, by reducing single occupancy vehicle trips, promoting cycling and public transport.

4.4.433 Paragraph 4.14.13 of the NPSWRI sets out that if "*feasible and operationally reasonable, such mitigation should be required, before considering requirements for the provision of new inland transport infrastructure to deal*

with remaining transport impacts. All stages of the project should support and encourage a modal shift of freight from road to more environmentally sustainable alternatives, such as rail, cargo bike, maritime and inland waterways, as well as making appropriate provision for and infrastructure needed to support the use of alternative fuels including charging for electric vehicles."

4.4.434 No new inland transport infrastructure is proposed in the Project.

4.4.435 The approach to managing traffic impacts during construction is set out in the Framework CTMP (Document reference 7.2, DCO Volume 7). It includes the principles and minimum standards required of the contractor and appends the Framework Construction Worker Travel Plan and Framework RoWMP. The Framework Construction Worker Travel Plan sets out a framework for the establishment of measures to mitigate and reduce the impacts on the road network from construction worker travel. The Framework RoWMP sets out a framework for the management of rights of way during construction.

4.4.436 The Traffic Management Strategy (Document reference 7.3, DCO Volume 7) covers aspects such as traffic control, public safety, and coordination with local authorities to ensure minimal disruption to the surrounding community and infrastructure.

4.4.437 Paragraph 4.14.14 of the NPSWRI states that regard should be given *"to the needs of freight at all stages in the construction and operation of the development including the need to provide appropriate facilities for Heavy Goods Vehicle drivers as appropriate".* Further, paragraph 4.14.15 of the NPSWRI requires consideration to be given to non-road options where it is safe and cost effective.

4.4.438 HGV welfare facilities are provided in the site sectional compounds as set out in section 3.3 of the Framework CTMP (Document reference 7.2, DCO Volume 7) and within ES Chapter 3 Description of the Proposed Development, Volume I, (Document reference 6.1, DCO Volume 6).

4.4.439 It was considered that it was not available for the project to utilise railway/rail freight terminals in this instance due to the location of the Project in relation to the terminals.

4.4.440 Consideration of Heavy Goods Vehicle (HGV) movements have been assessed within ES Chapter 18 Traffic and transport, Volume I (Document reference 6.1, DCO Volume 6) and within the ES appendices.

4.4.441 Paragraph 4.14.16 of the NPSWRI relates to substantial HGV traffic movements and there is a requirement to demonstrate the following:

- *"Control numbers of Heavy Goods Vehicle movements to and from the site in a specified period during construction and operation where possible, and consider the impacts of alternative transport routes.*
- *Maximise opportunities for modal interchange to more environmentally sustainable alternatives to minimise the length of journeys and time needed to transport goods and materials on the road.*

- *Provide appropriate infrastructure needed to support vehicles that use alternative fuels (including electric vehicles).*
- *Make sufficient provision for Heavy Goods Vehicle parking, and associated high quality driver facilities, either on the site or at dedicated facilities elsewhere, to support driver welfare, avoid 'overspill' parking on public roads, prolonged queuing on approach roads and uncontrolled on-street Heavy Goods Vehicle parking.*
- *Ensure satisfactory arrangements for reasonably foreseeable abnormal disruption or for transporting abnormal loads, in consultation with relevant network providers and the responsible police force".*

4.4.442 The Framework CTMP (Document reference 7.2, DCO Volume 7) relates to the construction phase of the Project, setting out how the traffic impacts of construction will be managed. This includes as far as reasonably practical, limits on the number of vehicle movements associated with the movement of material and people and identifies safe and appropriate construction traffic access routes. The Framework CTMP sets out the components which will form the basis of the individual CTMP which will be consented post DCO. The components include:

- Hours of traffic movements.
- Traffic routing and minimisation of traffic impacts.
- Safe vehicular access and manoeuvring.

4.4.443 Section 5 of the Framework CTMP provides details of the anticipated HGV movements and section 6.3 of the Framework CTMP sets out the management of HGV movements. Measures include restricting HGV movements, where appropriate and practicable, to off-peak time periods to minimise impacts on the local highway network. Further the TMS (Document reference 7.3, DCO Volume 7) provides a strategy as to what traffic management would be required and implemented, expected duration of the works, and any calendar and programme restrictions. It also sets out the notice periods for construction works and the responsive traffic management protocols.

4.4.444 Efficient packing practices which are proposed to be implemented to ensure that the number of HGV trips generated is minimised is set out in section 4 of the Framework CTMP. This is in addition to the good practice measures to reduce waste and minimising resource uses which will also contribute to less HGV trips.

4.4.445 Section 6.10 of the Framework CTMP sets out that the detailed CTMPs would include specific measures targeting reduced GHG emissions associated with the Project. These would be shaped around the following principles:

- Use of low/zero emission or fuel-efficient vehicles.
- Regular HGV maintenance to ensure that vehicles are in good condition, improving their efficiency.
- Driver training programmes to ensure that drivers use eco-driving techniques such as smooth acceleration and deceleration.

- Use of alternative fuels where practicable.
- Use local workers where practicable.

4.4.446 The Framework CTMP at section 6.7 notes that suitable areas would be provided for vehicles to collect waste materials, turn around and leave the site in a forward gear and Vehicles would not be permitted to load, unload or wait on any of the roads outside of the site area. Control of visitors and personnel parking would be similarly maintained.

4.4.447 Section 5.8 of the Framework CTMP sets out the measures around Abnormal Indivisible Loads (AILs).

4.4.448 Paragraph 4.14.17 of the NPSWRI states that the SoS should also have regard to the cost-effectiveness of demand management measures compared to new transport infrastructure, as well as the aim to secure more sustainable patterns of transport development when considering mitigation measures. As set out above, new transport infrastructure is not being proposed and therefore paragraph 4.14.17 of the NPSWRI is not considered any further. Paragraph 4.4.18 of the NPSWRI sets out that the SoS may consider attaching requirements, or requiring obligations in relation to, any development consent to ensure such arrangements are delivered. Draft requirements for the Project are set out in Schedule 2 of the draft DCO (Document reference 3.1, DCO Volume 3).

Decision Making

4.4.449 NPSWRI paragraph 4.14.19 states that a water project may give rise to substantial impacts on the surrounding transport infrastructure and the SoS should therefore ensure that the applicant has sought to mitigate impacts, including during the construction phase of the development and by enhancing active, public and shared transport provision and accessibility.

4.4.450 ES Chapter 18 Traffic and transport, Volume I (Document reference 6.1, DCO Volume 6) includes ES Appendix 18.1 Transport Assessment, Volume II (Document reference 6.2, DCO Volume 6) assesses the extent of the Project's transport impact, specifically in relation to the construction and operation phases of the Project.

4.4.451 As set out in the preceding paragraphs, The Framework CTMP (Document reference 7.2, DCO Volume 7) relates to the construction phase of the Project, setting out how the traffic impacts of construction will be managed. Additionally, the Framework CWTP (Document reference 7.2, DCO Volume 7) which is appended to the Framework CTMP (at Appendix A), provides measures to encourage construction workers to travel by sustainable modes of transport, including walking, cycling, public transport (buses) and rail.

4.4.452 NPSWRI paragraph 4.14.20 confirms that where the proposed mitigation measures are insufficient to reduce the impact on the transport infrastructure to acceptable levels, the SoS should consider requirements to mitigate adverse impacts on transport networks arising from the development.

4.4.453 ES Chapter 18 Traffic and transport, Volume I (Document reference 6.1, DCO Volume 6) provides details of embedded primary mitigation (ES Chapter 18

section 18.4) which seeks to reduce traffic and transport avoid or reduce environmental effects and tertiary measures which include good construction practices are secured in section 5 of the Outline CEMP (Document reference 7.1, DCO Volume 7) which is secured by a requirement in the DCO and would manage the effects of construction.

4.4.454 Additionally, the Framework CTMP (Document reference 7.2, DCO Volume 7), at section 5 provides detail on the routes that would be designated for use by construction vehicles when travelling to and from the various components of the Project. The Framework CWTP, which is appended to the Framework CTMP secures a package of measures that aim to encourage more sustainable travel behaviours among construction workers, the Framework TMS (Document reference 7.3, DCO Volume 7) at section 2.3 provides detail regarding any road closures and associated traffic management that may be required during the construction phase of the Project and the Framework RoWMP (Appendix B of the Framework CTMP, Document reference 7.2, DCO Volume 7) secures PRoW mitigation measures, such as diversions, that are required during the construction phase.

4.4.455 The primary mitigation measures and the tertiary measures which will be secured by a Requirement in the DCO as set out in section 18.9 in ES Chapter 18 Traffic and transport, Volume I (Document reference 6.1, DCO Volume 6).

4.4.456 It is confirmed in the ES Appendix 18.1 Transport Assessment, Volume II (Document reference 6.2, DCO Volume 6), in section 12 that *"As summarised above, the operational impacts of the Proposed Development would not be perceptible on the local highway network. In addition, the transport impacts associated with construction have been mitigated through the development of four management plans that are secured through the DCO. These proposals are therefore compliant with the NNNPS and the NPSWRI from a traffic and transport perspective."*

4.4.457 It is considered that there are no adverse impacts on the transport networks arising from the Project once primary and tertiary mitigation has been applied which is secured by DCO Requirement.

4.4.458 Paragraph 4.14.21 continues from NPSWRI paragraph 4.4.20 that states that *"Development consent should not be withheld provided that the applicant is willing to enter into planning obligations for funding new infrastructure or requirements can be imposed to mitigate transport impacts. In this situation the Secretary of State should apply appropriately limited weight to residual effects on the surrounding transport infrastructure."*

4.4.459 It is considered that paragraph 4.14.21 of the NPSWRI is not engaged in this instance as the Applicant is willing to enter into legal agreements where appropriate and justified. As set out previously, all draft requirements for the Project are set out in Schedule 2 of the draft DCO (Document reference 3.1, DCO Volume 3).

4.4.460 NPSWRI paragraph 4.14.22 confirms that the SoS should only "*consider refusing development on highways grounds if there would be an unacceptable impact on highway safety, residual cumulative impacts on the*

road network would be severe, or it does not show how consideration has been given to securing modal shift to more environmentally sustainable transport options, how freight and construction impacts have been minimised and mitigated and the provision of adequate active, public or shared transport access."

4.4.461 The ES Appendix 18.1 Transport Assessment, Volume II (Document reference 6.2, DCO Volume 6) does not identify any unacceptable impact on highway safety. As demonstrated within the preceding paragraphs of this PPS, ES Chapter 18 Traffic and transport, Volume I (Document reference 6.1, DCO Volume 6), the assessment concludes that there are no likely significant adverse effects during construction or operational stages of the Project.

4.4.462 As set out in the preceding paragraphs and as set out in the Framework CTMP (Document reference 7.2, DCO Volume 7), there is a package of measures that aim to encourage more sustainable travel behaviours among construction workers and details of active and shared transport access.

4.4.463 Details relating to HGV routing and measures to reduce construction impacts are set out within section 5.5 and secured through the Framework CTMP (Document reference 7.2, DCO Volume 7).

Water quality and resources

4.4.464 The NPSWRI, at paragraph 4.15.1, highlights the importance of nationally significant water resource projects in contributing to providing a safe and resilient national water supply, whilst recognising that the construction and operational impacts of water resources infrastructure could have an adverse effect on the local water environment.

4.4.465 The need for the Project is set out in section 3 of this PPS and in the CftP Document reference 5.6, DCO Volume 5).

4.4.466 ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6) includes an assessment of:

- The impact of the Project on surface and groundwater quality and the consideration of the Project on actions set out in the River Basin Management Plans (RBMP) is undertaken in ES Appendix 19.2 WER compliance assessment, Volume II (Document reference 6.2, DCO Volume 6).
- The potential effects on water quality in watercourses and associated water bodies assessed under the WER and water dependant sites. ES Appendix 19.7 Nutrient Assessment, Volume II, (Document reference 6.2, DCO Volume 6) provides an assessment of the impact of the Project on nutrient supply.

4.4.467 NPSWRI paragraph 4.15.2 confirms that water projects could cause adverse ecological effects resulting from physical modifications to the local water environment (hydromorphological changes). "*These effects could lead to adverse impacts on health and/or on protected species and habitats (see also section 4.3), and could, in particular, result in surface waters, bathing waters*

(bodies of water designated as recreational waters), groundwater or protected areas[177] failing to meet environmental objectives required under the Water Framework Directive Regulations. Preventing deterioration in status is the primary environmental objective of the Water Framework Directive Regulations." [27].

4.4.468 ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6) includes water quality modelling and ES Chapter 9 Marine biodiversity, Volume I, (Document reference 6.1, DCO Volume 6) includes designated sites, marine mammals, fish, marine habitats, benthic marine species and recreationally and commercially targeted fish and shellfish species. These receptors could be affected by changes to coastal or transitional water quality. Water quality modelling outputs used in this chapter have informed the assessment of likely significant effects on marine biodiversity.

4.4.469 Impacts on surface and groundwater bodies designated under the WER and protected areas such as bathing waters are assessed in ES Appendix 19.2 WER compliance assessment, Volume II (Document reference 6.2, DCO Volume 6).

4.4.470 Paragraph 4.15.3 of the NPSWRI sets out that *"The water resources management plan options appraisal process is subject to Water Framework Directive assessment and information from this process may be useful for any project specific Water Framework Directive assessment."* The Water Framework Directive assessment has informed the work undertaken in ES Appendix 19.2 WER compliance assessment, Volume II (Document reference 6.2, DCO Volume 6).

4.4.471 NPSWRI paragraph 4.15.4 confirms that "*The government's planning policies make clear that the planning system should contribute to and enhance the natural and local environment. It should do this by preventing both new and existing development from contributing to water pollution so that the environment is not adversely affected or put at unacceptable risk."* Further the NPSWRI emphasises that "*Water companies have an important role in protecting and enhancing the water environment. The government expects water companies to deliver water environment improvements, such as reduced nutrient pollution and sewage discharges from storm overflows. The Secretary of State must also consider duties under other legislation including duties under the Environment Act 2021 in relation to water targets and have regard to the policies set out in the Environmental Improvement Plan."*

4.4.472 The impact of the Project on surface and groundwater quality is presented in ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6) section 19.8. The consideration of the Project on actions set out in the River Basin Management Plans (RBMP) is undertaken in ES Appendix 19.2 WER compliance assessment, Volume II (Document reference 6.2, DCO Volume 6).

Applicant's Assessment

4.4.473 Paragraph 4.15.5 of the NPSWRI advises that "*the applicant should make early contact with the relevant regulators, including the local authority, the Environment Agency and Marine Management Organisation, where appropriate, for relevant licensing and environmental permitting requirements".* Paragraph 4.15.5 continues, requiring that where the proposed development is likely to have adverse effects on the water environment, the applicant should undertake an assessment of the existing status and impacts of the proposed development on water quality, water resources and physical characteristics as part the ES with NPSWRI paragraph 4.15.6 setting out what the ES should describe.

4.4.474 Details of engagement with the EA and MMO are provided in section 3 of the Statement of Engagement (Document reference 5.9, DCO Volume 5) and respective Draft SoCGs (Document reference 5.8, DCO Volume 5).

4.4.475 ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6) describes the baseline water environment and then assesses the likely significant effects of the Project on the water environment, taking account of embedded primary and tertiary mitigation within the design. The need for any secondary mitigation is then considered along with any proposals for monitoring and/or enhancement and concludes with a summary of residual effects.

4.4.476 Paragraph 4.15.15 also advises that *"a project specific Water Framework Directive assessment may also be required".*

4.4.477 The impact of the Project on the ecological and chemical status of surface waters and the quality and quantity of groundwaters under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 is assessed in ES Appendix 19.2 WER compliance assessment, Volume II (Document reference 6.2, DCO Volume 6). This also considers the potential effects of the Project on status objectives set out in the South East River Basin Management Plan (RBMP).

4.4.478 Water dependent designated sites that are subject to nutrient neutrality requirements could also be affected. ES Appendix 19.7 Nutrient Assessment, Volume II, (Document reference 6.2, DCO Volume 6) provides an assessment of the impact of the Project on nutrient loads in the Solent and Itchen nutrient neutrality catchments.

4.4.479 Paragraph 4.15.6 of NPSWRI describes the content of an ES, key components include:

- The existing quality of waters affected by the proposed project.
- Existing water resources affected by the Project and the impacts of the proposed project on water resources.
- Existing physical characteristics of the water environment (including quantity and dynamics of flow) affected by the Project, and any impact of physical modifications to these characteristics reference any impacts of the proposed project on water bodies or protected areas under the water

framework directive regulations including groundwater resources, bathing or coastal waters.

- The likely range of impacts on existing water quality, resources, physical characteristics of the water environment and waterbodies or protected areas due to climate change.

4.4.480 Table 4-11 sets out how NPSWRI paragraph 4.15.6 and the EA requirements have been incorporated into ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6) and appendices.

Table 4-11: NPSWRI Paragraph 4.15.6

NPSWRI Paragraph 4.15.6 EA components	Relevant ES Chapter
The ES should describe the existing quality of waters affected by the proposed project.	ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6) and includes a baseline which describes the existing quality of the waters. ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6) details of the hydrology, geomorphology and quality of surface waters (including freshwater, coastal and transitional waters) and the quality and quantity of groundwater.
The ES should describe the existing water resources affected by the proposed project and the impacts of the proposed project on water resources.	Potential impacts on surface and groundwater resources are assessed in section 19.8 of ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6).
The ES should describe the existing physical characteristics of the water environment (including quantity and dynamics of flow) affected by the proposed project, and any impact of physical modifications to these characteristics.	• Section 19.8 of ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6) assesses the long-term impacts of the Project on subsurface flow patterns and volumes, as a result of construction. • Table 19-54 sets out details of the direct disturbance. • Table 19-56 in provides details of the changes to surface and groundwater flows and flood risk during construction. • Table 19-63 in ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6) provides details of changes to surface flows, infiltration and flood risk during operation.
The ES should reference any impacts of the proposed project on water bodies or protected areas under the Water Framework Directive Regulations including Groundwater resources, bathing or coastal waters.	This has been assessed in ES Appendix 19.2 WER compliance assessment, Volume II (Document reference 6.2, DCO Volume 6).

NPSWRI Paragraph 4.15.6 EA components	Relevant ES Chapter
The ES should reference the likely range of impacts on existing water quality, resources, physical characteristics of the water environment and waterbodies or protected areas due to climate change.	ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2, DCO Volume 6, provides for climate change allowances. • ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6) section 19.7 sets out details of how the hydrology of the surface drainage network is expected to change with higher winter flows and lower summer flows with a greater number of storm-related flood flows. • ES Chapter 19 Water environment Volume I (Document reference 6.1, DCO Volume 6) section 19.7 sets out the enhancements to the water environment future baseline of the Hermitage Stream. • ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6) section 19.7.134 sets out the future baseline, this includes water quality changes, Geomorphological enhancements and the general changes to water environmental receptors.
The ES should reference any cumulative effects.	Cumulative effects are assessed in ES Chapter 20 Cumulative and in-combination effects, Volume I (Document reference 6.1, DCO Volume 6). Likely significant effects requiring assessment may be temporary or permanent, direct, indirect, secondary, cumulative, in-combination, beneficial or adverse and may occur during construction, operation or decommissioning. Potential likely significant effects on water environment receptors within the scope of the assessment are summarised in ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6) Table 19-6.

4.4.481 NPSWRI paragraph 4.15.7 sets out that in the *"context of protecting groundwater the applicant should, in particular, take note of guidance*[182] *which explains the legal requirements associated with groundwater activities."* The impact of the Project on surface and groundwater is assessed in ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6), ES Appendix 19.2 WER compliance assessment, Volume II (Document reference 6.2, DCO Volume 6), ES Appendix 19.3 Hydrogeological impact assessment, Volume II (Document reference 6.2, DCO Volume 6) and ES Chapter 20 Cumulative effects, Volume I Document reference 6.1, DCO Volume 6) in relation to cumulative effects, having had regard to relevant guidance as required by paragraph 4.15.7.

4.4.482 Paragraph 4.15.8 of the NPSWRI then identifies that where necessary an assessment of the increased risk to water quality that the project poses in relation to spreading invasive non-native species (INNS) should be provided.

ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I, (Document reference 6.1, DCO Volume 6) considers INNS in relation to potential effect on freshwater biodiversity and mitigation measures are set out in section 4 of the Outline Invasive and Non Native Species (INNS) Biosecurity Plan (Document reference 7.10, DCO Volume 7).

4.4.483 NPSWRI paragraph 4.15.9 sets out that applicants may also need to assess other measures to protect the water environment. This could include for example, protecting eels or improving fish passage.

4.4.484 Measures for providing for safe passage of fish are included within the terrestrial and freshwater biodiversity and the water environment sections of the ES and the Outline CEMP (Document reference 7.1, DCO Volume 7). Other measures include:

- Outline CEMP ref TFB6: Freshwater biodiversity pre-construction surveys will be undertaken by the Contractor at all open-cut watercourse crossings to assess the potential for sensitive freshwater receptors to be present, including fish. Should the potential for fish to be present be identified within a watercourse or body, fish rescue will be undertaken prior to the start of any construction work including enabling within the watercourse or body.
- Outline CEMP ref TFB31: Fish rescue and relocation to an unimpacted refuge may be required at open-cut watercourse crossings prior to and construction works commencing (including enabling).
- Outline CEMP ref: TFB15: Open-cut crossings of watercourses will be subject to temporal constraints where reasonably practicable, having regard to assemblage of freshwater species present. This would cover all open-cut watercourses that are not Main Rivers. For Ordinary Watercourses in Hampshire an Ordinary Watercourse Consent (OWC) or land drainage consent is needed from HCC. Pre-construction habitat suitability assessment surveys for freshwater ecological receptors will be undertaken at all watercourses where open-cut construction is proposed. Should the potential for migratory fish be identified, works undertaken in these channels will be reduced or restricted to avoid sensitive spawning and migratory periods of the species present. Additionally, the flow will be maintained during construction for all trenched open-cut watercourse crossings (such as a temporary side channel), and fish relocation will be undertaken in the immediate vicinity of the works area if necessary. If fish relocation is required, permits will be obtained from the EA by the Contractor prior to work commencing at open-cut crossings of watercourses.

4.4.485 Further mitigation and enhancement for habitats and European Protected Species (EPS), outlined in ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1, DCO Volume 6) have informed the DPD for the Project (Document reference 5.11, DCO Volume 5) and the Biodiversity Gain Plan (Document reference 7.11, DCO Volume 7).

Mitigation

4.4.486 Paragraph 4.15.10 of the NPSWRI advises that "*the Secretary of State will need to consider whether the mitigation or enhancements measures put forward by the applicant which are needed for operation and construction are acceptable*".

4.4.487 ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6) identifies the primary and tertiary mitigation measures specific to the water environment during construction and operation. This includes measures set out in the Outline CEMP (Document reference 7.1, DCO Volume 7) and OEMP (Document reference 7.7, DCO Volume 7). Further, section 19.9 of ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6) sets out the additional secondary mitigation which may be required on the Project. The assessment of likely significant effects on the water environment in section 19.8 ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6), has identified a likely significant effect when undertaking trenchless excavation within the Chalk south of the Otterbourne PWS (within SPZ1). Monitoring (as outlined in the Water Monitoring Plan) will inform the requirement for secondary mitigation to be implemented, which, if required, would most likely comprise temporary shut off of the shallow audit system at Otterbourne, which is the most susceptible to turbidity impacts. ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6) confirms that this has been agreed with the Applicant's operational team, as set out in Appendix 19.9 Outline Water Monitoring Plan, Volume II (Document reference 6.2, DCO Volume 6), secured by the Outline CEMP (Document reference 7.1, DCO Volume 7). If the secondary mitigation is required, it would reduce any residual effect to minor adverse (not significant) and would be acceptable in accordance with NPSWRI paragraph 4.5.10.

4.4.488 NPSWRI paragraph 4.5.11 sets out that water projects "*should adhere to any national standards for sustainable drainage systems, which introduce a hierarchical approach to drainage design that promotes the most sustainable approach*" however recognises the feasibility and use of conventional drainage systems as part of a sustainable solution for any given site, given its constraints. The proposed SuDS Strategy for the Project aligns with the principles within the National Standards for SuDS (Department for Environment, 2025).

4.4.489 Paragraph 4.15.12 of the NPSWRI notes that risk of impacts on the water environment can be reduced through careful design and adherence to pollution control practice. Pollution prevention guidance and the approach taken to pollution is set out in section 19.2 of ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6).

Decision making

4.4.490 NPSWRI Paragraph 4.15.13 confirms that "*Activities that discharge substances into the water environment are subject to pollution control.*"

Pollution control measures have been incorporated into the primary and tertiary mitigation measures. Measures include:

- All Main Rivers would be crossed using trenchless crossing techniques.
- All tunnels and trenchless crossings of watercourses and other barriers would use a methodology that excludes groundwater.
- Tunnel shafts associated with the Pipeline would be avoided where reasonably practicable in the chalk aquifer (particularly in SPZ).
- The removal of phosphorus from the treated wastewater from Budds Farm WTW using reverse osmosis membranes within the WRP site.

4.4.491 A Construction Drainage Plan will be prepared by the Contractor, once appointed, to manage the quality and quantity of construction stage drainage. Measures required to be included in the Construction Drainage Plan are set out in the main body of the Outline CEMP (under WE5 and WE6) (Document reference 7.1, DCO Volume 7).

4.4.492 Paragraph 4.15.14 advises that more weight should be given to impacts on the water environment where development would have an adverse effect on the objectives established under the WER.

4.4.493 The WER compliance assessment, Volume II (Document reference 6.2, DCO Volume 6) which forms an appendix to the ES Chapter 19 Water environment, Volume I, (Document reference 6.1, DCO Volume 6) presents an assessment of whether the Project is compliant with the requirements of the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017. Section 3 of the WER compliance assessment, Volume II (Document reference 6.2, DCO Volume 6) provides a description of the Project and mitigation measures that have been included in the design to avoid or reduce effects on the water environment and water-dependent receptors.

4.4.494 NPSWRI Paragraph 4.15.15 confirms that the SoS should be satisfied that a proposal has had regard to the River Basin Management Plans (RBMP) and the requirements of and objectives of the Water Framework Directive Regulations. The SoS must refuse development consent where a project is likely to cause deterioration of a water body or its failure to achieve good status or good potential, unless the conditions to apply the exemption of Overriding Public Interest, as outlined under Regulation 19, are met.

4.4.495 The consideration of the Project on actions set out in the RBMP is undertaken in ES Appendix 19.2 WER compliance assessment, Volume II (Document reference 6.2, DCO Volume 6).

4.4.496 Paragraph 4.15.16 advises that the SoS "*should consider proposals to mitigate adverse effects on the water environment and any enhancement measures put forward by the applicant and whether appropriate requirements should be attached to any development consent and/or whether planning obligations are necessary, such as those that will help achieve statutory targets".*

4.4.497 The tertiary and secondary mitigation measures which will be secured through Schedule 2 of the draft DCO (Document reference 3.1, DCO Volume 3) will reduce the environmental impacts of the Project on the water environment.

4.4.498 ES Chapter 19 Water environment, Volume I, (Document reference 6.1, DCO Volume 6) section 3.2 set out primary measures, which include:

- The locations of AGP and the corridor of the Pipelines, as detailed in ES Chapter 4 Consideration of alternatives, Volume I (Document reference 6.1, DCO Volume 6) and the SDR (Document reference 5.10, DCO Volume 5) have been selected to avoid or reduce environmental effects.
- All Main Rivers would be crossed using trenchless crossing techniques.
- All tunnels and trenchless crossings of watercourses and other barriers would use a methodology that excludes groundwater.

4.4.499 In addition to the primary measures, the tertiary measures, as set out in section 3.2, include:

4.4.500 A Temporary Construction Drainage Plan would be prepared by the Contractor to manage the quality and quantity of construction stage drainage. The Plan will be based on the Outline Temporary Construction Drainage Strategy contained within the Outline CEMP (Document reference 7.1, DCO Volume 7):

- Where temporary culverts are required for crossings (e.g. where haul road access across water courses is required), measures will be adopted to maintain flows and minimise impacts on the conveyance of water and sediment.
- A Drilling Fluid Management Plan would be developed by the Contractor to document how risks of any fluid breakouts would be reduced, and in the event of an outbreak from drilling or tunnelling works during construction how any breakout would be managed and mitigated, to reduce environmental impacts.

4.4.501 Further, a range of operational management plans and strategies would be developed to manage potential impacts that could occur during the operation of the Project. These would include:

- An Operational Management Plan will be developed to manage environmental effects during the operational phase. This will be based on the OEMP (Document reference 7.7, DCO Volume 7) and will include details of measures to be taken to safeguard the water environment during planned and unplanned maintenance, including maintenance of SuDS and testing of washout valves.
- Permanent operational drainage strategies to control runoff and off-site flood risk from permanent above-ground infrastructure have been developed as part of the Flood Risk Assessment process. These include measures to control the supply of sediment and contaminants from the AGP and WRP sites and are presented within the ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2, DCO Volume 6).

The strategies will be used as the basis of the designs of drainage systems at the WRP and AGP sites.

5 Marine Policy Assessment

5.1 Introduction

5.1.1 In accordance with paragraph 4.5.13 of the NPSWRI, the SoS must have regard to the appropriate marine policy documents, as provided for in the Marine and Coastal Access Act 2009.

5.1.2 Interactions of the Project with the marine environment are limited to the utilisation of the existing Eastney LSO (which would not involve any physical development), the construction of a SuDS outfall from the WRP site to the tidal Hermitage Stream which is a marine licensable activity subject to a Deemed Marine Licence as included at Schedule 9 to the draft DCO (Document reference 3.1, Volume 3) and the pipelines between Budds Farm WTW and the WRP site below the Hermitage Stream (which are not licensable activities. This is explained further in the Explanatory Memorandum (Document reference 3.2, Volume 3).

5.1.3 The UK MPS (March 2011) and South Inshore and South Offshore Marine Plan (2018) constitute the appropriate marine policy documents for the purposes of Section 104(2)(aa).

5.1.4 Paragraph 4.5.13 of the NPSWRI notes that the SoS should also have regard to any relevant Shoreline Management Plan - which for this Project area is Shoreline Management Plan 13 (Selsey Bill to Hurst Spit). SMPs are developed to identify the most sustainable approach to managing the flood and coastal erosion risks to the coastline in the short, medium and long-term.

5.1.5 Paragraph 4.5.13 of the NPSWRI also notes that *"in the event of a conflict between any of these marine policy documents and the National Policy Statement, the National Policy Statement prevails for the purposes of decision making given the national significance of the infrastructure".*

5.2 Consultation

5.2.1 The Applicant has engaged extensively with the MMO throughout the development of the DCO application as set out in the Draft SOCG - MMO (Document reference 5.8, DCO Volume 5).

5.3 UK Marine Policy Statement (March 2011)

5.3.1 This section of the PPS provides an analysis of the Project against the relevant detailed considerations and policies set out at sections 2 and 3 of the MPS respectively. It seeks to provide a narrative relating to the key policy tests rather than a paragraph by paragraph assessment, as this is provided at Appendix C of this PPS.

5.3.2 The MPS provides the policy framework for the preparation of Marine Plans, establishing how decisions affecting the marine area should be made in order to enable sustainable development. For the purposes of this marine policy

tracker, any MPS policies relating solely to the preparation of marine plans have been excluded from further consideration.

5.3.3 The MMO and the Applicant are in agreement (as referenced in the Draft SOCG – MMO section 3 (Document reference 5.8, DCO Volume 5) that all marine works (i.e. the construction of a SuDS outfall from the WRP site to the tidal Hermitage Stream) will be included within a Deemed Marine Licence as included at Schedule 9 of the draft DCO (Document reference 3.1, Volume 3).

5.3.4 The trenchless construction of pipelines between Budds Farm WTW and the WRP site is a 'bored tunnel activity' and therefore currently falls under the MMO (Exempted Activities) Order 2011; this includes if the reason is to lay pipelines through the tunnel once bored (as in this case). As the entry/exit points for the tunnel boring machine are not below Mean High Water Springs, this activity is not considered as licensable. No other licensable tunnel boring-related activities are planned (e.g. depositing material for disposal; works on the seabed or in the sea; or significant adverse impact on the UK marine area or the living resources it supports).

5.3.5 It is considered that the main issues in relation to the marine environment would be as follows:

- Marine ecology and biodiversity
- Noise
- Ecological and chemical water quality and resources
- Seascape
- Historic environment
- Climate change adaptation and mitigation
- Coastal change and flooding

5.3.6 These topics are set out and discussed in turn below.

Marine ecology and biodiversity

5.3.7 Paragraph 2.6.1.1 sets out that "Marine plan authorities should be mindful that, consistent with the high-level marine objectives, the UK aims to ensure:

- A halting and, if possible, a reversal of biodiversity loss with species and habitats operating as a part of healthy, functioning ecosystems; and
- The general acceptance of biodiversity's essential role in enhancing the quality of life, with its conservation becoming a natural consideration in all relevant public, private and non-governmental decisions and policies."

Issues for consideration

5.3.8 Paragraph 2.6.1.3 of the MPS confirms that marine planning will be a key tool for ensuring that the targets and measures to be determined by the UK for the Marine Strategy Framework Directive (Directive 2008/56/EC) (MSFD) can be implemented and as a general principle. Note, the MSFD has not been

given effect in UK domestic law. The directive was adopted in June 2008 and sets targets for achieving Good Environmental Status in Marine waters by 2020. However, the UK has not implemented the directive, and no specific targets or measures have been defined within it,

5.3.9 It is acknowledged at Paragraph 2.6.1.4 *"that the benefits of development may include benefits for marine ecology, biodiversity and geological conservation interests and that these may outweigh potential adverse effects."* Paragraph 2.6.1.6 confirms that there are a number of individual wildlife species which receive statutory protection under a range of legislative provisions. Additionally, a number of "*species and habitats have been identified as being of principal importance for the conservation of biodiversity in the UK and thereby requiring conservation action or are subject to recommended conservation actions by an appropriate international organisation."*

5.3.10 ES Chapter 9 Marine biodiversity, Volume I (Document reference 6.1, DCO Volume 6) provides the assessment of the likely significant effects on marine biodiversity from the construction, operation and decommissioning of the Project.

5.3.11 The Project has sought to avoid harm to marine ecology, biodiversity conservation interests as part of the Project's development. As part of the process of development of the Project, alternative locations and routes were considered and how environmental considerations have informed the decision-making process as set out in the ES Chapter 4 Consideration of alternatives, Volume I (Document reference 6.1, DCO Volume 6) and SDR (Document reference 5.10, DCO Volume 5).

5.3.12 The evolution of the Project has considered a range of technical, environmental, planning, social and economic criteria to determine the location of the project and the pipeline route Further, a methodological approach was followed to identify and test alternatives to site components of the Project, having regard to consultation feedback, engagement with stakeholders and engineering and environmental surveys and investigations. The process to develop and consider alternatives for the Project is set out within ES Chapter 4 Consideration of alternatives, Volume I (Document reference 6.1, DCO Volume 6). Further, the SDR (Document reference 5.10, DCO Volume 5) sets out the scheme design and evolution and the DPD (Document reference 5.11, DCO Volume 5) the principles which guided the proposed Project design.

5.3.13 Section 9.7 'baseline conditions' in ES Chapter 9 Marine biodiversity, Volume I (Document reference 6.1, DCO Volume 6) identifies fish species of principal importance in England under Section 41 NERC Act 2006 within the intertidal area. Additionally, habitats of principal importance have been identified including intertidal mudflats, intertidal eelgrass beds (seagrass) and coastal saltmarshes. Further, the results of the benthic surveys to investigate the habitats that would be present around the Eastney LSO indicated that a habitat of principal importance in England, subtidal sands and gravels, was observed. Following the identification of these species and habitats of principal importance, with tertiary mitigation in place, the ES Chapter 9

Marine biodiversity, Volume I (Document reference 6.1, DCO Volume 6) section 9.8 sets out that the impacts of the Project would be minor adverse, and not significant.

Noise

5.3.14 Paragraph 2.6.3.1 confirms that *"noise resulting from a proposed activity or development in the marine area or in coastal and estuarine waters can have adverse effects on biodiversity although knowledge of the extent of impacts is limited and there are few systematic monitoring programmes to verify adverse effects.".* Further, paragraph 2.6.3.2 confirmed that *"deliberate disturbance is prohibited and can only be carried out in accordance with the terms of a licence."* Accordingly, *"the descriptors for achieving good environmental status under the MSFD include keeping underwater noise at levels that do not adversely affect the marine environment."* Further, there is an acknowledgement that noise from marine activities can also affect people.

Issues for consideration

5.3.15 Marine plan authorities should *"consider how the effects of noise and vibration on wildlife can be mitigated and minimised taking account of known sensitivities to particular frequencies of sound and should consider how significant adverse effects on health can be avoided (paragraph 2.6.3.4)."*

5.3.16 ES Chapter 9 Marine biodiversity, Volume I (Document reference 6.1, DCO Volume 6) (section 9.5) sets out the potential for underwater noise and vibration and the potential likely significant effects on marine biodiversity receptors during the construction period. ES Chapter 9 Marine biodiversity, Volume I (Document reference 6.1, DCO Volume 6) (section 9.4) also includes details of the primary mitigation measures which have been embedded into the design such as avoiding designated sites and minimising interaction with marine priority habitats, etc. for minimising construction effects. Tertiary mitigation measures such as noise dampening technology and good construction site management practices are set out within the Outline CEMP (Document reference 7.1, DCO Volume 7). The ES sets out that the effects of noise and vibration on marine biodiversity with primary and tertiary mitigation are not considered to be significant. Further the assessment findings have been shared with the relevant consultation bodies (MMO, EA and NE) in the Technical Working Group meeting in February 2025 where it was agreed that underwater noise modelling is not needed as set out in section 3 of the Draft SOCG - MMO (Document reference 5.8, DCO Volume 5).

5.3.17 Underwater noise during the operational stage of the project and at the decommissioning stage was scoped out of the ES Scoping process.

5.3.18 ES Chapter 15 Noise and vibration, Volume I (Document reference 6.2, DCO Volume 6) assesses the direct effects on health and quality of life of human noise and vibration sensitive receptors (NVSRs) due to airborne and ground-borne noise and vibration emissions from the construction, operation and decommissioning of the Project. Additionally, indirect effects on health and

quality of life due to changes in airborne road traffic noise levels at NVSRs resulting from the construction and decommissioning of the project are considered.

5.3.19 Section 15.10 of ES Chapter 15 Noise and vibration, Volume 1 (Document reference 6.1, DCO Volume 6) provides a summary of the residual effects relating to the construction, operation and decommissioning of the Project with regard to noise and vibration receptors. In summary, it states that with secondary mitigation which is set out in the Outline CEMP (Document reference 7.1, DCO Volume 7) that there would be no significant effects during construction, operation or decommissioning.

Ecological and chemical water quality and resources

5.3.20 MPS paragraph 2.6.4.1 sets out that developments on the coast and at sea can have adverse impacts on marine waters during the construction, operation and decommissioning phases of developments. Impacts include increased demand for water, discharges to water and adverse ecological effects resulting from physical modifications to the water environment and potential pollution incidents.

Issues for consideration

5.3.21 ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6) includes a baseline which describes the existing quality of the waters. ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6) details of the hydrology, geomorphology, quantity and quality of surface waters (including freshwater, coastal and transitional waters) and the quality and quantity of groundwater. The scale and extent of water quality changes in release of treated wastewater via Eastney LSO are assessed in ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6).

5.3.22 ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6) section 19.7 provides details of an additional modelling exercise was completed which focussed on the three main phases of the reservoir; the initial filling phase, the currently consented 'classic' operational phase (i.e. the period during which Havant Thicket Reservoir will operate with water from spring and surface sources only, before water from the WRP is released, currently expected to be April 2032 – September 2033), and the recycled water 'post-WRP' operation phase (October 2033 onwards), to investigate any changes in water quality through these phases and the effect of the source water change on reservoir water quality. The 'classic' operation phase will therefore serve as the future baseline. This is presented in ES Appendix 19.11 Havant Thicket Reservoir water quality modelling, Volume II, (Document Reference 6.2, DCO Volume 6).

5.3.23 Additionally, ES Chapter 9 Marine biodiversity, Volume I (Document reference 6.1, DCO Volume 6) section 9.10 provides a summary of the residual effects relating to the construction, operation and decommissioning of the Project with regard to marine biodiversity receptors. Potential

operational impacts of the Project would include changes to the release volumes and concentrations of treated wastewater from the existing Eastney LSO, and releases from the WRP site SuDS outfall and compensatory flows into the lower reaches of the Hermitage Stream with potential for changes to the quality of water in the surrounding marine environment. These impacts are considered in ES Chapter 9 Marine biodiversity, Volume I (Document reference 6.1, DCO Volume 6) and ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6) and are assessed to be negligible.

5.3.24 Paragraph 9.10.3 of ES Chapter 9 Marine biodiversity, Volume I (Document reference 6.1, DCO Volume 6) states "*During operation, water released from the SuDS outfall and the change in water quality of Hermitage Stream from releases of compensatory flows from HTR as a result of the Proposed Development are not considered to have any significant effects on the marine biodiversity of the Hermitage Stream and Langstone Harbour. Changes in water quality from the reject water released from the Eastney LSO during operation are not considered to cause any likely significant effects. Therefore, there would be no residual significant effects on marine biodiversity during the operation phase.*"

Seascape

5.3.25 Paragraph 2.6.5.1 sets out that development can impact on the seascape and landscape and that the impacts will be varied and on a case by case basis. At this section of the MPS, there is confirmation that there is no legal definition for seascape in the UK but the European Landscape Convention (ELC) 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*".

Issues for consideration

5.3.26 Paragraph 2.6.5.3 of the MPS states that when considering the impact of activity or development on seascape, consideration needs to be given to *"existing character and quality, how highly it is valued and its capacity to accommodate change specific to any development."*

5.3.27 ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6) considers the impact of construction, operation and decommissioning on the seascape and provides an assessment of the seascape and how it is valued and how it will respond to change as a result of the Project.

5.3.28 ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6) provides as assessment of landscape and visual effects during construction, operation and decommissioning. The guidance within the NE (2012) An approach to Seascape Character Assessment which sets out the industry standard approach to the assessment of seascape character has informed the definition of Local Landscape Character Areas (LLCAs), summarised in ES Chapter 13 Landscape and visual, Volume I (Document

reference 6.1, DCO Volume 6), section 13.7 and described in detail in ES Appendix 13.3 Landscape baseline and effects, Volume II (Document reference 6.2, DCO Volume 6). ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6) confirms that there would be limited impacts on seascape due to the location and context of the WRP site and topography which prevents intervisibility between the rest of the Project and the coast. Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6) sets out specific seascape guidance that has been used to inform the assessment and describes the baseline conditions of seascape character and the extent to which they are likely to be affected.

5.3.29 Section 13.10 of ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6) confirms that *"The WRP site would continue to influence the setting of LLCA 11: Langstone Harbour due to the openness of the seascape. Existing vegetation and proposed planting in leaf would limit the extent of impacts and the magnitude would be very low, resulting in minor adverse effects, which is not significant."*

5.3.30 Further, *"within LLCA 13: Farlington Marshes and coastal parks existing vegetation and proposed planting around the boundaries of the WRP site would have established. This would assist in integrating the structures within the landscape setting and enhancing the gateway to the area via the junction of Harts Farm Way with the A27. The size and scale and geographical extent over which impacts would be perceived would be further reduced to its immediate setting and the majority of the area would not be affected. The magnitude of impact would be low, and this, assessed against the Medium sensitivity, would result in minor adverse residual effects, which is not significant."*

Historic environment

5.3.31 Section 2.6.6.1 of the MPS sets out that *"The historic environment includes all aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged."*

Issues for consideration

5.3.32 The MPS at section 2.6.6.6 states that *"Marine activities have the potential to result in adverse effects on the historic environment both directly and indirectly, including damage to or destruction of heritage assets."*

5.3.33 ES Chapter 7 Archaeology and cultural heritage, Volume I (Document reference 6.1, DCO Volume 6) provides the assessment of the likely significant effects on archaeology and cultural heritage from the construction, operation and decommissioning of the Project. The likely significant effects of the Project on archaeology and cultural heritage are assessed taking account of embedded primary and tertiary mitigation within the design.

5.3.34 As set out in ES Chapter 7 Archaeology and cultural heritage, Volume I (Document reference 6.1, DCO Volume 6) Table 7-5 sets that the EIA

Scoping Opinion agreed that effects to heritage assets located near to Eastney TT and LSO could be scoped out on the basis of there being no physical works to these during construction and as such no physical disturbance to archaeological remains. The exception to this is the connection at Budds Farm WTW which is included in the assessment. It was requested that all heritage assets scoped out of the assessment as a result of the absence of physical works to the Eastney TT and Eastney LSO be identified. The heritage scoped out of the ES are included within ES Appendix 7.2 Historic environment gazetteer Part A and Part B, Volume II (Document reference 6.2, DCO Volume 6).

5.3.35 The SuDS outfall was considered as part of the assessment within ES Chapter 7 Archaeology and cultural heritage, Volume I (Document reference 6.1, DCO Volume 6). However, it was determined that there would be no effect on heritage assets. Therefore, heritage within the marine environment is not considered any further here or in Appendix C of this PPS.

Climate change adaptation and mitigation

5.3.36 Paragraph 2.6.7.1 replicates the guidance within the NPSWRI by setting out that the "UK will experience hotter, drier summers and warmer, wetter winters." At paragraph 2.6.7.2 confirmation is provided that the impact on marine environments will be sea level rises, increased seawater temperatures, ocean acidification and changes in ocean circulation.

5.3.37 Understanding the implications of climate change is key to maintaining a healthy environment (paragraph 2.6.7.3). Further, adaption is required to address the impacts that are already happening, including sea level rises and increased flooding and coastal erosion. Paragraph 2.6.7.4 confirms that adapting to the impacts of climate change is a priority for terrestrial planning on the coast. Development will not be permitted in those areas most vulnerable to coastal change, or to flooding from coastal waters.

5.3.38 Paragraph 2.6.7.5 confirms that marine planning will provide an important tool for addressing the long-term changes of climate change.

Issues for consideration

5.3.39 As set out in paragraph 2.6.7.8, marine plan authorities should take account of the findings of the latest UK Climate Change Risk Assessment, relevant national adaptation programmes and the latest set of UK Climate Projects, as well as any other relevant climate research. Paragraph 2.6.7.9 states that *"if any adaptation measures give rise to consequential or additional impacts, such as on coastal change, as a result of protecting a development against flood risk or coastal change for example, the marine plan authority should consider their impacts in relation to the Marine Plan as a whole."*

5.3.40 As set out in paragraph 4.2.10 of this PPS, the approach to climate change mitigation has been considered throughout the development of the Project, as set out in ES Chapter 10 Carbon and climate change, Volume I (Document reference 6.1, DCO Volume 6).

5.3.41 A Climate Change Resilience (CCR) assessment has been prepared and is included within ES Chapter 10 Carbon and climate change, Volume I (Document reference 6.1, DCO Volume 6) which evaluates future trends in climate change impacts and the Project's vulnerability and resilience to such changes during the construction, operation and decommissioning phases. Primary and tertiary mitigation measures, identified in the CCR, will be secured through the Outline CEMP (Document reference 7.1, DCO Volume 7) OEMP (Document reference 7.7, DCO Volume 7) and DPD (Document reference 5.11, DCO Volume 5) as confirmed in ES Chapter 10 Carbon and climate change, Volume I (Document reference 6.1, DCO Volume 6) sections 1.4.7-.1.4.8.

5.3.42 The potential for climate change to affect receptors identified in other chapters for the marine environment has been considered in the In-combination Climate Change Impact (ICCI) assessment, which forms ES Appendix 10.3 In-combination Climate Change Impact assessment, Volume II (Document reference 6.2, DCO Volume 6).

Coastal change and flooding

5.3.43 Paragraph 2.6.8.1 confirms that coastal change and flooding is likely to be exacerbated by climate change. Additionally, it confirms that resiliency to climate change is a risk that needs to be considered over the lifetime of a project. Activities that are not managed properly can have a direct effect on sea-bed marine ecology, coastlines, heritage assets and ecology (paragraph 2.6.8.2).

Issues for consideration

5.3.44 Paragraph 2.6.8.5 confirms that inappropriate development should be avoided in areas of highest vulnerability to coastal change and flooding. Development will need to be safe over the lifetime of the project and not exacerbate flood and coastal erosion risk.

5.3.45 At paragraph 2.6.8.6, it sets out that climate change should be taken into account throughout the operational life of a development including any de-commissioning period. Further there is a requirement for "*marine plan authorities should not consider development which may affect areas at high risk and probability of coastal change unless the impacts upon it can be managed.*"

5.3.46 ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6) table 196 sets out that surface waters (transitional and coastal) are included within the ES Figure 19.1 Surface water features, Volume III (Document reference 6.3, DCO Volume 6) and have been assessed. The assessment includes an assessment of the changes that could potentially occur as a result of alterations to the existing discharge at the Eastney LSO. This has been determined on the output of three-dimensional (3D) dispersion modelling. Fluvial and coastal flood risk is shown in ES Figure 19.9 Fluvial and coastal flood risk, Volume III (Document reference 6.3, DCO Volume 6).

5.3.47 ES Chapter 5 EIA approach and methodology, Volume I (Document reference 6.1, DCO Volume 6) section 5.2 sets out that the topic of coastal and marine processes has been scoped out of further assessment as installation of the Pipelines between Budds Farm WTW and the WRP site beneath the seabed would not have a physical connection with the water column.

5.3.48 Following inclusion of the proposed WRP site SuDS outfall at the intertidal section of Hermitage Stream during operation, section 5.2 in ES Chapter 5 EIA approach and methodology, Volume I (Document reference 6.1, DCO Volume 6) sets out that the SuDS outfall design would not protrude into the stream more than existing outfalls in the Hermitage Stream, as set out in section 3 of the DPD (Document reference 5.11, DCO Volume 5). While construction of the SuDS outfall may temporarily require use of a cofferdam, this would be for a limited period of approximately six weeks. The cofferdam, if used, would extend approximately 2m into the Hermitage Stream, and approximately 4m along the Hermitage Stream. No effects on coastal process are anticipated from the existence of the structure during operation, as confirmed in ES Chapter 5 EIA approach and methodology, Volume I (Document reference 6.1, DCO Volume 6) section 5.2.14.

5.3.49 ES Chapter 5 EIA approach and methodology, Volume I (Document reference 6.1, DCO Volume 6) identifies that potential operational impacts include erosion of the riverbed from the released water from the WRP site SuDS outfall. However, the WRP site SuDS outfall would be designed using good practice measures secured through section 2 and 3 of the DPD (Document reference 5.11, DCO Volume 5) to avoid scour of the bed of the Hermitage Stream.

5.3.50 ES Chapter 10 Carbon and Climate change, Volume I (Document reference 6.1, DCO Volume 6) assesses future trends in climate change impacts and the Project's vulnerability and resilience to such changes during the construction, operation and decommissioning phases. As set out in paragraph 4.2.10 of the PPS (Document reference 5.5, DCO Volume 5) the approach to climate change mitigation has been considered throughout the development of the Project.

5.3.51 Further assessment is considered within the Coastal change section of this PPS.

5.4 South Inshore and South Offshore Marine Plan

5.4.1 The Project is located within the South Inshore Marine Plan area; this is covered under the South Inshore and South Offshore Marine Plan, which was adopted in 2018 (the Project does not cross into the South Offshore Marine Plan area).

5.4.2 The purpose of the plan is to provide a strategic approach to planning within the inshore and offshore waters along the south coast (between Folkestone and Dartmouth).

5.4.3 The plan identifies twelve objectives under each of which are a series of policies. Given the limited interaction of the Project and the marine environment, only a few are directly relevant.

5.4.4 Objective 7 is to "*support the reduction of the environmental, social and economic impacts of climate change, through encouraging the implementation of mitigation and adaptation measures that:*

- *Avoid proposals' indirect contributions to greenhouse gas emissions*
- *Reduce vulnerability*
- *Improve resilience to climate and coastal change*
- *Consider habitats that provide related ecosystem services"*.

5.4.5 Policy S-CC-1 requires applicants to consider their contribution to greenhouse gas emissions arising from unintended consequences on other activities. Where such consequences are likely to result in increased greenhouse gas emissions, proposals should demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate unintended consequences on other activities.

5.4.6 The Applicant's approach to minimising carbon emissions as far as reasonably practicable is set out in ES Chapter 10 Carbon and Climate change, Volume I (Document reference 6.1, DCO Volume 6) and in this PPS in addressing carbon and climate change policies in the NPSWRI. As set out earlier in this PPS this includes the submission of an Outline CMP (Document reference 7.8, DCO Volume 7) which provides a framework for the appointed Contractor to achieve this objective.

5.4.7 Policy S-CC-2 requires that proposals should *"demonstrate for the lifetime of the proposal that: 1) they are resilient to the effects of climate change 2) they will not have a significant adverse impact upon climate change adaptation measures elsewhere. In respect of 2) proposals should demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate the significant adverse impacts upon these climate change adaptation measures".*

5.4.8 Objective 9 is to *"consider the seascape and its constituent marine character and visual resource and the landscape of the south marine plan areas".*

5.4.9 Policy S-SCP-1 states that proposals "*that may have a significant adverse impact upon the seascape of an area should only be supported if they demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impacts upon the seascape of an area, d) if it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding."*

5.4.10 ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6) provides as assessment of landscape and visual effects during construction, operation and decommissioning. The guidance within the NE (2012) An approach to Seascape Character Assessment which sets out the industry standard approach to the assessment of seascape character has informed the definition of relevant Local Landscape Character Areas (LLCAs), summarised in ES Chapter 13 Landscape and visual, Volume I

(Document reference 6.1, DCO Volume 6), section 13.7 and described in detail in ES Appendix 13.3 Landscape baseline and effects, Volume II (Document reference 6.2, DCO Volume 6) which cover the inter-tidal harbours in the southern part of the study area.

5.4.11 Objective 11 is to *"complement and contribute to the achievement or maintenance of Good Ecological Status or Potential under the Water Framework Directive and Good Environmental Status under the Marine Strategy Framework Directive, with respect of descriptors for marine litter, non-indigenous species and underwater noise".*

5.4.12 Policy S-NIS-1 states that proposals must put in place appropriate measures to avoid or minimise significant adverse impacts on the marine area that would arise through the introduction and transport of non-indigenous species.

5.4.13 As confirmed and secured within section 5 of the Outline CEMP (Document reference 7.1, DCO Volume 7). The Contractor will provide a suitable method statement in accordance with the Outline INNS Biosecurity Plan (Document reference 7.10, DCO Volume 7) that sets out, for the construction of SuDS outfall, how the potential presence of marine INNS will be identified, and how any affected materials will be appropriately managed throughout the works.

5.4.14 It is considered that policies S-ML-1 and S-ML-2 are not relevant to this Project due to the type of development being proposed. Policy S-UWN-1 is not applicable as the project will not generating impulsive sound.

5.4.15 Policy S-UWN-2 sets out that proposals *"that generate impulsive sound and/or ambient noise must demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impacts on highly mobile species, d) if it is not possible to mitigate significant adverse impacts, proposals must state the case for proceeding."*

5.4.16 As set out in PPS paragraph 5.3.16, ES Chapter 9 Marine biodiversity, Volume I (Document reference 6.1, DCO Volume 6) the effects of noise and vibration on marine biodiversity with primary and tertiary mitigation are not considered to be significant.

5.4.17 Policy S-WQ-1 requires that proposals that may have significant adverse impacts upon water environment, including upon habitats and species that can be of benefit to water quality must demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impacts. Policy S-WQ-2 requires that activities that can deliver an improvement to water environment or enhance habitats and species which can be of benefit to water quality should be supported.

5.4.18 Impacts on marine waters are assessed in Chapter 19 Water environment, Volume I, (Document reference 6.1, DCO Volume 6) of the ES and in ES Appendix 19.2 WER compliance assessment, Volume II (Document reference 6.2, DCO Volume 6). The impact on marine waters is considered in PPS paragraphs 5.3.21-5.3.25.

Shoreline Management Plan Selsey Bill to Hurst Spit

5.4.19 The relevant SMP for HWTWRP is SMP13, Selsey Bill to Hurst Spit. SMP13 is split into 9 areas, determined by an analysis of coastal processes and the character of the shoreline. The SMP13 area most relevant to HWTWRP is number 4, Langstone Harbour. The WRP site would be located in the onshore coastal catchment that drains directly into Langstone Harbour. Langstone Harbour is split into 7 sub-areas with 5A19 (Southmoor Lane to Farlington Marshes) in proximity to components of the project including Budds Farm WTW and the WRP site. An assessment against relevant policies in SMP13, Selsey Bill to Hurst Spit is provided at Appendix C.

5.4.20 Policy Unit 5A19 Southmoor Lane to Farlington Marshes seeks to maintain or improve protection from coastal flood and erosion to important assets or features at the coast. As set out in the 'coastal change and flooding section', the proposed WRP site SuDS outfall is located at the intertidal section of Hermitage Stream. The Pipelines would be constructed under the Hermitage Stream using a microtunnel boring machine (MTBM) for trenchless construction, as outlined in ES Chapter 3 Description of Proposed Development, Volume I (Document reference 6.1, DCO Volume 6).

5.4.21 There is potential for temporary habitat loss at the tidal section of Hermitage Stream as a result of the WRP site SuDS outfall as set out in ES Chapter 9 Marine Biodiversity, Volume I (Document reference 6.1, DCO Volume 6). Short-term tertiary measures to avoid pollution from SuDS outfall construction dispersing into water environment in the form of sandbag cofferdam or sheet piled cofferdam or other appropriate measure are set out and secured within section 5 of the Outline CEMP (Document reference 7.1, DCO Volume 7).

6 Other Important and Relevant Matters

6.1 Introduction

6.1.1 In accordance with Section 104(2)(d) in deciding an application the SoS must have regard to "*any other matters which the Secretary of State thinks are both important and relevant to the Secretary of State's decision*."

6.2 Proposed NSIP reforms

6.2.1 The Government's approach to NSIP reform to streamline infrastructure planning in the Planning and Infrastructure Act received royal ascent in December 2025. The planned reforms arise from the Government's pledge to make decisions on at least 150 major infrastructure projects in the current Parliament as part of the Plan for Change programme announced on 5 December 2024. This target would almost triple the 57 decisions made in the previous Parliament since 2011.

6.2.2 On 23 March 2026 the Government published the 'Streamlining infrastructure planning: implementation plan' Policy paper (Policy paper). The Policy paper builds upon the provisions within the 2023 NSIP Action Plan, our landmark Planning and Infrastructure Act which will make it *"quicker and easier to deliver critical infrastructure projects including through streamlining NSIP consultation requirements, ensuring National Policy Statements are kept up to date, preventing delays from meritless judicial review claims."*

6.2.3 The Policy paper confirms that *"applicants who are submitting DCO applications for acceptance (under section 55 of the Planning Act) before the PIA 2025 provisions are commenced, the Planning Inspectorate will advise they continue to prepare applications in accordance with the existing primary and secondary legislative requirements and guidance which remains in force. Applications will be tested against the current acceptance test, set out in section 55 of the Planning Act."* In the meantime, the planned reforms represent important and relevant material considerations in highlighting the drive to the faster delivery of critical infrastructure.

6.3 National Planning Policy Framework

6.3.1 The NPPF, (December 2024 revised in February 2025), sets out the Government's planning policies for England and how these are expected to be applied. The NPPF is supplemented by the PPG providing guidance on topics contained within the NPPF and periodically reviewed and updated.

6.3.2 The NPPF confirms at paragraph 5 that it does not contain specific policies for NSIPs. Policies in the NPPF and the associated guidance are, however, likely to be important and relevant considerations under Section 104(2)(d) of the PA 2008 and the NPSWRI provides specific reference to the NPPF in relation to, for example, good design, flood risk and agricultural land.

6.3.3 Each technical topic in the ES has considered whether there is important and relevant guidance in the NPPF that may require consideration by the decision-making authority.

6.3.4 Policies within the NPPF that are particularly relevant for water infrastructure as explicitly stated in the NPSWRI are set out in turn below.

6.3.5 Paragraph 8 of the NPPF sets out that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives), an economic objective, a social objective and an environmental objective.

6.3.6 At paragraph 101, the NPPF states that to ensure faster delivery of other public service infrastructure local planning authorities should also work proactively and positively with promoters, delivery partners and statutory bodies to plan for required facilities and resolve key planning issues before applications are submitted. Significant weight should be placed on the importance of new, expanded or upgraded public service infrastructure when considering proposals for development.

6.3.7 Paragraph 102 confirms that planning policies and decisions should promote public safety and take into account wider security and defence requirements.

6.3.8 Paragraph 137 sets out that *"Design quality should be considered throughout the evolution and assessment of individual proposals."* Discussion and engagement with Local planning authorities and local communities is encouraged.

6.3.9 There is a requirement in Paragraph 164, for new developments to be planned in ways that:

"a) Avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through incorporating green infrastructure and sustainable drainage systems; and

b) Help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings in plans should reflect the Government's policy for national technical standards."

6.3.10 Policy 170 confirms that "*inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere."*

6.3.11 HRA – paragraph 1.7.3 of the NPPF states that the following wildlife sites should have the same protection as habitats sites:

- Potential Special Protection Areas and possible Special Areas of Conservation.

- Listed or proposed Ramsar sites.
- Sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation and listed or proposed Ramsar sites.
- Good design – see paragraph 3.62 of NPSWRI.
- Flood risk – paragraph 4.7.2 - The NPPF sets out that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, whether existing or future. But where development is necessary, it should be made safe without increasing flood risk elsewhere. Supporting guidance explains that essential infrastructure (which can include NSIPs covered by the NPS) is permissible in areas of high flood risk, subject to the sequential and exception tests. In addition, as set out in the NPPF new development should be planned to avoid increased vulnerability to the range of impacts arising from climate change.
- Climate change – paragraph 4.7.18 of the NPSWRI which requires that the applicant, the ExA and the SoS in taking decisions should take account of the policy on climate change adaptation as set out in the NPPF and supporting guidance.
- BMV - paragraph 4.10.3 – which states that *"it is clear that local authorities should take into account the economic and other benefits of best and most versatile agricultural land".*
- Noise – paragraph 4.11.11 requires that development must be undertaken in accordance with statutory requirements for noise. Due regard must be given to the relevant sections of the Noise Policy Statement for England, the NPPF, and the Government's associated PPG on noise.

6.4 National Planning Policy Framework Plan-making and national decision-making policies consultation

6.4.1 New national policy is proposed in the draft NPPF, which was subject to consultation from 16 December 2025 to 10 March 2026. The draft NPPF consultation sits within a broader legislative and policy programme, with upcoming secondary legislation promised on the new 30-month plan-making system and Environmental Outcomes Reports.

6.4.2 The draft further embeds the 2024 planning reforms, such as clarifications on flood risk policy. The PPG is being updated at the same time.

6.4.3 Policies within the draft NPPF that are particularly relevant for water infrastructure as explicitly stated in the NPSWRI are set out in turn below.

6.4.4 Draft NPPF paragraph 16 confirms that achieving sustainable development means that the planning system has three overarching objectives, an economic objective, a social objective and an environmental objective to provide the infrastructure which society needs.

6.4.5 Chapter 5 of the draft NPPF set out the policies relating to 'meeting the challenge of climate change'. Draft NPPF policy CC3: Adaptation to climate change, sets out that development proposals should take into account the current and potential impacts of climate change over the lifetime of the scheme, and in order to minimise vulnerability to these impacts.

6.4.6 NPPF draft policy E2: Meeting the need for business land and premises gives substantial weight to the economic benefits of commercial and industrial development, particularly where it enables investment, expansion, or modernisation.

6.4.7 Draft NPPF chapter 10: securing clean energy and water support the development and operation of water infrastructure. Draft NPPF policy W4: water infrastructure, gives substantial weight to water supply, drainage and wastewater schemes that improve resilience and support growth. Flood risk and water management infrastructure are reinforced through wider flood risk policies (F4, F5. F6 F7, F8 and F9).

6.4.8 Draft NPPF chapter 11. Facilitating the sustainable use of minerals seeks to ensure there is a sufficient supply of minerals to provide the infrastructure, that the country needs, while at the same time restricting specific types of minerals development that could harm environmental objectives.

6.4.9 Draft NPPF Policy L2: Making effective use of land, gives substantial weight to the remediation and reuse of derelict or contaminated land.

6.4.10 Draft NPPF Policy P5: Maintaining public safety and security, sets out that Development proposals should anticipate and address possible malicious threats and other hazards (whether natural or man-made) in relation to occupiers and users by identifying potential safety risks and proportionate mitigation opportunities which can be addressed through the design of the scheme.

6.4.11 Draft NPPF chapter 18. Managing flood risk and coastal change, provides policies to minimise risks to development arising from all sources of flooding and coastal change, taking into account the impacts of climate change, by steering development away from areas of risk, ensuring that development will be safe for its lifetime without increasing flood risk elsewhere, and incorporating SuDS where appropriate.

6.4.12 Draft NPPF chapter 19 seeks to help drive nature's recovery and contribute to wider environmental outcomes and safeguarding the most important habitats, species and landscapes.

6.4.13 Draft NPPF Policy N2: Improving the natural environment, criterion b) confirms that areas of poorer quality agricultural land should be used in in preference to that of higher quality, where significant development of agricultural land is demonstrated to be necessary (taking into consideration land which is classified as best and most versatile agricultural land, and its grade).

6.5 Local planning policy

6.5.1 Section 1 of this PPS sets out the role of local planning policy in decision making for DCOs. In summary, while the SoS is required to determine an application for development consent in accordance with the NPSWRI, local development plan policies may be relevant, particularly where they relate to planning designations or locally specific factors that are not replicated in the NPSs.

6.5.2 Appendix D of this PPS provides a table identifying local development plan policies that may be considered relevant and how the Project has had regard to these policies. The section below provides a summary of matters of particular relevance or interest for each local authority (having regard to pre application engagement as recorded in the relevant Draft SoCGs (Document reference 5.8, DCO Volume 5) and the correlating local policies.

East Hampshire District Council

6.5.3 The Development Plan for EHDC consists of the following documents:

- East Hampshire District Local Plan: Joint Core Strategy (Part 1 Local Plan) (adopted June 2014).
- East Hampshire District Local Plan: Housing and Employment Allocations (Part 2 Local Plan) (adopted April 2016).
- Local Plan Second Review saved policies (adopted March 2006).

6.5.4 The draft Local Plan (Regulation 19) is due to be published for consultation by the end of July 2026. The submission and examination process will begin from November 2026, and if found to be 'sound', the Plan is expected to be adopted by August 2027. The relevant policies within the East Hampshire District Our Local Plan 2021-2040 Regulation 18 consultation document (January 2024) have been assessed.

6.5.5 The only component of the Project located within East Hampshire would be part of Havant Thicket Reservoir used for storage of recycled water. The other part of the Havant Thicket Reservoir is located within HBC.

6.5.6 Matters of relevance to EHDC have been set out in section 3 of the Draft SoCG - EHDC (Document reference 5.8, DCO Volume 5) and include the integration of the Project with the reservoir and associated potential environmental effects on water quality and biodiversity which are covered by policy CP21 and policy CP26 of the East Hampshire District Local Plan Part 1 - Joint Core Strategy (adopted May 2014) which respectively require development to:

- Maintain, enhance and protect the district's biodiversity and its surrounding environment.
- Protect the quality and quantity of water and make efficient use of water.

6.5.7 Other key matters of interest for EHDC include securing local skills and training for construction within the Project.

6.5.8 These topics are covered by 'generic impact' policies in the NPSWRI as addressed in section 4 of this PPS.

6.5.9 Although no physical development is proposed within EHDC, other topics of relevance, primarily during the construction phase, include transport (policy CP31), control of pollution (policy CP27) and the delivery of local benefits through improving workforce skills and employability (policy CP5). These policies are set out and considered within Appendix D.

Eastleigh Borough Council

6.5.10 The Development Plan for EBC consists of the following documents:

- Eastleigh Borough Local Plan 2016-2036 (adopted April 2022).

6.5.11 EBC has started work on its review of the Eastleigh Local Plan 2016-2036 with Issues and Options consultation held between December 2024 and January 2025. Adoption of the plan review is scheduled for Spring 2029. Therefore, for the purposes of this policy review, this is not considered any further here or in Appendix D.

6.5.12 No permanent above ground development is proposed to be located within EBC, however the Borough accommodates part of Section L (Lower Upham to Brambridge) of the Pipeline between the WRP site and Otterbourne WSW.

6.5.13 As reflected in section 3 of the draft EBC SoCG (Document reference 5.8, DCO Volume 5) key local matters identified by EBC include:

- Construction impacts from construction compounds in terms of traffic, carbon, and ecology.
- Protection of trees, covered by EBC policy DM11: Nature conservation.

6.5.14 Construction impacts have been addressed within EBC policy DM8 pollution, policy S11 transport Infrastructure, policy DM3 adaptation to climate change, policy DM10: Water and wastewater and policy DM11: nature conservation.

6.5.15 Protection of trees is covered within the 'generic impact' policies in the NPSWRI as addressed in section 4 of this PPS and under policy DM11: nature conservation.

6.5.16 Other relevant policies relevant to EBC which have been included within Appendix D relate to new development in the countryside (policy S5 and policy DM9), heritage and landscape policies (policy S8, policy S9 and policy DM12), transport (policy S11), water environment (policy DM5) and pollution (policy DM8 and policy DM10).

Fareham Borough Council

6.5.17 The Development Plan for FBC consists of the following documents:

- Fareham Local Plan 2037 (adopted April 2023).
- Local Plan Part 3: The Welborne Plan (adopted June 2015).

6.5.18 The components of the Project within Fareham include the pipeline between the WRP site and Otterbourne WSW Section F: Boarhunt to Crockerhill (Section F) and IPS-F.

6.5.19 The Project would pass near to the site of the Welborne Garden Village (which is a development for 6,000 homes, a district centre, employment and industrial uses and four schools that received outline planning permission in 2021 (P/17/0266/OA) and is currently under construction) north of Fareham. There is one small area of overlap with the Welborne Garden Village site, around the proposed site of the temporary construction compound to support the construction of Immediate Pumping Station (IPS)-F. None of the permanent infrastructure associated with the Project intersects with the Welborne scheme. The engagement with Welborne Garden Village and how this shaped route selection is set out in the SDR (Document reference 5.10, DCO Volume 5).

6.5.20 The matters of principal interest for FBC, as reflected in section 3 of the Draft SOCG- FBC (Document reference 5.8, DCO Volume 5), relate to the impacts associated with the construction of the pipeline and IPS-F in the short-term and the longer-term interface between IPS-F and Welborne particularly in relation to design.

6.5.21 Relevant local polices in the Fareham Local Plan 2037 include strategic policy DS1: Development in the countryside, strategic policy DS3: landscape, and policy D1: high quality design and place making. These policies are set out and considered within Appendix D.

6.5.22 The Welborne Plan contains policies relevant to the development of the Welborne site which are also relevant for reference in relation to the approach to design (for example policy WEL2 high level design principles). These policies have been considered within Appendix D of this PPS.

Havant Borough Council

6.5.23 The Development Plan for HBC consists of the following documents:

- Havant Borough Core Strategy (adopted March 2011).
- Havant Borough Local Plan (Allocations) (adopted July 2014).

6.5.24 Consultation on a new local plan ‘Building a Better Future Draft Local Plan took place between May and July 2025 and is expected to be adopted in 2028 following further consultation. The Applicant submitted representations to HBC in response to this consultation having regard to the pre application engagement relating to the proposed location of the WRP site.

6.5.25 The components of the Project within HBC include the use of Havant Thicket Reservoir (which is partly within Havant and partly within East Hampshire), Use of pipelines from Bedhampton Springs to Havant Thicket Reservoir, Section D of the Pipeline between the WRP site and Otterbourne WSW and part of the and the Eastney TT.

6.5.26 The matters of principal interest for HBC relate to the proposed WRP site which is located on land allocated in the HBC Local Plan (Allocations) (2014)

for employment use under policy BD11 (known as Brockhampton West). Other matters of interest in as reflected in the Draft SOCG - HBC SoCG (Document reference 5.8, DCO Volume 5), include to ensure that the Project delivers tangible socio-economic benefits by creating local employment opportunities, supporting skills development, and implementing measures to maximise construction-related jobs and training initiatives.

6.5.27 Policy BD11 identifies known constraints, site opportunities and site-specific development requirements. Planning permission for employment use was granted on the site in 2022 but was not implemented and has now lapsed.

6.5.28 The development of the WRP on the site would not deliver the type of employment use (envisaging 23,400 square metres of new manufacturing and/or warehousing floorspace, supporting between 334 and 650 jobs) but the principle of the use would not be incompatible with the current allocation. The existing allocation, and previous planning consent, establish the principle of development of the site. This is addressed in further detail in section 3 of the SDR (Document reference 5.10, DCO Volume 5) and ES Chapter 4 Consideration of alternatives, Volume I (Document reference 6.1, DCO Volume 6).

6.5.29 The Emerging New Local Plan- Building a Better Future (Regulation 18) (2025) consultation proposes the removal of the employment allocation identifying that employment needs can be met on other sites, stating at paragraph 2.94 that "*Whilst a number of sites have been previously been earmarked for employment development, they are now being promoted for alternative uses which are more deliverable and are important to address other identified needs - notably housing - and the Plan reflects this change in the demand for land*". In this case HBC have been engaged in the Applicant's proposals and the proposed location of the WRP on this site.

6.5.30 Although the specific site allocation is proposed to be removed in the emerging local plan and is now of some age, the identified site opportunities and site-specific development requirements have helped to inform local sensitivities and potential enhancement opportunities. For example, the enhancement of the neighbouring Broadmarsh Coastal Park and the Hermitage Stream and its setting. An assessment against the policy, insofar as it is relevant, is provided at Appendix D.

6.5.31 Other than the principle of use of the proposed WRP site, key matters include ground conditions (the site is historic landfill), heritage (in relation to the proximity to the Old Bedhampton Conservation Area), access, good design and delivering local benefits.

6.5.32 Other key matters on the WRP site also include the potential impacts to the Solent Wader and Brent Goose Strategy site, its proximity to Chichester and Langstone Harbours Special Protection Area (SPA) / Ramsar and the presence of protected and notable species.

6.5.33 Discussions have been held between HBC and the Applicant regarding the provision of open mosaic habitat mitigation at the WRP site and the coordination with the Local Nature Recovery Strategy for (LNRS) for Hampshire. These discussions included potential for BNG enhancements to

Broadmarsh Coastal Park, landscape enhancements at the WRP site and the Hermitage Stream corridor.

6.5.34 In addition, the access from Harts Farm Way has been discussed with the Hampshire highway authority and the FRA, SUDs and other flood risk management measures have been discussed with the Lead Local Flood Authority (LLFA).

6.5.35 Key matters of interest affected by other components of the Project, such as the pipelines, include trees, hedgerows and woodlands protected by Tree Preservation Order and/or located within Old Bedhampton Conservation Area.

6.5.36 Development plan policies relevant to these matters include policy CS2: employment, policy CS3 (skills and employment), policy CS11 (protecting and enhancing the special environment and heritage), policy CS14 (efficient use of land and resources) and policy CS16 (high quality design), policy DM8 (Conservation protection and enhancement of existing natural features), draft policy 30: Heritage and historic environment and policy 31 Trees, Hedgerows and Woodland.

Portsmouth City Council

6.5.37 The Development Plan for PCC consists of the following documents:

- Portsmouth Plan Core Strategy (adopted January 2012).
- Portsmouth City Local Plan extant saved policies (adopted July 2006).
- Milton Neighbourhood Plan (made and brought into force in June 2022).
- Somerstown and North Southsea Area Action Plan (March 2012).
- Southsea Town Centre Area Action Plan (July 2007).

6.5.38 Regulation 19 consultation on the Portsmouth Local Plan was held between July and September 2024 (to which the Applicant submitted representations in relation to the proposed location of BPT / IPS-E). The Portsmouth Local Plan was formally submitted to the Planning Inspectorate and the SoS on 18 March 2026 for examination in public. Adoption is anticipated for late 2026/early 2027.

6.5.39 The components of the Project within PCC include Section D of the pipeline between the WRP site and Otterbourne WSW, BPT/IPS-E, part of the Eastney TT, Eastney Pumping Station and part of the Eastney LSO.

6.5.40 The primary consideration and matter for engagement with PCC is in relation to the design of the Break Pressure Tank (BPT)/IPS-E at Portsdown Hill as reflected in section 3 of the Draft SOCG - PCC (Document reference 5.8, DCO Volume 5).

6.5.41 Discussions have been held between PCC and the Applicant with regards to landscape and visual impacts on Portsdown Hill. Additionally, PCC were given an opportunity to provide feedback on the landscape and visual receptors, including the LLCAs defined in ES Chapter 13 Landscape and visual (Document reference 6.1, DCO Volume 6)

6.5.42 Additionally, PCC has highlighted key matters regarding the historic and ecological significance of Portsdown Hill and its surrounding area. These include:

- The archaeological potential of the area, which requires careful assessment and mitigation to avoid harm to heritage assets.
- The high potential for restoration and creation of chalk grassland habitats within and adjacent to the Portsdown Hill Site of Special Scientific Interest (SSSI).
- The need for these measures to be aligned with the Local Nature Recovery Strategies for Hampshire, ensuring that habitat enhancement contributes to wider biodiversity objectives and long-term ecological resilience.

6.5.43 Key matters of interest for PCC as reflected in section 3 of the Draft SOCG - PCC (Document reference 5.8, DCO Volume 5) include the management of flood risk across all components of the Project within PCC's administrative boundary. These components comprise Break Pressure Tank and Intermediate Pumping Station (BPT/IPS-E), Pipeline Section D, Eastney Pumping Station (PS), Budds Farm WTW, and the Eastney LSO. Discussions regarding SuDS and site drainage at BPT-1/IPS-E have been held between the LLFA and the Applicant.

6.5.44 Other significant issues for PCC include concerns about contaminated land along the pipeline route. The impacts on highway safety, construction compounds, and BPT-1/IPS-E accesses to strategic highway networks have been discussed with the local highway authority.

6.5.45 Primary (embedded) mitigation has been identified as part of the design process and embedded within the Project's design to avoid or reduce potential environmental impacts. The mitigation is set out in section 3 of the DPD (Document reference 5.11, DCO Volume 5) and in Table 12 of ES Appendix 3.1 Primary mitigation, Volume II (Document reference 6.2, DCO Volume 6). Further, ES Appendix 19.2 WER compliance assessment, Volume II, (Document reference 6.2, DCO Volume 6) has been produced to confirm how the Project accords with the European Water Framework Directive, which aims to protect and enhance the quality of water resources.

6.5.46 An Outline CEMP (Document reference 7.1, DCO Volume 7) will be prepared which will set out the responsibilities with regards to compliance with legislation and to implement any mitigation measures and management measures to minimise environmental impacts form the construction phase of the development.

6.5.47 Development plan policies relevant to these matters include policy PCS 15 Sustainable design and construction, policy PCS 17: Transport (which covers highway safety), policy PCS 15: Sustainable design and conservation, policy PCS 23: Design and conservation, Policy CM8: Portsdown Hill, draft core policy PLP1: design, draft policy LP32: SuDS, draft policy PLP53 historic environment and draft policy plp56 archaeology.

Winchester City Council

6.5.48 The Development Plan for WCC consists of the following documents:

- Your Place Your Plan Winchester District Local Plan 2020-2040 (adopted on 24 March 2026).
- Denmead Neighbourhood Plan 2011 -2031 (made and brought into force in March 2015).

6.5.49 The components of the Project within WCC consists of sections D, E, G, H, J, K, L and M of the Pipeline between the WRP site and Otterbourne WSW, IPS-G and BPT-K.

6.5.50 Key matters of interest for WCC as reflected in section 3 of the draft SoCG (Document reference 5.8, DCO Volume 5) include the approach to archaeological mitigation and timetable for post-DCO archaeological evaluation and mitigation, construction impacts and design of BPT-K.

6.5.51 Other significant issues for WCC include the protection and enhancement of the green and blue infrastructure and biodiversity across the pipeline route, construction compounds and BPT-K and IPS-G, including trees, hedgerows and woodlands protected by Tree Preservation Order, designated sites, river corridors and other ecological features. WCC has expressed that while outline documents (e.g. Outline CEMP, Outline LEMP) provide a framework, they want greater upfront clarity on sensitive receptors and mitigation measures before consent is granted. This includes:

- River Itchen SSSI and River Hamble crossing.
- Noise and vibration, in particular for residential properties adjacent to works.
- Landscape and ecology, concerns around gap between tree removal and replanting, adequacy of ecological oversight during construction.

6.5.52 Development plan policies relevant to these matters include policy 8 contaminated land, strategic policy NE1 protecting and enhancing biodiversity and the natural environment in the district and policy NE5 biodiversity, policy NE15 special trees, important hedgerows and ancient woodlands.

Hampshire County Council

6.5.53 The Development Plan for HCC consists of the following documents:

- Hampshire Minerals and Waste Plan (adopted October 2013).

6.5.54 The Hampshire Minerals and Waste Plan – Partial Update has been submitted to the SoS for examination. Adoption of the Partial Update is scheduled for Spring 2026.

6.5.55 HCC has several planning responsibilities including regulating mineral extraction, minerals and waste safeguarding and safeguarding mineral resources. HCC Minerals planning authority main key matters of interest include the Project's commitment to the waste hierarchy and safeguarding of

viable mineral resources from needless sterilisation. identified where parts of each section of the Project are located within a mineral safeguarding area (MSA) or mineral consultation area (MCA). The review showed that the Project does not pass through named designated mineral extraction sites located within the MSA. However, parts of the Project were found to be located within MCAs for Superficial Sand and Gravel, Soft Sand and Brick Clay. As set out in section 4 of this PPS, to address this concern and reduce the risk of sterilisation, an incidental extraction approach to mineral extraction is being considered as the most suitable for the Project.

6.5.56 HCC is the local highway authority for the road network in Winchester, Eastleigh, Fareham, Havant and EHDC with the exception of the Strategic Road Network which is managed by National Highways. HCC's current Local Transport Plan (LTP4) adopted in February 2024 sets out its vision for future transport and travel infrastructure across the county. Hampshire highway authority relevant key matters of the Project include traffic management strategies, construction travel plans and rights of way and access strategies.

6.5.57 Discussions have been held between HCC (as LLFA) and the Applicant with regard to the approach to the FRA at all AGP and WRP sites, drainage strategy and ordinary watercourses and connections technical approval strategy. HCC also provides archaeological advice to local planning authorities in Hampshire, excluding WCC. Discussions and engagement have been held between the Applicant and the County Archaeological service as described in Archaeological mitigation of this document, but also regarding the scope for assessing setting impacts and the programme of Ground Investigations works and other mitigation activities.

6.5.58 Other significant issue for HCC includes the alignment of the Project environmental assessment, mitigation, and enhancement opportunities with the Local Nature Recovery Strategy for Hampshire.

South Downs National Park Authority

6.5.59 The Development Plan for SDNPA consists of the following documents:

- South Downs Local Plan 2014-2033 (adopted July 2019).

6.5.60 SDNPA has started work on its review of the Local Plan 2014-2033 with the regulation document 18 being consulted in January 2025. The Local Plan Review is anticipated to be adopted in late 2026/early 2027.

6.5.61 The route selection for the Project has ensured that no part of the route alignment is located within the South Downs National Park (SDNP), though elements of the Project are within the setting of the SDNPA as they pass in close proximity.

6.5.62 Key issues of interest with SDNPA as set out in section 3 of the Draft SOCG - SDNPA (Document reference 5.8, DCO Volume 5) are tourism, biodiversity and access.

6.5.63 As set out in ES Chapter 17 Socio-economics, tourism and health, Volume I (Document reference 6.1, DCO Volume 6), the scope of the tourism assessment covers access to strategic tourism receptors, amenity effects for

strategic tourism receptors and effects on tourist accommodation. The assessment of effects on strategic tourism receptors includes consideration of the potential for effects on the Special Qualities of the SDNP.

6.5.64 Development plan policies relevant to these matters include policy SD6 safeguarding views, policy SD7: relative tranquillity, policy SD8: dark night skies, strategic policy SD17: protection of the water environment, strategic policy SD19: transport and accessibility, draft strategic policy SD6: safeguarding views, draft strategic policy SD7: relative tranquillity, draft policy SD17: protection of the water environment and draft strategic policy SD19: transport and accessibility.

7 Planning Balance

7.1.1 The starting point for decision making is established at paragraph 3.1.2 of the NPSWRI which states that "*subject to the detailed policies and protections in the National Policy Statement, and the legal constraints set out in the Planning Act, there is a presumption in favour of granting development consent for water resources nationally significant infrastructure projects that fall within the need for infrastructure established in the National Policy Statement".*

7.1.2 This Planning Policy Statement has considered the NPSWRI in detail demonstrating accordance with the relevant decision making policies. The Project is a project of national significance (rather than an NSIP) by virtue of the section 35 direction as described in this report for a type of infrastructure which the NPSWRI explicitly recognises has a role in addressing our future water supply needs

7.1.3 The contribution of the Project to meeting an identified need for water resources infrastructure as recognised in government policy, the Final Regional Plan and through the WRMP19 and emerging WRMP24 processes should be afforded great weight.

7.1.4 Paragraph 3.1.3 then requires 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:*

- *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*
- *Adverse impacts, including any longer-term and cumulative adverse impacts, as well as any measures to avoid, reduce or compensate for any adverse impacts".*

7.1.5 As demonstrated in this report, although the Project will result in some residual adverse effects, none present a conflict with the relevant policies of the NPSWRI. The benefits of the Project overwhelmingly outweigh these residual adverse effects.

7.1.6 The Project Vision establishes the overarching measure of success, namely the creation of *"a new, resilient and sustainable water supply [that] will protect and enhance the county's rare and sensitive chalk streams, while maintaining supplies for our communities and the local economy."*

7.1.7 The Project delivers on those objectives:

- The operation of the Project would reduce the requirement for water abstraction from the River Itchen SAC and SSSI which would help to maintain natural watercourse flow and contribute to the conservation objective of maintaining or restoring the structure and function of habitats

and species. In EIA terms this represents a long term major beneficial effect.

- The Project also contributes to meeting the UK Government's Water Framework Directive *objectives*, which aim for all water bodies to achieve *"good ecological status."* By supporting reduced abstractions, the Project supports compliance with abstraction licence conditions and enhances the resilience of local river systems.
- More broadly the Project would respond to the critical and urgent need to build resilience in the water sector to address pressures on water supplies, as recognised in national policy. As recognised in the NPSWRI *"a stable and resilient supply of water is a critical pre-requisite for development of all types, including housing".*
- The Project would also deliver other environmental benefits through the commitment to BNG and through the EMEAs along the pipeline routes delivering additional chalk grassland habitat, riverbank restoration, creation of wet woodland and creation of riparian grassland.
- The provision of essential infrastructure to guarantee future supply of drinking water is expected to have a major beneficial impact on economic development in the South East England region. The Project also includes commitments through the Outline SEP (Document reference 7.9, DCO Volume 7) to help to maximise the opportunity the Project provides to local people and businesses, and will contribute (through the Skills and Employment Fund) to the construction of the Leigh Park Construction Training Academy which would provide training and ongoing opportunities for local residents.
- The avoidance of a potential future water deficit in South East England would have a permanent beneficial health effect for the wider population. For vulnerable groups, who would be more likely to experience adverse health consequences in the event of a drinking water deficit, this beneficial effect is considered to be greater.

7.1.8 The negative effects of the Project would be experienced predominantly through construction with very few permanent significant adverse effects, namely:

- Permanent loss of around 1.6ha of BMV agricultural land.
- Permanent loss of land associated with BPT-K immediately north-east of Winters Hill Hall.
- Visual effects for people traveling along Pilgrims' Way (views of BPT-K from the Pilgrims' Way through established planting from VP082).
- Visual effects for people travelling along footpath 218/28 (views of the BPT/IPS-E from the footpath to the west would gradually increase on the approach to the new built form and would be seen in the foreground of the view, from VP022).
- A 0.31% reduction in the available hazardous landfill capacity projected to be available in England at the end of construction.

7.1.9 These are all reported as moderate adverse effects in the ES (i.e. no major permanent adverse effects), and, as demonstrated in this report, are all acceptable in planning terms when considered against the relevant policies.

7.1.10 No residual likely significant effects have been identified for cumulative effects or in-combination effects.

7.1.11 Table 7-1 provides a summary of all benefits and residual adverse impacts. Paragraph 3.1.4 requires the SoS to have regard to the manner in which benefits are secured and the level of confidence in delivery which is identified in the third column of Table 7-1.

Table 7-1: Overall planning balance

Issue	Finding	Securing mechanism	Weighting
Protecting and enhance Hampshire's rare and sensitive chalk streams – through reducing the requirement for water abstraction from the River Itchen SAC and SSSI	Positive	Intrinsic to the Project	Very great
Guarantee of future supply of drinking water – supporting future population needs and delivering a major beneficial impact on economic development	Positive	Intrinsic to the Project	Very great
Permanent beneficial health effect for the wider population through the avoidance of a potential future water deficit	Positive	Intrinsic to the Project	Very great
Employment and skills opportunities for local people and businesses	Positive	DCO Requirement - Outline SEP (Document reference 7.9, DCO Volume 7) Legal agreement (Skills and Employment Fund)	Moderate
Delivery of BNG and through the environmental enhancements	Positive	DCO Requirement Biodiversity Gain Plan (Document reference 7.11, DCO Volume 7) Design Principles Document (Document reference 5.12, DCO Volume 5)	Moderate
Local ecological and social benefit funding	Positive	Legal agreement (Broadmarsh Coastal Park	Moderate

Issue	Finding	Securing mechanism	Weighting
		Fund and Portsdown Hill Improvement Fund)	
Measures to further the purposes of SDNP	Positive	Intrinsic to the Project Design Principles Document (Document reference 5.12, DCO Volume 5)	Limited
Less than substantial harm on designated heritage assets arising from construction	Negative	N/a	Great
Significant and minor adverse landscape and visual effects during construction and operation	Negative	N/a	Moderate
Significant and minor adverse effects with regards land use and agriculture receptors during construction and operation	Negative	N/a	Moderate
Significant effect on hazardous landfill capacity arising from construction and not significant effects on non hazardous and inert landfill	Negative	N/a	Moderate
Minor adverse effects related to terrestrial and freshwater biodiversity, marine biodiversity, carbon emissions, land quality and ground conditions receptors, noise effects during construction and operation	Negative	N/a	Limited
Minor adverse effects in relation to air quality and odour receptors, access to tourism facilities, water environment receptors and traffic and transport receptors during construction	Negative	N/a	Limited

7.1.12 All other factors are considered to be neutral in the planning balance.

7.1.13 This presents an overwhelmingly compelling case for the Project:

- The benefits of addressing the urgent and critical need for new water infrastructure would deliver a lasting and sustainable positive impact on the natural environment and on people's lives.
- The adverse effects are predominantly temporary during construction and will either fall away or are reversible.

7.1.14 The overall planning balance is, therefore, very clearly in favour of the Project.

8 References

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Appendix A Section 35 Variation Request Direction

from Southern Water

Ref: 2400074

Date: 19 April 2024

[redacted]
Deputy Director for Water Sector Delivery
Secretary of State for Environment, Food and Rural Affairs
Department for Environment, Food and Rural Affairs
Seacole Building
2 Marsham Street
London SW1P 4DF

Dear [redacted]

Hampshire Water Transfer and Water Recycling Project – Request for a Direction under Section 35(1) of the Planning Act 2008

Southern Water's 'Water for Life – Hampshire' (WfLH) programme represents an integrated approach to addressing the sustainability objectives of reduced abstractions on Hampshire's two main rivers and ensuring a resilient water supply for 855,000 of the County's residents during a drought. Infrastructure investment, nature-based solutions, land management and customer behaviour all have a role to play in achieving these objectives. A key part of the WfLH programme is the 'Hampshire Water Transfer and Water Recycling Project' (the Project), which comprises both pioneering water recycling infrastructure and extensive water transfer pipelines. The Project will provide an enhanced use of the new Havant Thicket Reservoir, due for delivery by Portsmouth Water in 2031, by enabling increased volumes of water to be abstracted from the reservoir to maintain water supplies in Hampshire and neighbouring supply areas.

It is crucial that the Project is delivered at the earliest opportunity in order to avoid both a significant deficit of water supply for many of Southern water's customers in drought conditions, and further delays to protecting the ecological status of the County's two main rivers. This would ensure compliance with Southern Water's statutory water supply duty and its 'all best endeavours' obligation to deliver the Project as quickly as possible pursuant to the operating agreement between Southern Water and the Environment Agency under s.20 of the Water Resources Act 1991.

The Development Consent Order (DCO) process provides the most effective comprehensive consenting route to securing the earliest delivery of the Project in the early 2030s, aligning closely with the completion of the Havant Thicket Reservoir on which the Project depends. It would provide the most efficient mechanism for securing the extensive range of statutory powers, permissions, consents and licences needed to deliver this significant and complex project.

Water recycling, as a relatively new and emerging technology in the UK, is not one of the categories of water resources infrastructure that can automatically qualify as a Nationally Significant Infrastructure Project (NSIP) under the Planning Act 2008 (as amended) (the 2008 Act). Water transfer infrastructure can, however, automatically qualify as a NSIP to be determined under the DCO process, but because the Project will primarily be used for water supply during drought conditions, it does not meet the criteria and threshold set out in the 2008 Act.

In recognition of the Project's importance as a key piece of strategic regional infrastructure in meeting the supply deficit for a number of Southern Water's supply zones and its large scale and

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complex nature, a section 35 Direction was therefore given for the Project on 31 May 2022 (the existing Direction). In light of a number of changes to the Project and how elements of it are being delivered since the existing Direction was given, it is now necessary to seek a new Direction under section 35(1). This will enable Southern Water to complete its pre-application obligations under the DCO process and submit an application for development consent in 2025.

Southern Water therefore requests that the SoS, under section 35(1) of the 2008 Act[1], (1) gives a direction for the 'principal'[2] elements of the Project to be treated as development for which development consent is required, and (2) revokes the existing Direction.

This letter is accompanied by a 'qualifying request' under section 35 of the 2008 Act for the Project, which is being made in writing and specifies the development to which it relates. The qualifying request is an update of that submitted in early 2022 which led to the existing Direction being given.

The information within the qualifying request again explains why the conditions in section 35(2)(a) and (b) of the 2008 Act are met in relation to the Project, and why it is considered to be a project of national significance. The qualifying request therefore meets the requirements within the meaning of section 35ZA(11) of the 2008 Act to enable the SoS to give a direction for the Project under section 35(1).

Yours sincerely,

[redacted]

[redacted]
Managing Director of Water
[redacted]

[1] Planning Act 2008, available at: https://www.legislation.gov.uk/ukpga/2008/29/contents; see, too, section 233(2) of that Act.
[2] Defined within section 3.2 of this request

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Qualifying request

Executive Summary

Both the Government, in its 25 Year Environment Plan *Green Future*[3], and the Environment Agency, in its *National Framework for Water Resource*[4], make clear that the water industry needs to increase its resilience to drought by developing additional water supply capacity and must maintain this in the face of pressures from climate change, population growth and the need to improve environmental protection. The South East in particular is where that resilience is most needed.

Southern Water's Hampshire Water Transfer and Water Recycling Project (the Project) is primarily a drought resilience scheme. With the capability to serve a potential population of 855,000 people across Hampshire during drought conditions, it would be a critical piece of infrastructure in meeting the supply deficit for a number of Southern Water's water supply zones. There are also plans for it to provide longer-term drought resilience for a number of Southern Water's water supply zones in Sussex to protect against water supply shortages arising from future abstraction reductions in dry weather. Additionally, the Project could also provide resilience to Portsmouth Water's neighbouring water supply area in the face of potential future abstraction reductions on its water sources.

The Project would make a significant contribution to the resilience of the economy in the Solent region and wider Hampshire area by mitigating the risks of debilitating water restrictions for both businesses and households in drought conditions, with the consequential socio-economic impacts that these would bring. In addition, it would contribute substantially to the UK's environmental objectives and policy priorities by protecting internationally significant chalk streams and river habitats, removing the environmental risks from emergency Drought Permits and Drought Orders that would otherwise have to be deployed in drought conditions to maintain essential water supplies.

The National Infrastructure Commission, in its report *Preparing for a drier future*[5] estimates that the costs of providing longer-term water resilience infrastructure are significantly less than the cost of emergency or short-term response measures to maintain water supplies. This is the case even without including the cost of subsequent emergency restrictions in the event that water supplies cannot be maintained, such as restricting or even cutting off supplies to households and businesses, both of which it notes are unlikely to be publicly or politically acceptable. It highlights that most short-term options would incur very high costs and some would result in severe environmental damage and risks to public health, as well as acting as a constraint on growth and development.

Effective and timely delivery of the Project is therefore fundamental to securing the longer-term resilience of the water supply to household and business users in a number of Southern Water's supply areas. Moreover, the section 20 operating agreement[6] between the Environment Agency and Southern Water highlights the national significance of the Project by placing Southern Water under a legal obligation to use 'all best endeavours' to deliver the Project at the earliest opportunity

[3] A Green Future: Our 25 Year Plan to Improve the Environment, HM Government, 2018
[4] Meeting our future water needs: a national framework for water resources, Environment Agency, 16 March 2020
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[6] An agreement between Southern Water Services Ltd and The Environment Agency under section 20 of the Water Resources Act 1991

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in order to protect internationally significant chalk streams and river habitats. The section 20 Agreement means that the effective and timely consenting, and ultimately delivery, of the Project is crucial to securing the outcome sought by the parties to that agreement and the wider benefits that the Project will bring.

The Planning Act 2008 (the 2008 Act) regime is the only consenting route that would provide the necessary capability and certainty to enable the Project to be delivered and become operational at the earliest opportunity in accordance with the 'all best endeavours' obligation. Given the Project's linear nature and its complex construction and operational processes and interfaces, which will require works across multiple local authority boundaries and through multiple sites with a multitude of owners and occupiers, it is important that the breadth of powers and certainty in the determination processes and timelines associated with the 2008 Act consenting regime can be fully utilised for this Project. This includes enabling the acquisition and/or use of the necessary land and land rights quickly, using compulsory acquisition and temporary possession powers if required.

Due to the size and complexity of the Project, it would interface with a large number of existing infrastructure assets, including key transport and pipeline infrastructure (some of which are themselves nationally significant infrastructure projects (NSIPs)), as well as require construction below or within environmentally designated sites. It would also interact with the new Havant Thicket Reservoir, which is itself a strategic water resource and part of both Southern Water's and Portsmouth Water's Water Resources Management Plan 19 and draft Water Resources Management Plan 24 (WRMP19/24). Multiple consents, permits, licences and statutory powers are likely to be required to secure the delivery of the Project due its size and complexity.

Importantly, the Project will be founded on pioneering water recycling technology that has yet to be fully tested and delivered in the UK, but which will increasingly feature in water companies' water resource management plans as a more sustainable water supply solution. The 2008 Act consenting regime, which is able to provide much more than just a planning permission, will be crucial for the timely delivery of this critical and significant project and its complex mix of integrated and associated water infrastructure, within a largely single authorisation process.

Despite the compelling need, substantial size, complexity and potential environmental impacts of the Project and its wide geographical range, the hybrid nature and use of both pioneering water recycling and water transfer infrastructure for drought resilience means that it does not automatically qualify as a NSIP that must be consented under the DCO regime. There is currently no separate category of infrastructure set out in section 14 of the 2008 Act for water recycling. However, it is acknowledged in the National Policy Statement for Water Resources Infrastructure that large-scale water recycling is likely to result in large transfers, and in such circumstances the transfer may qualify as a nationally significant infrastructure project when assessed against the relevant threshold in the 2008 Act, or through a s35 direction[7]. If operated all of the time (i.e. not just during times of drought), the significant water transfer element of the project would fall within the relevant threshold, but because the Project will only be used at scale for water supply during drought conditions, it does not automatically qualify as a NSIP.

For the reasons set out in this request, Southern Water considers that the Project is of national significance and would benefit considerably from the 2008 Act's single consenting regime, and therefore should be treated as a project for which development consent is required. The fact that the Project is one of only a small number of schemes to progress through the RAPID[8] regulatory

[7] Paragraph 2.6.17 of National Policy Statement for Water Resources Infrastructure (publishing.service.gov.uk)
[8] Regulators' Alliance for Progressing Infrastructure Development

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process, a process specifically set up to facilitate the funding and delivery of nationally strategic water supply schemes, further reinforces the view that it is a project of national significance. Moreover, the Project is already the subject of a section 35 Direction and has therefore already been determined to be a project of national significance.

This document therefore comprises a 'qualifying request' under section 35 of the 2008 Act for the Project to be directed by the Secretary of State for Environment, Food & Rural Affairs (SoS) as a project of national significance to which the 2008 Act regime will apply. The information within this request explains why the Project is considered to be of national significance.

This request largely reflects the previous request submitted in respect of this Project, for which a section 35 Direction was given on 31 May 2022. The principal reasons for submitting a new request are as follows:

1. to provide for flexibility in the consenting of a key element of the Project in order to realise potential community, environmental and cost benefits;
2. update the description and capacity of certain components of the Project to reflect on-going scheme development and water resource management planning processes; and
3. remove from any requirement to obtain development consent those components of the Project described in the existing Direction as Associated Development and Ancillary Matters.

The timely issuing of a new section 35 Direction, to replace the existing Direction, will ensure that Southern Water can continue to undertake the key activities specifically required for the DCO pre-application period to enable a DCO application to be submitted in 2025. This is critical to enable Southern Water to confidently fulfil the pre-application obligations as an applicant under the 2008 Act regime.

1. Introduction

1.1 This document represents a 'qualifying request' under section 35 of the 2008 Act for the 'principal' elements[9] of the proposed Hampshire Water Transfer and Water Recycling Project (the Project) to be treated as development for which development consent is required.

1.2 The project already benefits from a section 35 Direction given on 31 May 2022 (the existing Direction). In light of a number of changes to the Project and how elements of it are being delivered since the existing Direction was given, it is now necessary to seek a new Direction under section 35(1). This will enable Southern Water to complete its pre-application obligations under the DCO process and submit an application for development consent in 2025. Unless the context otherwise requires, references in this document to the need for a section 35 Direction for the Project should therefore generally be read as references for a new section 35 Direction to replace the existing Direction.

[9] Defined within Section 3.2 of this document.

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Securing a resilient water supply for Hampshire and beyond

1.3 The Project comprises both water transfer pipelines and pioneering water recycling infrastructure. Treated wastewater from Southern Water's Budds Farm Wastewater Treatment Works (WTW) would be transferred to a new water recycling plant in Havant to produce purified recycled water. The purified recycled water would then be transferred the short distance to the new Havant Thicket Reservoir where it will mix with springwater and be stored ready for use. Water abstracted from the reservoir would be transferred via a proposed transfer pipeline to Southern Water's water supply works at Otterbourne, where it would be further treated to drinking water standards prior to supply to customers across Hampshire. The Project proposes an enhanced use of the Havant Thicket Reservoir which is already being delivered by Portsmouth Water to provide resilience to Southern Water's supply zones in Hampshire. The Project would enable increased volumes of water to be abstracted from the reservoir to manage water supply deficits in a drought.

1.4 The Project forms a critical part of Southern Water's 'Water for Life - Hampshire' programme, which represents a significant investment into securing a resilient water supply for household and business users in the Hampshire area. As a drought resilience scheme, the Project will primarily be used to maintain essential water supplies in drought conditions (e.g. during severe or extreme drought conditions where there is a prolonged shortage of rainfall). The Project would also provide longer-term resilience for Southern Water's Sussex supply area and could also support Portsmouth Water's supply area where future abstractions reductions are also likely to limit the availability of supplies in a drought from the early 2040s. Without delivery of this Project, a large proportion of Hampshire's population (circa 855,000), and indeed Sussex's population over the longer-term (circa 280,000), would face a very real risk of water shortage when the weather is dry.

1.5 The Project is one of a limited number of water supply schemes to be progressed through the RAPID gated regulatory process. This bespoke process was specifically set up to facilitate the expedited funding and development of new large-scale strategic water supply schemes by the water companies, in recognition of the urgent need to develop new water resources to avoid future restrictions. Moreover, together with Thames Water's London Water Recycling scheme, this is one of the first water recycling schemes to progress through the RAPID gated process and through the DCO consenting process, and will no doubt prove instrumental in building support and demonstrating the delivery and operation of this innovative technology in the UK.

1.6 It is crucial therefore that this significant project is delivered at the earliest opportunity to address the deficit of water supply and provide resilience for the Hampshire area. This water supply deficit has arisen largely from reductions in water abstraction licences that have been agreed between Southern Water and the Environment Agency to protect the river Test and river Itchen, which are international and nationally designated chalk streams, and deliver UK international commitments under the Water Framework Directive (WFD) Regulations. In drought conditions alone, a significant deficit already exists as a result of licence changes already made. This position will significantly worsen in 2027 when further licence changes will come into effect.

1.7 Restrictions arising from Common Standards Monitoring Guidance (CSMG) set by Natural England will also impact on Hampshire's water supplies during normal (non-drought) conditions in order to maintain environmental flow standards for the rivers Test and Itchen,

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again with the objective of protecting and enhancing these precious chalk streams. The imposition of further longer-term but as yet unconfirmed abstraction reductions beyond this is also highly probable, meaning that the need for the scheme is generally greater than originally anticipated in the light of increasing water supply challenges both within Hampshire and neighbouring water supply zones.

1.8 Until the Project is built, commissioned and becomes operational, there are no alternatives available to providing sufficient supplies to household and business users in the Hampshire area in a drought other than through Drought Permits and Drought Orders, which could risk having adverse effects on the chalk streams (Southern Water is having to rely on derogations including the Imperative Reasons of Overriding Public Interest (IROPI) test under the Habitats Regulations in relation to these Drought Permits and Drought Orders). It is noteworthy that the Environment Agency's *National Framework for Water Resources* 2020[10] makes clear that delivering increased resilience should not rely on the increased use of drought measures to boost supplies by allowing additional abstraction during drought where this is environmentally damaging, noting that Drought Permits and Drought Orders should be used less frequently in sensitive areas, like the river Test and river Itchen.

National significance and the need for a section 35 direction

1.9 The development and funding of the project through the RAPID gated process underlines the urgency in the delivery of the project. Delivery at the earliest opportunity can only be achieved by promptly securing a complex range of statutory powers, permissions, consents and licences. To deliver the urgent and established need derived from international commitments, national and legal obligations and Southern Water's statutory duty to supply customers, it is essential that a section 35 direction is given for the Project so that it can continue to utilise the benefits of the DCO regime.

1.10 A section 35 direction will enable Southern Water to fulfil the pre-application obligations under the 2008 Act in relation to its intention to submit an application for development consent to the Planning Inspectorate in 2025, and hence meet its programme for the Project to be operational at the earliest opportunity, as set out in its recent Gate 3 submission to RAPID at the end of March 2024. Without a section 35 direction, Southern Water will be unable to progress those activities specific to the DCO consenting process.

1.11 Despite the urgent and compelling need for the Project and its significant nature, substantial size, complexity and wide geographical range, it does not automatically qualify under the 2008 Act as a NSIP. Water recycling is not a specified infrastructure category under section 14 of the 2008 Act, so is not capable of automatically qualifying as a NSIP. The water transfer element does not meet the thresholds and conditions set out in section 28 (transfer of water resources) of the 2008 Act because the Project will primarily be used for water supply during drought conditions. Principally, this is because the threshold under section 28 relates to the annual average deployable output of a project and not the maximum (peak) volume or output that the project will be sized to deliver. In this case, the Project's purpose is primarily as a resilience project – it is only currently forecast to be operated at full capacity during a drought. The calculation of deployable output therefore depends on the use of the Project in a 1 in 200 year severe drought event, as specified in the 2008 Act's thresholds. This would be the first drought resilience scheme to be

[10] Meeting our future water needs: a national framework for water resources, Environment Agency, 16 March 2020

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considered against these thresholds in practice and the first significant hybrid water recycling and transfer scheme to be determined through the 2008 Act regime.

1.12 The parts of the Project that interface with Havant Thicket Reservoir also do not meet the thresholds and descriptions associated with section 27 (dams and reservoirs) or section 29 (wastewater treatment plants) of the 2008 Act.

1.13 Confirmation for all stakeholders that the project can continue to be considered within the 2008 Act regime is essential as well as desirable to ensure that activities and responsibilities relevant to that regime's process can be confidently and effectively undertaken. This would provide a clear and robust basis for the consenting and delivery of the Project.

1.14 Given the substantial size and extensive and complex nature of the construction and operational processes of the Project, which will require works across multiple local authority boundaries and through multiple sites with a multitude of statutory undertakers, owners and occupiers, it is important that Southern Water can rely upon the certainty in the determination processes and timelines associated with the 2008 Act consenting regime. This regime will enable the acquisition of the necessary land and rights over land using compulsory acquisition powers, as well as achieving a wide range of other consents, licences, permissions and statutory powers, through this single consenting process in a timely and effective way.

1.15 For the reasons set out in this request, Southern Water considers that the Project continues to be of national significance and therefore should be consented under the 2008 Act regime and in accordance with the national policy statement for Water Resources Infrastructure designated in 2023.

Contents

1.16 Further detail is provided below to support and make the case to assist the SoS in considering the request for, and giving, the direction. The qualifying request is structured as follows:

1. Introduction – this section of the request
2. Background and overview of the Project
3. Project description and location
4. Regulator and stakeholder engagement
5. Project design development
6. Qualifying request and need for a new section 35 Direction
7. Case for national significance
    - Needs case
    - National Policy Statement for Water Resources Infrastructure

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- Deployable output
- Economic significance
- Contribution to home building
- Contribution to the UK's environmental objectives
- Size, geographic reach and impacts of the Project
- Timely and comprehensive delivery of consents
- Benefits of a single authorisation process

8. Conclusion

1.17 A glossary of terms used through this request is included at **Appendix A**.

1.18 A draft of the section 35 direction sought for the Project has been included at **Appendix B**.

1.19 An indicative site / route plan of the proposed project is included at **Appendix C**

2. Background and overview of the Project

2.1 Southern Water supplies water and provides wastewater services to over four million customers in the South East of England. Southern Water's operations cover Hampshire, Kent, the Isle of Wight and East and West Sussex, traversing over 700 miles of coastline, National Parks, forests and Areas of Outstanding Natural Beauty (AONB) which are critical to the south-east of England.

2.2 Southern Water published its final *Water Resources Management Plan (2020 – 2070)*[11] in December 2019 (WRMP19), confirming Southern Water's 'Preferred Strategy' to supply drinking water to Kent, Sussex, Hampshire and the Isle of Wight. WRMP19 identifies that most of Southern Water's supply zone is 'seriously water stressed' and that the demand for water can be higher than the amount available.

2.3 In Hampshire, WRMP19 identified an existing significant deficit in drought conditions which was forecast to significantly worsen in 2027. This followed a planned abstraction licences public inquiry in March 2018 into proposed reductions to a number of Southern Water's abstraction licences, which was averted by Southern Water entering into a section 20 operating agreement with the Environment Agency under the Water Resources Act 1991[12] (section 20 Agreement). The section 20 Agreement principally formalised SW's agreement to the abstraction licence changes and committed SW to using 'all best endeavours' to deliver its WRMP19 preferred strategy and to a comprehensive

[11] Water Resources Management Plan 2019: Technical Overview (Southern Water, 2019), available at: https://www.southernwater.co.uk/media/3657/wrmp19-technical-overview.pdf
[12] Water Resources Act 1991, available at: https://www.legislation.gov.uk/ukpga/1991/56/contents

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programme of monitoring, mitigation and compensation measures. As a result of these licence changes made to protect the rivers Test and Itchen, both of which are internationally and nationally designated chalk streams, Southern Water is increasingly less able to abstract water from these rivers under low flow conditions, resulting in a WRMP19 modelled shortfall of approximately 192Ml/d (million litres per day) of water by 2027 in south Hampshire during a 1 in 200 year drought event.

2.4 In the absence of any alternative sources, the section 20 Agreement provides for Southern Water to rely on Drought Permits and Drought Orders that will authorise abstractions affecting the rivers Test and Itchen for an interim period until an alternative longer-term solution is put in place. Subsequent to the section 20 Agreement, the WRMP19 Preferred Strategy set out an adaptive plan to provide that long-term solution.

2.5 The deadline for use of the rivers for abstraction purposes is driven by UK obligations under the Water Framework Directive (WFD)[13] ecological objectives timetable, which requires all water bodies to achieve 'good ecological and chemical status' by 2027. Whilst the UK has withdrawn from the EU, the Directive continues to have effect in the UK through the Water Environment Regulations 2017[14]. Regulation 3(1) requires the SoS and the Environment Agency to exercise their relevant functions so as to secure compliance with the requirements of the WFD. Regulation 3(4) provides that the SoS and the Environment Agency must exercise their relevant functions in relation to each river basin district so as best to secure that the requirements of the WFD for the achievement of the environmental objectives, and in particular programmes of measures, are coordinated for the whole of that district. The UK will not meet the deadline in relation to achieving environmental objectives under the WFD unless alternative water supplies (such as the Project) are urgently put in place in a way that will be resilient in the longer term. In giving the section 35 direction sought the SoS would give effect to and demonstrate exercise of relevant functions to enable Southern Water to use its 'all best endeavours' to secure compliance with the WFD.

2.6 A key component of Southern Water's WRMP19 Preferred Strategy was a proposal for a desalination plant at Fawley which was intended to provide up to 75Ml/d of the 192Ml/d shortfall. Alongside this, WRMP19 identified a number of strategic alternatives to be investigated in parallel in order for there to be sufficient confidence in the delivery of either the preferred or alternative options in line with the timings set out in WRMP19. WRMP19 is an adaptive plan, and the strategy and supporting information published in the plan specifically highlighted the risks and uncertainties relating to implementation, and that alternatives (including water recycling options) would need to be investigated and potentially promoted in order to address the water supply shortfall.

2.7 In the context of the section 20 Agreement, delivery at the earliest opportunity of a strategic water resource project capable of providing a significant proportion of the overall shortfall was therefore critical to address the forecast deficit of water supply for households and business users in Hampshire. That position remains unchanged as a result of the Project now being progressed. The section 20 Agreement commits Southern Water to using 'all best endeavours' to implement its strategic water resource project as

[13] EU Water Framework Directive, 2000/60/EC, available at: https://ec.europa.eu/environment/water/water-framework/info/intro_en.htm

[14] The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 available at: https://www.legislation.gov.uk/uksi/2017/407/contents

set out in its Preferred Strategy in WRMP 19, or as may be revised by future WRMPs. The fundamental aim of the section 20 Agreement to secure compliance with WFD objectives by protecting internationally significant chalk streams and river habitats highlights the national significance of the Project.

2.8 Through Southern Water's options appraisal process undertaken in 2021, it was determined that a new desalination plant at Fawley was not consentable and deliverable in the proposed location. Through investigation of the WRMP19 alternative options, a new strategic water resource project was identified through the options appraisal, namely the Project. The Project is consistent with the alternative options identified within WRMP19 through its adoption and reliance on large-scale water transfers from Portsmouth Water (reliant on the proposed Havant Thicket Reservoir), and water recycling from large-scale wastewater treatment works in south Hampshire.

2.9 Southern Water's Interim Update and Gate 2 submissions to RAPID in September and December 2021 respectively reflected this position, noting that the Project would be progressed through the RAPID gated process instead of the previous desalination proposal. The same was reflected in Southern Water's WRMP19 Annual Review (December 2021), the draft Regional Plan (on which consultation took place in late 2022/early 2023), and the draft of Southern Water's WRMP24 issued for consultation in November 2022.

2.10 Southern Water confirmed its preferred consenting strategy of making a request for a section 35 direction to bring the Project into the DCO regime in both its Gate 1 submission to RAPID in September 2020 and in its Gate 2 submission of December 2021. The consenting strategy makes reference to the certainty of timely delivery and the largely single authorisation of consents enabled by the 2008 Act regime as being critical for the timely delivery of the Project. The Project would also benefit from the clarity and direct support of national policy, in the form of the National Policy Statement for Water Resources Infrastructure, which confirms that the 'need' for a particular scheme is established when it is included in a WRMP (in this case WRMP24).

2.11 It is crucial that a new section 35 direction is therefore given to enable Southern Water to complete its pre-application obligations as an applicant under the 2008 Act regime and to achieve the programmed submission date of the DCO application in 2025.

3. Project description and location

3.1 This section provides an explanation of the Project description and location to enable an understanding of its substantial size, complexity and geographic extent.

3.2 The principal elements of the Project that would be included in the intended DCO application are:

a) A water recycling plant (WRP) and associated pumping stations (including high lift pumping station) in the vicinity of Budds Farm Wastewater Treatment Works (WTW) with a peak output (i.e. in a drought scenario) of approximately 60Ml/d of recycled water;

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b) Two circa 0.5km underground pipelines, to accommodate approximately 80Ml/d transfer volumes in each direction, to transfer at peak operation (1) treated wastewater between Budds Farm WTW and the proposed WRP; and (2) reject water arising from the water recycling process from the WRP back to the Budds Farm WTW[15] prior to release via the existing Eastney transfer tunnel, pumping station and long-sea outfall;
c) Where required to facilitate the principal development, two circa 4km underground pipelines to transfer at peak operation i) approximately 60Ml/d of recycled water from the WRP to a connection at or in the vicinity of Havant Thicket Reservoir and ii) approximately 90Ml/d of water from a connection at or in the vicinity of Havant Thicket Reservoir to a high lift pumping station at the WRP; and, two circa 0.5km underground and overground pipelines to transfer at peak operation i) approximately 60Ml/d of recycled water from the WRP to Bedhampton Springs and ii) approximately 90Ml/d of water from Bedhampton Springs to a high lift pumping station at the WRP;
d) A circa 35km underground pipeline to transfer at peak operation approximately 90Ml/d of water from a high lift pumping station at the WRP to Otterbourne Water Supply Works (WSW); and
e) Intermediate pumping station(s) and break pressure tank(s) to support the underground water transfer pipeline to Otterbourne WSW.

3.3 Element c) above provides for two options. The first is based on Southern Water delivering its own independent tunnelled pipelines between the WRP and a connection point at or in the vicinity of Havant Thicket Reservoir. The second option is based on Portsmouth Water securing planning permission under the Town and Country Planning Act 1990 for, and subsequently delivering, alternative twin tunnelled pipelines between Bedhampton Springs and Havant Thicket Reservoir. These alternative twin tunnelled pipelines would initially serve Portsmouth Water's requirements but could also later serve Southern Water's requirements to transfer water between the WRP and Havant Thicket Reservoir provided Southern Water can deliver a connection between the WRP and Bedhampton Springs and consent the change in use of the alternative pipelines.

3.4 In the second scenario, therefore, this element of the project would consist of two short underground and overground pipelines between the WRP and Bedhampton springs to transfer at peak operation flows of 60Ml/d to Bedhampton Springs and 90Ml/d from Bedhampton Springs. Unless and until Portsmouth Water secures planning permission for and confirms delivery of these alternative twin tunnelled pipelines, both elements detailed under c) above will continue to be progressed as part of the Project. The draft s35 Direction provided in Appendix B to this request contains the necessary flexibility in the description of the principal elements of the Project to enable either scenario. Paragraphs 6.9 – 6.13 of this request provide further information on this approach.

3.5 Construction and operation of these principal elements of the Project would be supported by provision in the DCO application for 'associated development'[16]. Associated development is not required to be consented by a DCO and is not included within the scope of this request for a section 35 direction to maintain flexibility for how associated

[15] The waste return pipeline to Budds Farm WTW must have the same minimum transfer volume as the treated wastewater supply pipeline in the event of a WRP failure and the need to send flows back to the WTW.
[16] In accordance with subsections (2) to (4) of section 115 of the Planning Act 2008

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development is consented and delivered. The associated development, however, could include but is not limited to:

- an inlet pipe into Havant Thicket Reservoir;
- temporary works to support construction;
- permanent works to support operation and maintenance;
- accesses and utility connections for the site including electrical sub-stations, telecoms, water and sewerage facilities; and
- landscaping, environmental mitigation, enhancement and compensation measures.

3.6 The 'inlet pipe into Havant Thicket Reservoir' referred to above relates to a section of pipeline required to transfer recycled water and springwater into the reservoir. In the scenario where Portsmouth Water consents and delivers the twin tunnelled pipelines between Bedhampton Springs and Havant Thicket Reservoir, the inlet pipeline would entail a short, trenched section of pipeline between a connection with the twin tunnelled pipelines and the reservoir embankment, plus installation of that pipeline through the reservoir embankment and to a discharge point somewhere within the reservoir. This would be included within the planning application to be submitted by Portsmouth Water for the twin tunnelled pipelines. In the scenario where Southern Water delivers its own independent tunnelled pipelines between the WRP and Havant Thicket Reservoir, the same inlet pipe, starting at a connection with Southern Water's tunnelled pipelines, would be included as associated development within Southern Water's DCO application. Including this as associated development maintains the necessary flexibility for this element of the project to be consented either by way of a planning application or a DCO application. This element of the Project is shown in Figures 3 and 4 in Section 6.

3.7 As illustrated in Figure 1 below, the existing Budds Farm WTW, site of the new WRP, water transfer pipelines between the WRP and Havant Thicket Reservoir, and Havant Thicket Reservoir itself, are located within the administrative area of Havant Borough Council. The Otterbourne WSW is located within the administrative area of Winchester City Council. Hampshire County Council is the county planning authority for all elements of the Project.

3.8 The Project would interface with Portsmouth Water's Havant Thicket Reservoir project, which secured planning permissions from the local planning authorities of Havant Borough Council and East Hampshire District Council in late 2021. Southern Water anticipates that a DCO for the Project could encompass any consequential amendments to the operating regime for the reservoir as may be necessary.

3.9 For all of the underground water transfer pipelines and above ground plant consisting of pumping stations (including high lift) and break pressure tanks, site and route selection has progressed to the point whereby proposed pipeline routes and sites for above ground plant will be presented for statutory consultation in summer 2024.

3.10 The proposed pipeline routes will traverse the administrative areas of Portsmouth City Council, Eastleigh Borough Council, Winchester City Council, Havant Borough Council and Fareham Borough Council. Hampshire County Council is the county planning authority for all of the proposed pipeline routes.

3.11 Construction methods for the Project are yet to be finalised, although at this stage it is envisaged that construction of the pipelines will be through a mix of trenched and

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trenchless techniques. There will be a number of complex crossings of existing major transport and utility infrastructure, including some nationally significant infrastructure projects.

3.12 The proposed pipelines between Budds Farm WTW and the site of the new WRP would be located adjacent to the Chichester and Langstone Harbours Special Protection Area (SPA), which has been designated for important bird species that breed and feed in the area. The main water transfer pipeline between the WRP and Otterbourne WSW will need to pass under the river Itchen Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC), designations which carry a high level of protection in law and under national planning policy.

3.13 The proposed pipelines between Budds Farm WTW and the site of the new WRP would be located adjacent to the Chichester and Langstone Harbours Special Protection Area (SPA), which has been designated for important bird species that breed and feed in the area. The main water transfer pipeline between the WRP and Otterbourne WSW will need to pass under the river Itchen Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC), designations which carry a high level of protection in law and under national planning policy.

Figure 1. Indicative schematic plan of the Project

Not to scale, for indicative purposes only

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Project use and operation

3.14 In line with WRMP19 requirements, the Project is principally intended to be operated in drought conditions to maintain essential supplies to customers during prolonged dry weather periods when normal sources of supply (i.e. from rivers) become unavailable due to abstraction reductions. This exceptional use in drought conditions would be supplemented by an ongoing 'sweetening flow' to maintain the operation of the plant and pipelines and to maintain water quality requirements, particularly within the significant length of pipeline between the WRP and Otterbourne WSW. Therefore, during normal (non-drought) conditions, a continuous sweetening flow of approximately 20Ml/d of water from Havant Thicket Reservoir would need to be transferred to Otterbourme WSW, via the high lift pumping station at the WRP. To maintain water levels within the reservoir, some 20Ml/d of recycled water would need to be transferred from the WRP to the reservoir, although this volume could reduce if supplemented by springwater from Bedhampton Springs.

3.15 More recent modelling outputs from Southern Water's draft WRMP24 and the draft WRSE Regional Plan, in the light of further abstraction reductions and CSMG river flow standards, have indicated a supplementary need for the project to support essential daily water supplies in normal (non-drought) conditions. This means that water transfers from Havant Thicket Reservoir to Otterbourne WSW could need to increase to an average 30Ml/d (including the 20Ml/d sweetening flow) in order to address the forecast deficit in customer supplies in the Hampshire area. In drought conditions, the output of the WRP and subsequent abstraction from the reservoir would be increased up to approximately 60Ml/d and 90Ml/d respectively to make up the larger deficit in water supplies.

3.16 Over the longer term, from the early 2040s, water from Havant Thicket Reservoir is expected to be used to support water supply deficits in drought conditions in a number of Southern Water's Sussex supply zones, and could also potentially support future deficits expected in Portsmouth Water's supply area. The need for the Project would therefore encompass an increasingly wider regional requirement alongside other strategic water resource schemes being developed by Southern Water and other water companies.

4. Regulator and Stakeholder engagement

4.1 Southern Water has already undertaken stakeholder consultation and engagement on the Project and this will continue as the Project is progressed through the consenting process. In February 2021, Southern Water undertook a non-statutory public consultation on its strategic water resource options being considered under the Water for Life - Hampshire programme. The purpose of the non-statutory consultation was to consult on Southern Water's desalination proposal as presented in its WRMP19 Preferred Strategy, and to introduce the alternative water recycling and transfer options being considered (including the Project) should the desalination proposal be found to be undeliverable in the identified location.

4.2 The options appraisal work undertaken later in 2021 supported a move away from the desalination proposal in favour of the Project. A further public consultation was then undertaken in summer 2022 to seek feedback on the principle of the Project, the preferred

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pipeline corridors, the proposed site for the WRP and potential zones for pumping stations and break pressure tanks.

4.3 In addition to these consultations, Southern Water has carried out regular update meetings on the Project. This has included engagement with many of the key stakeholders specified under the various planning and regulatory regimes applicable to the delivery of the Project including Ofwat, the Department for Environment, Food and Rural Affairs ('Defra'), the Planning Inspectorate, statutory environmental bodies (Environment Agency, Natural England, Historic England and the Marine Management Organisation) and local authorities.

4.4 Wider stakeholder groups, including local authorities, statutory and non-statutory bodies, and other interested parties, continue to be held across a range of technical disciplines to update on the development of the Project. This is enabling all interested parties to provide meaningful input into Southern Water's emerging proposals.

4.5 Collaboration with Portsmouth Water is ensuring the Project integrates effectively with the new Havant Thicket Reservoir, focusing on technical design and alignment of consenting and construction programmes.

4.6 In parallel, Southern Water is engaging with identified registered landowners of all currently identified potential main sites (including WRP infrastructure and water transfer pipelines), to obtain information on known land interests and constraints, and to secure access for environmental surveys and investigations. Engagement with land interests in accordance with section 42(1)(d) of the 2008 Act is ongoing and negotiations with landowners regarding potential option agreements for securing land interests for the Project has also commenced.

4.7 The engagement undertaken since 2021 builds on the wider statutory public and stakeholder engagement undertaken by Southern Water as part of the preparation of WRMP19 and 24. This engagement is part of the ongoing process that supports the more detailed development of the Project through the consenting process.

4.8 Southern Water has also had regard to the timescales for consultation that has been and will be undertaken in respect of the draft Water Resources South East (WRSE) Regional Plan and draft WRMP24. It has sought to align as far as possible public consultation on the Project with these other statutory processes, in particular consultation on its WRMP24, the latter of which reaffirms the Project as the key strategic resource project in Southern Water's Water for Life – Hampshire programme. The need to deliver the Project at the earliest opportunity means that the consent process must be pursued in parallel with the WRMP planning process. The protracted timescales for progressing the Project through the consenting process also made it inevitable that the consent process would overlap WRMP planning periods – in this case WRMP19 and 24. Southern Water anticipates that by the time a DCO application for the Project is submitted in 2025, WRMP24 will be published.

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5. Project design development

5.1 The Project is being developed through a rigorous scheme development process which is considering a range of reasonable alternatives, with the objective of identifying proposed pipeline routes and sites for the infrastructure elements of the scheme as part of the DCO application. The process initially involved the evaluation of potential corridors for the pipeline routes between Budds Farm WTW, the new Havant Thicket Reservoir, the proposed water recycling plant and Otterbourne WSW, together with consideration of zones for the required above ground infrastructure along the pipeline routes. The evaluations undertaken draw upon criteria from the following policy and regulations, in particular:

- National Policy Statement for Water Resources Infrastructure (2023);
- National Planning Policy Framework (2021/23);
- The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017;
- Water Environment (Water Framework Directive) Regulations 2017; and
- The Conservation of Habitats and Species Regulations 2017.

5.2 Taking into account the relevant policy and legislative requirements above, as well as the deliverability and the hydraulic performance of each pipeline corridor, Southern Water was able to establish and consult on preferred pipeline corridors and zones for above ground plant during its summer 2022 public consultation. The evaluation of various combinations of corridors enabled Southern Water to avoid, minimise and mitigate likely significant effects. Figure 2 below illustrates the various pipeline corridors that were considered and consulted on as part of the summer 2022 public consultation.

5.3 All of the corridors assessed cross the river Itchen Special Area of Conservation (SAC) and Site of Site of Special Scientific Interest (SSSI), while some would affect land within the South Downs National Park directly, and/or its setting. The preferred corridor consulted on resulted in fewer impacts on the National Park and river Itchen SAC/SSSI than other corridor options.

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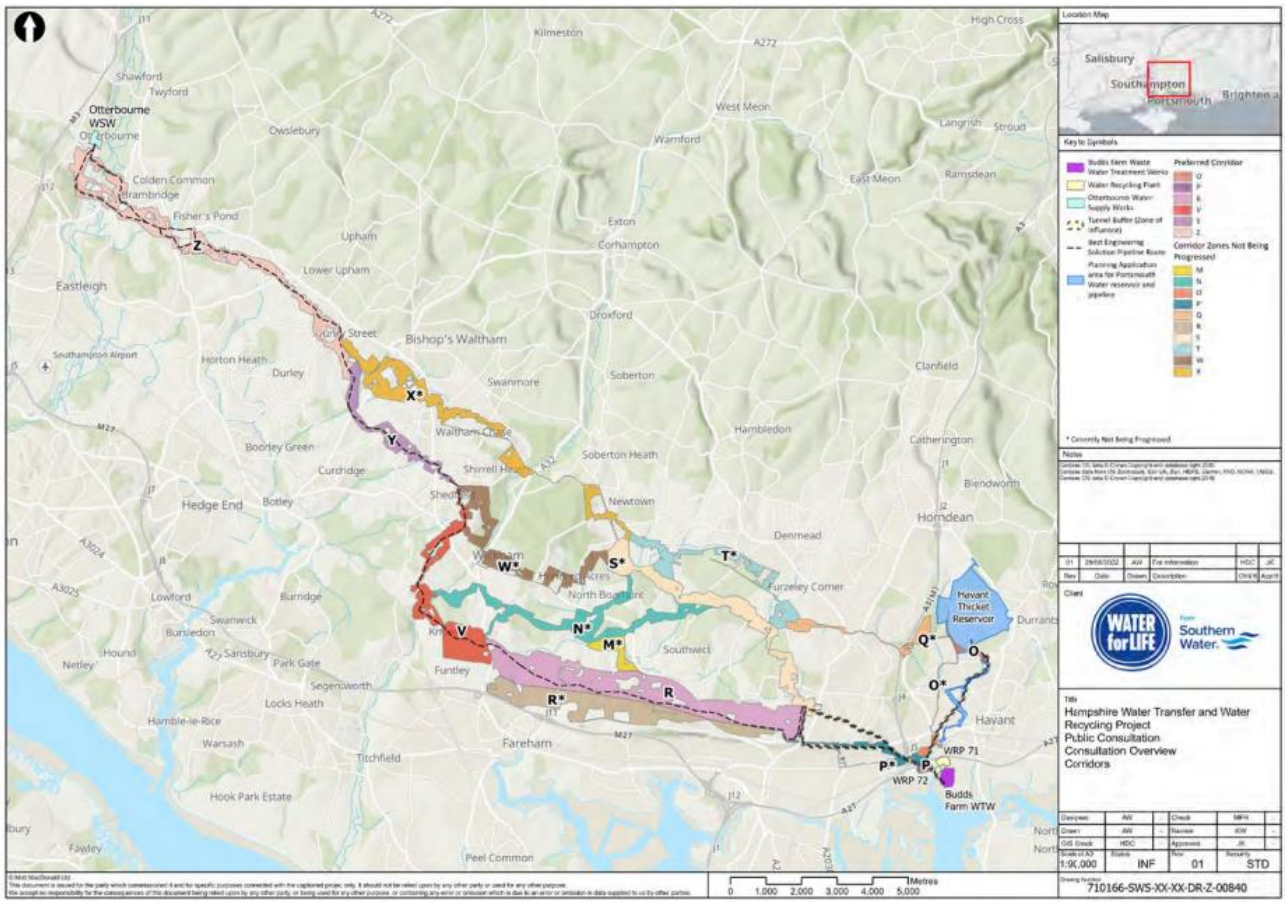
Figure 2. Pipeline corridors consulted on in summer 2022 public consultation



5.4 Feedback and ongoing engagement since the 2022 public consultation has supported ongoing design development and refinement of the spatial plans for the Project. More detailed proposed pipeline routes and specific sites for above ground plant will be consulted on in Southern Water's summer 2024 statutory public consultation. Significant effort has been made where possible to avoid important and sensitive landscape and habitat designations and propose construction techniques and mitigation measures to reduce residual impacts (e.g. using trenchless construction techniques to cross main rivers). Of note, is the complete removal of the proposed pipeline from the South Downs National Park. The measures being considered to reduce the impacts of the project at the scheme development level supplement the overarching objective of the Project to mitigate the risks of over-abstraction from the County's rare and sensitive chalk streams.

5.5 Feedback that will be received from the forthcoming summer 2024 statutory public consultation, alongside that from ongoing engagement with key stakeholders, will continue to feed into further refinement and development of Southern Water's project proposals ready for submission of a DCO application in 2025.

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6. Qualifying request and need for new section 35 Direction

6.1 Section 35(1) of the 2008 Act states that the SoS may give a direction for development to be treated as development for which development consent is required. The provisions of section 35 of particular relevance to the Project are:

- the development is or forms part of a project (or proposed project) in the field of energy, transport, water, wastewater[17];
- the development would (when completed) be wholly in England or waters adjacent to England up to seaward limits of the territorial sea[18]; and
- the SoS thinks the project (or proposed project) is of national significance, either by itself or when considered with one or more projects (or proposed projects) in the same field[19].

6.2 The project for which a new section 35 direction is sought, namely the Project, is principally a water transfer pipeline and water recycling plant. Section 14 'Nationally significant infrastructure projects: general' of the 2008 Act defines the types of development that, subject to sections 15 – 30A, automatically constitute a 'nationally significant infrastructure project' and therefore require development consent under section 31 ('When development consent is required'). The Project is a proposed project in the field of water and is therefore within the scope of section 35(2)(a)(i) of the 2008 Act.

6.3 The Project will be carried out in England by one or more water undertakers. The Project will enable the transfer of water resources between water undertakers' areas in England and does not directly relate to the transfer of drinking water. The Project also includes the treatment and transfer of recycled wastewater as well as an interface with, and increase in deployable output from, a reservoir.

6.4 The Project is proposed to be located wholly in England or within waters adjacent to England up to the seaward limits of the territorial sea. The Project is therefore within section 35(2)(b) and (3)(a).

6.5 Section 6 below explains why the Project can be considered by the SoS to be a project of national significance, in accordance with section 35(2)(c)(i).

6.6 Section 35ZA(1) states that the power in section 35(1) to give a direction in a case within section 35(2)(a)(i) is exercisable only in response to a qualifying request if no application for a consent or authorisation mentioned in section 33(1) or (2) has been made in relation to the development to which the request relates. Southern Water confirms that no application for consent or authorisation mentioned in section 33(1) or (2) has been made in relation to the principal elements of the Project to which this request under section 35 relates.

6.7 Section 35 ZA(11) defines a 'qualifying request' as meaning "a written request for a direction under section 35(1) that:

a) specifies the development to which it relates, and

[17] Section 35(2)(a)(i) of the Planning Act 2008
[18] Section 35(2)(b) and (3)(a) of the Planning Act 2008
[19] Section 35(2)(c)(i) of the Planning Act 2008

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b) explains why the conditions in section 35(2)(a) and (b) are met in relation to the development".

6.8 This request represents a 'qualifying request' as it is made in writing and specifies the development to which it relates (see section 3 above). Furthermore, as confirmed in this section, the conditions in section 35(2)(a) and (b) are met.

6.9 The changes to the Project that necessitate the need for a new section 35 Direction do not impact the scale and effect of the proposed development, which has already been confirmed by the Secretary of State as a project of national significance. The following sections explain the proposed changes in more detail.

Need for a new section 35 Direction: variation to the description of the principal development (comprising the Project) so far as concerns the pipelines in and out of Havant Thicket Reservoir

6.10 At the time the existing Direction was given, planning permission had recently been granted for the development of the new Havant Thicket Reservoir, including an open-cut single (bi-directional) pipeline from Bedhampton Springs to the reservoir. The Havant Thicket Reservoir project had largely been developed by Portsmouth Water independently to the Project given the different delivery timescales. However, Portsmouth Water has recently confirmed that it will now be progressing twin tunnelled pipelines between Bedhampton Springs and Havant Thicket Reservoir, instead of the already consented open-cut single pipeline, in order to realise potential cost benefits and reduce disruption to local communities and the environment. These twin tunnelled pipelines would follow a similar alignment to that aspect of Southern Water's Project that proposes two tunnelled pipelines between the proposed WRP and Havant Thicket Reservoir (and which is the subject of the existing Direction). This alternative proposal would require Portsmouth Water to apply for a new planning permission, which would also include an inlet pipe through the south west corner of the reservoir embankment and to a discharge point within the reservoir.

6.11 Ongoing collaboration between both companies has identified an opportunity for Southern Water to also utilise these twin tunnelled pipelines for the Project, as part of the transfer of water between the water recycling plant and Havant Thicket Reservoir, provided Southern Water can provide the necessary connection between the WRP and Bedhampton Springs. In this scenario, therefore, Southern Water would require two short, tunnelled pipelines between the WRP and Bedhampton Springs.

6.12 If Portsmouth Water is successful in securing planning consent for these twin tunnelled pipelines under the Town and County Planning Act 1990 and Southern Water later authorises their additional use for the Project through the DCO, this would negate the need for both companies to independently construct different tunnelled pipelines in close proximity to each other in Havant on slightly different construction timelines (albeit Southern Water would still need to construct connections between Bedhampton Springs and the WRP – these would be consented through the DCO).

6.13 Current estimates suggest that this approach could provide an overall saving of over £100m compared to both companies constructing their own independent tunnelled pipelines. Given that Southern Water is funding both the Project and the Havant Thicket

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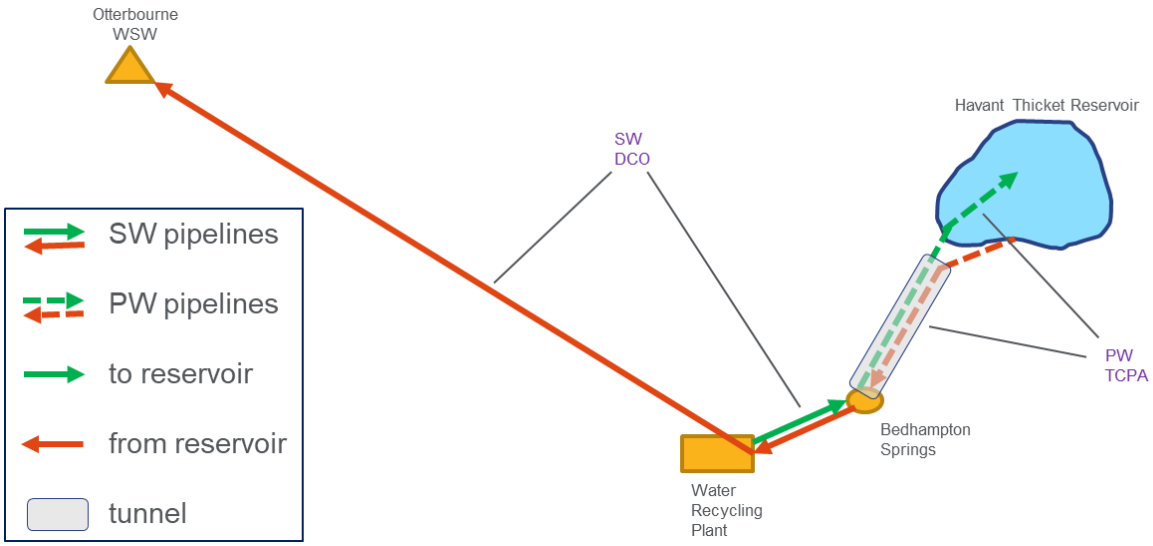
Reservoir scheme, this saving would benefit Southern Water customers, who will ultimately be funding both projects through their water bills over the lifetime of the assets.

6.14 Southern Water therefore needs a new direction to replace the existing Direction to build flexibility into the description of this element of the Project in order to enable both options for tunnelled pipelines a) between the WRP and Havant Thicket Reservoir, and b) between the WRP and Bedhampton Springs, to come forward under the DCO regime.

6.15 The proposed new section 35 Direction Southern Water is seeking would enable a) Portsmouth Water to apply for planning permission under the TCPA regime for the construction of its twin tunnelled pipelines between Bedhampton Springs and Havant Thicket Reservoir, including the inlet pipeline into the reservoir, and b) for the DCO to authorise the use of those pipelines for the Project when it becomes operational (as well as the DCO consenting the required connecting pipelines between Bedhampton Springs and the WRP). This scenario is shown in the schematic illustration at Figure 3 below.

Figure 3: Project utilises Portsmouth Water's twin tunnelled pipelines between Bedhampton Springs and Havant Thicket Reservoir



6.16 However, should Portsmouth Water's twin tunnelled pipelines not be consented under the TCPA regime, or prove undeliverable for any other reason, Southern Water would still be able to consent under the DCO its proposal for independent tunnelled pipelines between the water recycling plant and Havant Thicket Reservoir. This would need to include the proposed inlet pipe through the reservoir embankment and into the reservoir as described in section 3. Portsmouth Water could then pursue consent for its own independent proposal to connect Bedhampton Springs to Havant Thicket Reservoir. This scenario is shown in the schematic illustration in Figure 4 below.

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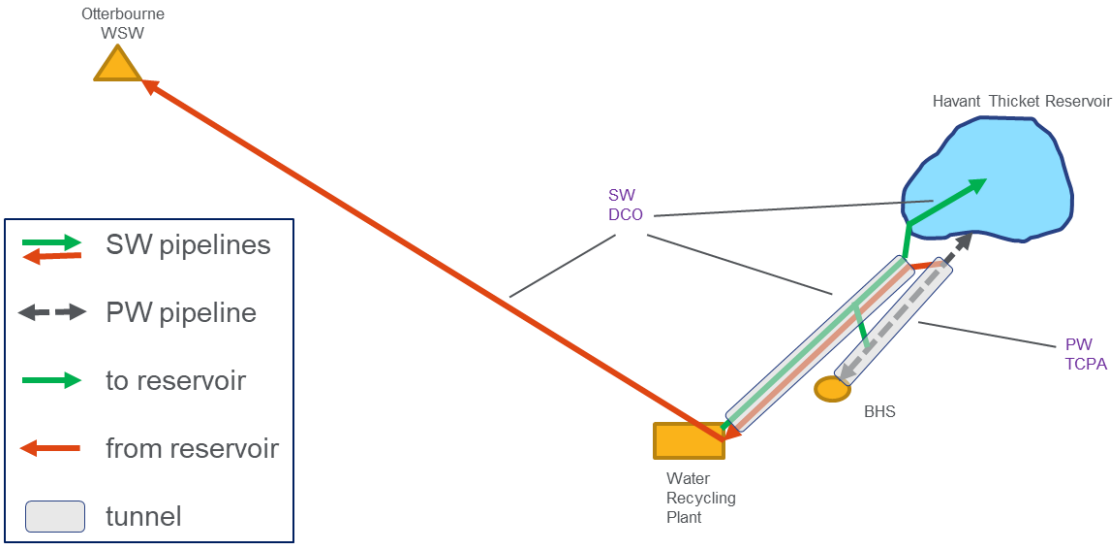
Figure 4: Project utilises Southern Water tunnelled pipelines between proposed water recycling plant and Havant Thicket Reservoir.



6.17 A change to the existing Direction is therefore needed in order to provide flexibility to realise potential environmental, community and cost benefits associated with delivering two major water resources infrastructure projects in close proximity to each other at similar timescales, whilst ensuring that Southern Water remains able to deliver all elements of the Project in the DCO, if required.

Need for a new section 35 Direction: updating the description and capacity of components of the Project

6.18 As noted in section 5, Southern Water has been progressing the scheme development and design of the Project, including further refining the description and capacity of certain components, the latter responding to evolving requirements from WRMP24. The existing Direction also needs changing therefore to reflect the outcome of scheme development relating to the principal elements of the Project, including updated descriptions and capacities.

Need for a new section 35 Direction: to remove the requirement to obtain development consent for the components of the Project described in the existing Direction as Associated Development and Ancillary Matters

6.19 The exact wording in the existing Direction does not reflect the wording in the draft direction enclosed with Southern Water's original s35 Direction Request, as the existing Direction directs that all of the proposed development is to be treated as development for which development consent is required. This is because it defines the 'proposed project' (which the existing Direction refers to) as comprising the principal development, associated development and ancillary matters. There is a risk that this could be interpreted as all matters listed as part of the 'proposed project' requiring development consent, even though that was not the basis on which Southern Water's original request was made, as including in the DCO certain parts of the Project described as associated

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development and ancillary matters is normally discretionary. The new section 35 Direction requested includes minor proposed changes to avoid this interpretation and ensure that there is clarity that only what is termed 'the Principal Development' is subject to a requirement for development consent.

Need for a new section 35 Direction: timing

6.20 It is crucial that the Project is delivered at the earliest opportunity, yet in an environmentally sensitive way, in order to avoid both a significant deficit of water supply for many of Hampshire's residents in drought conditions, and further delays to protecting the ecological status of Hampshire's two main rivers. This would ensure compliance with Southern Water's statutory water supply obligations and its 'all best endeavours' obligation to deliver the Project as quickly as possible under the s20 operating agreement agreed between Southern Water and the Environment Agency.

6.21 Portsmouth Water is in the process of preparing its application for planning permission for its alternative tunnelled pipelines, having recently carried out a public consultation. Section 35ZA(1) of the Planning Act 2008 precludes the Secretary of State from giving a s35 Direction if an application for planning consent has been made in respect of the development covered by the Direction. It is therefore critical that the new section 35 Direction is given prior to any application for planning permission under the TCPA regime being submitted by Portsmouth Water for its proposed twin tunnelled pipelines.

7. Case for National Significance

Introduction

7.1 This section provides information to assist the SoS in determining whether the Project is of 'national significance', either by itself or when considered with one or more projects (or proposed projects) in the same field, as per section 35(2)(c)(i) of the 2008 Act.

7.2 The Project is significant as an infrastructure project in its own right, but also as a key component in a wider nationally significant programme of works set out in WRMP19, the draft WRSE Regional Plan and draft WRMP24, which would principally address a forecast deficit in water supply for a potential population of 855,000 people in Hampshire as well as addressing longer term supply shortages in neighbouring supply areas. In conjunction with the Havant Thicket Reservoir project, the Project is a strategically important water resource for the south of England and will play a critical role in meeting the water resources needs and resilience of this large geographical region, which in itself makes it nationally significant.

Needs Case – WRMP19 & 24, Section 20 Agreement and WFD

7.3 The Project is a public water supply project being delivered by Southern Water in accordance with and further to its WRMP19, and with funding under the RAPID Gated Process, as required by section 37A of the Water Industry Act 1991[20] and subsequent

[20] Water Industry Act 1991, available at: https://www.legislation.gov.uk/ukpga/1991/56/contents

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legislation. In addition, the Project is reflected in both Southern Water's draft WRMP24 and the draft WRSE Regional Plan.

7.4 As highlighted in section 2 of this document, reductions to abstraction licences agreed through the section 20 Agreement with the Environment Agency result in a WRMP19 modelled shortfall by 2027 of approximately 192Ml/d of water a day in south Hampshire during a 1 in 200 year drought event. Southern Water's draft WRMP24 forecasts that this deficit could potentially increase to circa 200Ml/d by 2050 when taking into account further potential abstraction reductions, CSMG river flow standards and planning for extreme drought (1 in 500 year) scenarios. More recent restrictions arising from Common Standards Monitoring Guidance will also impact on Hampshire's water supplies during normal (non-drought) periods in order to maintain environmental flow targets for the rivers Test and Itchen, again with the objective of protecting and enhancing these precious chalk streams.

7.5 Whilst these measures ensure protection and enhancement of the environment, this puts businesses and the growing population of a large proportion of Hampshire and neighbouring supply areas under very significant risk of water shortage when the weather is dry. The South East is identified as an area of significant economic growth and there is a need to have effective, integrated and resilient water infrastructure that is fit for purpose to meet the needs of a growing population. If Southern Water does not ensure that there is sufficient supply in its network when the weather is dry, the needs of existing communities and economic activities will not be sustained.

7.6 The scale of the deficits arising as a result of the abstraction licence reductions already introduced are so significant that there is a lack of sufficient alternative sources of supply available to Southern Water to maintain supplies to customers in a drought, other than by recourse to temporary Drought Permits and Drought Orders. Southern Water has funded a significant package of environmental monitoring, mitigation and compensation through the section 20 Agreement to enable it to rely on Drought Permits and Orders as an interim measure pending the implementation of a longer-term solution, but these interim measures are not a solution in themselves. For the river Itchen, abstraction relies on an IROPI derogation case under the Habitats Regulations, and so reliance on these licences is and can only be temporary. The Environment Agency's *National Framework for Water Resources* 2020[21] makes clear that increased resilience should not rely on the increased use of drought measures to boost supplies by allowing additional abstraction during drought, where this is environmentally damaging, noting that Drought Permits and Orders should be used less frequently in sensitive areas.

7.7 The longer-term infrastructure solution, namely the Project, needs to be consented and implemented at the earliest opportunity to safeguard customer supplies and to protect the environment, without recourse to Drought Permits and Drought Orders over the longer term. Until the Project is implemented, should Drought Permits and Orders not be approved, households and businesses in a number of Southern Water's supply areas face serious restrictions to their water supply, which at its extreme could involve rota cuts[22] and standpipes in a drought.

[21] Meeting our future water needs: a national framework for water resources, Environment Agency, 16 March 2020
[22] Normally involving restrictions to the availability of water supply.

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7.8 Furthermore, WFD objectives require all water bodies to achieve a 'good ecological and chemical status' by 2027, or risk non-compliance. Unsustainable abstraction from Hampshire's iconic chalk streams and the potential risk of ecological harm and deterioration pose a serious threat to WFD compliance. In its policy paper *Water abstraction plan: Environment*, Defra is clear that water companies are under a duty to have regard to the WFD and have a vital role to play in delivering environmental improvements.

7.9 The section 20 Agreement with the Environment Agency places a legally binding obligation on Southern Water to use 'all best endeavours' to implement a long-term solution for alternative water resources as set out in its final WRMP19, as may be revised by future WRMPs. The novel nature of this obligation illustrates the urgent need for and national significance of the Project in securing compliance with national environmental objectives.

7.10 As noted in section 2, the Project is derived from the adaptive planning approach in WRMP19. Following the WRMP19 desalination project not being considered consentable, the Project will deliver the alternative option consistent with WRMP19, through reliance on pioneering water recycling from large-scale wastewater treatment works in south Hampshire. The Project could serve a potential population of 855,000 people across Hampshire during drought conditions and in the longer-term address deficits arising in Sussex and potentially other neighbouring supply areas and would be a critical piece of infrastructure in meeting the water supply deficit.

7.11 WRSE's draft Regional Plan for the period 2025 to 2100 is seeking to increase drought resilience for the South East of England to 1 in 500 year resilience and Southern Water's WRMP24 is being prepared on this basis. The Project is selected as a core component of the draft WRSE Regional Plan for implementation as soon as possible, in order to contribute towards the significant existing and future supply deficits being faced in the whole South East region.

National Policy Statement for Water Resources

7.12 The National Policy Statement[23] for Water Resources Infrastructure (NPS) states that if a project of national significance is included in a published final WRMP, the need for that project would have been demonstrated in line with Government policy and the applicable statutory requirements and does not need to be revisited as part of the application for development consent. The NPS therefore places considerable weight on the need established in published WRMPs. Water transfer and water recycling solutions are included as significant components in Southern Water's WRMP19.

7.13 In addition, the Project is included in the draft WRSE Regional Plan and Southern Water's draft WRMP24. The final WRSE Regional Plan is expected to be published in early 2024 and Southern Water's WRMP24 is subject to further consultation later in 2024, with the final version of the plan anticipated to be published before the submission of Southern Water's application for development consent for the Project in 2025. The inclusion of a

[23] National Policy Statement for Water Resources Infrastructure (Department for Environment Food & Rural Affairs, 2023) available at: https://assets.publishing.service.gov.uk/media/6437e3a2f4d420000cd4a1a7/E02879931_National_Policy_Statement_for_Water_Resources.pdf

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project in a WRMP brings greater certainty into the planning and consenting process for the Project and further evidences the demonstrable need for it.

7.14 Paragraph 1.4.6 of the NPS states "*The Secretary of State will also consider applications for development consent for projects which do not meet the NSIP criteria, as set out in sections 27, 28 and 28A of the Planning Act, but which the Secretary of State directs are to be treated as a development for which development consent is required under section 35 of the Planning Act. Where a section 35 direction is made in relation to a scheme which has been identified as a preferred option in a final WRMP, this NPS will apply*[24]".

7.15 With regards to water resource technologies, such as water recycling, that are not within section 14 of the Planning Act 2008, paragraph 2.6.15 of the NPS states "*other infrastructure types or technologies… not specified in the Planning Act …may be considered under the Planning Act following a direction by the Secretary of State under section 35, as set out in section 1. This could include other options to enhance the storage capability of the water supply system and water available for use, including but not limited to effluent reuse schemes and aquifer re-charge*."

7.16 More specifically, paragraphs 2.6.16 and 2.6.17 state that "*effluent reuse has the advantage of being a constant, reliable supply of water and may reduce the amount of water extracted from the environment. Whilst not identified as a separate water resource activity in the Planning Act, large scale effluent reuse is likely to result in large transfers.... In such circumstances, the transfer may qualify as an NSIP, when assessed against the relevant threshold in the Planning Act. Alternatively…such a scheme might be considered through a section 35 direction*."

7.17 This is an important policy position when considering the increasing level of drought resilience that water companies are required to plan for, as it is acknowledged in the NPS that solutions like larger reservoirs can provide a good level of resilience during a short-term drought; however, they are not as resilient as other infrastructure types such as effluent reuse (i.e. water recycling) during longer-term drought[25]. This further highlights the need to enable complex water recycling schemes to be effectively consented and delivered as part of the water resources planning mix.

7.18 The Project is included within both the Preferred Strategy in WRMP19, as explained above, and in the revised draft WRMP24. In addition, the options appraisal process for identifying the Project as the most appropriate option to take forward has been undertaken in a manner consistent with the Water Resources Planning Guideline[26], and so meets with the requirements of section 2.5 of the NPS in relation to the role of water resource management plans in identifying the need for a project. The NPS specifically acknowledges the prospect of 'other infrastructure' outside of the infrastructure types specifically listed in section 14 of the 2008 Act being brought into the Planning Act 2008 regime following a section 35 direction by the SoS, including water recycling schemes like the Project, and that where a section 35 direction is given, the NPS will apply to the determination of any resulting DCO application for the infrastructure project concerned.

[24] In accordance with section 104 of the Planning Act 2008, where a national policy statement has effect in relation to development of the description to which the application relates.
[25] Paragraph 2.6.6.
[26] https://www.gov.uk/government/publications/water-resources-planning-guideline/water-resources-planning-guideline

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Deployable output

7.19 As presented in WRMP19, the strategic resource option was initially determined to require an output of up to 75Ml/d in order to contribute (as a significant part of the Preferred Strategy) to resolving the water supply deficit within the Hampshire area, based on a 1 in 200 year drought scenario. Through the options appraisal process, future needs assessment work to support Southern Water's Gate 2 submission to RAPID in December 2021, and subsequent modelling undertaken as part of the WRSE Regional Plan and Southern Water's WRMP24, the required output of the Project increased to 90Ml/d (i.e. to be received at Otterbourne for treatment and onward supply). The ongoing modelling for WRMP24 and the WRSE Regional Plan subsequently confirmed the requirement for the water recycling plant to deliver at peak operation (i.e. in a severe drought) approximately 60Ml/d of recycled water for transfer to the reservoir in order to address further sustainability reductions on local abstractions.

7.20 Southern Water acknowledges that with regard to the main water transfer element of the Project, this would have a peak transfer volume of approximately 90Ml/d, but this does not, however, meet the 'expected deployable output' NSIP threshold of 80Ml/d for a water transfer scheme within section 28 of the 2008 Act. This is because the definition of deployable output requires consideration of an annual average in a 1 in 200 year drought. Southern Water's modelling currently indicates that the Project would be operating at an average output of 30Ml/d at Otterbourne WSW, which would include an approximate minimum "sweetening flow" of 20Ml/d required to maintain the infrastructure in readiness to operate in the event of a drought. The daily average output would then gradually increase to a peak output during drought conditions which might typically last for around three months. When this usage/output is averaged across the year, the 'expected deployable output' is below the threshold set out in section 28. For example, a daily average output of 30Ml/d over 9 months, coupled with a peak output of 90Ml/d over a 3 month drought period, when averaged across each day of the year, would give a deployable output of approximately 45Ml/d. In reality, a drought event would require a gradual increase in output as water scarcity increased followed by a gradual decrease when the drought event subsides, so the expected average deployable output is likely to be less than that quoted above.

7.21 However, it is important to note that the infrastructure required is no different to that which would be required if the scheme were in operation all year round – its location, size, scale, complexity and likely impacts are not diminished by the fact it is only planned to be used in a drought. It is still a significant and extensive project.

7.22 If it was the case that the Project was proposed to be operated at a transfer volume of approximately 90Ml/d full time, it would exceed the 80Ml/d deployable output threshold. The peculiarity of this threshold is that two physically identical water transfer schemes with the same transfer capacities in excess of 80Ml/d could either sit within or outside of the NSIP thresholds depending solely on how often the plant was expected to be operated (i.e. the scheme to be operated only in a drought would not meet the thresholds but the scheme to be operated full time would). Both schemes would still require the same multiple applications for consents, permissions, and licences and the same multiple local authorities, consultees and land interests would be engaged by the proposals.

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7.23 In light of this, it is considered necessary and appropriate to secure designation of the Project as a project of national significance to be treated as a development for which development consent is required.

7.24 Southern Water has also considered whether the Project has the potential to be considered as an alteration to an existing reservoir within the meaning of section 27 of the 2008 Act, which in this case would relate to an alteration to the Havant Thicket Reservoir, for which planning permission has been granted and which is to be constructed by Portsmouth Water. Whilst the Project could require some minor physical alterations to the consented reservoir in the scenario where Southern Water secures consent within the DCO for the tunnelled pipelines between the WRP and Havant Thicket Reservoir, including related reservoir interface works, there will be no increase in the volume of water to be stored in the reservoir. The reservoir's consented cubic capacity will not therefore be increased as a result of the Project.

7.25 For the reasons explained above in relation to the deployable output of the water transfer element of the Project, it is also not considered that the Project will result in an additional deployable output of the reservoir in excess of 80Ml/d because the Project will only be used for water supply during drought conditions. The Project is therefore not expected to meet the thresholds in relation to the alteration of a reservoir set out in section 27 of the 2008 Act.

Economic significance

7.26 The Project involves a major investment in Hampshire and will secure resilient water supplies for the County's communities and businesses in drought conditions. Critically, the Project will make a significant contribution to the economy in Hampshire by mitigating the risks of debilitating water restrictions for both businesses and households in drought conditions, with the consequential economic impacts that these would bring.

7.27 The National Infrastructure Commission, in its report *Preparing for a drier future*[27] estimates that the costs of providing longer term water resilience infrastructure are significantly less than the cost of emergency response measures to maintain water supplies. This doesn't include the cost of subsequent emergency restrictions in the event water supplies cannot be maintained, such as restricting or even cutting off supplies to households and businesses, both of which it notes are unlikely to be publicly or politically acceptable. It highlights that most options would incur very high costs and some would result in severe environmental damage and risks to public health.

7.28 Furthermore, the Project would create direct and indirect jobs itself, and there will be significant supply chain opportunities and support for national, regional, and local businesses, in addition to safeguarding and supporting economic growth within the Solent and wider Hampshire sub-region through securing resilient water supplies for domestic and business customers.

7.29 In advance of the abstraction licences inquiry in 2018, Southern Water obtained evidence from Vivid Economics on the estimated economic impacts of the imposition of water restrictions and other drought measures that could be necessary should the abstraction licences be changed and additional infrastructure such as the Project not be implemented.

[27] Preparing for a drier future: England's water infrastructure needs, National Infrastructure Commission, 2018

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Evidence was presented for both business and household impacts. For businesses, the evidence identified that the Gross Value Added (GVA) in the area affected was £22.6 billion (in 2017 prices), giving a daily GVA figure estimated at £62million. It was clearly identified that as drought restrictions increase in severity (i.e. as the drought itself becomes more severe), so does the impact on GVA, leading up to an estimated £23m a day GVA being lost at the highest level of water use restrictions (level 4 restrictions). For households, it was estimated that level 4 restrictions could lead to £34m a day of impacts.

7.30 Whilst there may be some uncertainty in these estimates, it is clear that the socio-economic costs of one drought that causes level 4 water use restrictions across Hampshire would easily exceed the costs of the new water resource solution. For example, when looking at potential costs to businesses alone, a drought lasting only 45 days would incur over £1 billion in economic costs (at £23 million per day), as would a drought of 90 day duration if those economic costs were half the Vivid Economics estimates (at £11.5 million per day).

7.31 Drought incidents can clearly result in significant impacts on local businesses and households. The Project will ensure resilient and secure supplies over the longer-term, substantially mitigating the risk of level 4 restrictions being needed in a drought and avoiding the consequential economic impacts on customers and the economy as a whole.

Contribution to home building

7.32 The need for secure and resilient water supplies, and the protection of sensitive habitats, linked to existing natural water sources, will only increase in response to climate change and population growth, including the development pressures from a growing population.

7.33 The Levelling Up the United Kingdom White Paper (2022) recognises that the delivery of housing in the South East remains a priority for the Government and that this will help support economic development in the region. The National Infrastructure Commission, however, in its '*Preparing for a Drier Future*' report in April 2018[28], highlights that the water supply system is already strained and that the pressure from climate change, an increasing population, and the need to protect the environment, will only rise over coming decades. The report identifies a need nationally for at least an additional 4,000Ml/d of demand management and new water resource development by 2050 and calls upon the Government to increase drought resilience and enhance the capacity of the water supply system.

7.34 Southern Water is planning for both drought resilience and the delivery of new housing. The Project will deliver both a secure and resilient water supply and support the delivery of up to 87,000 new households by 2045 in Southern Water's Western Area.

7.35 Through its water resource management planning, Southern Water plans for how it will manage and develop water resources to ensure a sufficient supply of water to meet anticipated customer demand, including that arising through additional housing growth over a minimum 25-year planning period, including under conditions where water supplies are stressed (i.e. drought conditions). Both the *Interim Water Resources Planning Guideline 2018* underpinning WRMP19, and the *Water Resources Planning Guideline 2021* on which Southern Water's draft WRMP24 is based, set out the need for water

[28] National Infrastructure Commission's *Preparing for a drier future: England's water infrastructure needs*, April 2018

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companies to prepare their WRMPs based on populations forecasts in relevant local plans so that the resulting water supply does not constrain growth planned by local councils.[29]

7.36 The Environment Agency's 2020 National Framework policy also recognises that *"Water companies plan to meet demand based on growth projections set out in local authority plans. This is to make sure there is sufficient water available to accommodate local housing and population growth."*[30] Defra's *Government expectations for water resources planning* document[31] emphasises that "*secure water supplies are required for long term growth*" and expects water companies to ensure that their WRMPs *"align with growth predicted by local authorities and growth that is anticipated in the long-term".* Critically, it makes clear that *"access to water supplies must not be a barrier to sustainable growth".*

7.37 The growth assumptions underlying both Southern Water's WRMP19 and revised draft WRMP24 are based on the housing projections provided by the local authorities. WRMP19 projects that population growth in Southern Water's Western Supply Area, which the Project will serve and which is made up of eight different local authority areas, will increase by 16% by 2045 from a 2020 baseline, with a corresponding 23% increase in households. WRMP19 equates this as almost 87,000 additional households being connected to its Western Area water supply by 2045.

7.38 Southern Water's revised draft WRMP24 and draft WRSE Regional Plan forecast a marginally lower population growth for the Western Area of approximately 15% between 2020 and 2045, equating to almost 81,000 new households by 2045. Whichever projection is used, both WRMP19 and draft WRMP24 forecast significant levels of housing growth and additional households requiring new supply connections in the Western Area by 2045.

7.39 As a consequence of the licence changes already implemented on the rivers Test and Itchen in Hampshire, together with other forthcoming abstraction reductions, there are insufficient water sources available to Southern Water in both normal and drought conditions to meet both the needs of existing customers and those arising from the significant forecast growth in the Western Area. WRMP19 identified an imminent supply demand deficit of around 192Ml/d by 2027 that will be needed to meet the necessary level of drought resilience and ensure a secure water supply to a growing population. Draft WRMP24, in planning to achieve 1 in 500 year drought resilience by 2050 and in addressing further potential abstraction reductions and CSMG river flow standards, predicts a potential worsening of the predicted supply demand deficit to circa 200Ml/d.

7.40 For Hampshire alone, the Project is the single largest element of new water resource development intended to address Southern Water's supply demand deficit in its Western Area, contributing a substantial 90Ml/d to an overall significant supply deficit. It is therefore an essential part of the water resources strategy to meet forecast future demand within the Western Area arising from the delivery of new housing within the relevant local authority areas. Any delay to the delivery of the Project would not only place a significant additional pressure on an already highly water stressed area but also threaten securing a

[29] See section 5.3 of Defra's *Water Resource Planning Guideline- Interim Update*, July 2018 and section 6.3 of Defra's *Water Resources Planning Guideline – Version 9*, February 2021
[30] See section 5.3 of the Environment Agency's *Meeting our future water needs: a national framework for water resources*, March 2020
[31] Government expectations for water resources planning, Defra, May 2022 (see section 6)

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resilient water supply for both the existing population and future growth. Delivering the Project within an acceptable timescale is therefore crucial to ensuring that the availability of sufficient water resources does not become an impediment to planned housing growth and would fulfil an important role in supporting the Government's priority to promote housing delivery across the UK.

Contribution to the UK's environmental objectives

7.41 The Project will make a significant contribution to the UK Government's environmental objectives, international commitments and policy priorities.

7.42 The NPS acknowledges that new water resources infrastructure projects have the potential to deliver significant benefits and enhancements resulting in environmental net gain. The UK Government's *National Infrastructure Strategy*[32] states that delivering vital infrastructure whilst protecting and improving the environment is a top government priority, including supporting environmental net gains wherever possible.

7.43 The UK is home to globally important wetlands, rivers and chalk streams, the healthy existence of which depends on water quality and availability. Having the right flow in our rivers and protecting groundwater levels is essential to support healthy ecology and enhancing natural resilience to drought. The impacts of climate change and the growing demand for water are putting added pressure on this availability and sensitive environment.

7.44 The over-abstraction of water from the environment can alter the natural flow regime of rivers and chalk streams. Current levels of water abstraction from some sources would need to be reduced to protect the environment. In *Green Future*[33] the UK Government set out its commitment to reduce damaging abstraction of water from rivers and groundwater, while maintaining and improving water supply resilience now and in the future.

7.45 The rivers Test and Itchen are among the finest examples of chalk streams in the world and are internationally recognised ecosystems that support an abundance of wildlife and habitats. The abstraction licence changes to Southern Water's sources related to the rivers Test and Itchen, that are driving the need for the Project, are necessary to reduce the amount of water abstracted from the rivers, in turn protecting and reducing the risk of harm to these sensitive chalk streams. The protection of habitats including chalk streams is identified as essential within the NPS.

7.46 In order to support the phased changes to relevant abstraction licences, Southern Water has identified the Project as the most viable way to secure new water resources whilst protecting and enhancing the internationally recognised habitats of the rivers Test and Itchen and contributing to meeting the WFD objectives. Until the Project is delivered, Southern Water's customer supplies in a drought can only be maintained through reliance on Drought Permits and Drought Orders that relate to chalk stream and chalk groundwater

[32] https://www.gov.uk/government/publications/national-infrastructure-strategy
[33] A Green Future: Our 25 Year Plan to Improve the Environment (HM Government, 2018), available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/693158/25-year-environment-plan.pdf

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abstractions (which for the river Itchen relies on derogations and an IROPI case in order for a Drought Order to be granted). This is not a sustainable long-term solution and the Project is necessary to deliver alternative supplies to enable the long-term protection and enhancement of internationally important chalk stream environments.

7.47 Delivery of the Project would ensure biodiversity and environmental net gain, whereby the natural environment would be in a measurably better state than beforehand. Reducing abstractions from sensitive chalk streams would protect existing habitats from the risk of degradation and help to protect environmental features providing benefit to wildlife and people. As such, the Project would contribute to the UK Government achieving its policy for new water resources infrastructure and its wider environmental objectives.

7.48 The Project is effectively a form of urgent and necessary mitigation – mitigation against the environmental risks of continued abstraction from sensitive ecosystems, against climate change and extreme weather, against the impacts of a growing population, and against the economic risks of not acting quickly and at significant scale to resolve the water supply deficit.

Size and impacts of the Project

7.47 The principal elements of the Project, including the main pipeline to transfer water at scale from the WRP site to Havant Thicket Reservoir and from the reservoir to Otterbourne WSW via the WRP, would cover a large geographic and supply area with the potential to impact a wide range of receptors during construction and operation.

7.48 The multiple sites and linear elements of the Project mean that it would be located within seven local authority areas, including the County Council. There would be 'larger than local' construction and environmental impacts arising from the Project, which would likely span across local authority boundaries and affect a number of communities in the south Hampshire area within the vicinity of the Project, including potential impacts relating to construction traffic, the historic environment, ecology and biodiversity, landscape and visual amenity, water quality, air quality, land use and agriculture, and noise and vibration.

7.49 As outlined in section 3, the Project would be located within and close to numerous sensitive nature conservation, landscape and environmental designations and it has the potential to affect both designated and non-designated habitats and species. The Project could also interfere with sites allocated for development in the local plan documents of the host local authorities (e.g. the proposed site for the proposed WRP is allocated, and has planning permission, for commercial development).

7.50 The proposed location of the new WRP infrastructure and tunneled pipeline connections with Budds Farm WTW would be located adjacent to the Chichester and Langstone Harbours Special Protection Area (SPA), Site of Special Scientific Interest (SSSI) and Ramsar site, which has been designated for important bird species that breed, feed and over-winter in the area. It is recognised that there could be at least potential construction impacts to habitats due to the development in this location.

7.51 Elements of the Project will also need to pass beneath, and near to, the River Itchen Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC) – designated for its status as a sub-type 1 chalk river which supports species characteristic of calcium

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rich rivers. It is acknowledged that there could be impacts to surface and groundwater flows that support a number of key habitats and species in the surrounding area.

7.52 Each of these sites is of international or national significance in its own right and further work is being undertaken by Southern Water to ensure that the significant number of complex designated sites and habitats are assessed and managed appropriately and that adverse impacts are avoided, minimised or mitigated where practicable.

7.53 Southern Water has undertaken land searches on land which could be required to deliver the Project. In addition to multiple owners and occupiers, this has identified 'Special Category' land – including open space land, commons and village greens, land held inalienably by the National Trust and Crown land. Special Category land requires special treatment in relation to compulsory acquisition proposals, and so replacement land may need to be provided as part of the Project.

7.54 Southern Water's land searches have also considered interactions with land and apparatus belonging to statutory undertakers. The route of the underground water transfer pipeline will also need to interface with national strategic road networks (M3, A3(M) and A27), railways, watercourses and waterways (including River Itchen SSSI/SAC) and significant utilities, which would be dealt with more appropriately and effectively in a DCO with the necessary enabling powers, legislative disapplications and related protective provisions.

7.55 The Project would also interface directly with the Havant Thicket Reservoir project being delivered by Portsmouth Water, which is another strategic water resource scheme in its own right. Development of the Project will require some alteration of how the reservoir is used (i.e. the addition of purified recycled water), building upon the benefits of the resource, in what is a sensitive location for local communities. Dialogue with Portsmouth Water is ongoing regarding the delivery interfaces between the Project and Havant Thicket Reservoir. This interaction is a significant factor in not only seeking the original section 35 direction to minimise and manage consenting risks, but also in seeking a new section 35 direction to address efficiencies in how elements of the Project may be delivered.

7.56 The 2008 Act regime is therefore considered the most appropriate consenting and delivery route for the Project, which will have the potential to impact sites of significance, and to deal with the various interfaces between the Project and other existing infrastructure which would be dealt with via DCO powers and related protective provisions. Using the 2008 Act regime would bring together multiple stakeholders (who would otherwise be the competent authorities for development affecting each designation) as part of the assessment of the DCO application. In turn, this would enable the SoS to determine an application for the granting of the necessary powers, permissions, consents and licences in a coordinated, comprehensive and coherent way with a predictable timeline to decision. This is considered crucial for Southern Water to deliver the Project at the earliest opportunity to meet the urgent need and to meet Southern Water's obligations under the section 20 Agreement.

Timely delivery of consents via a single authorisation process

7.57 The 2008 Act regime would provide certainty of timely delivery, and a single process for conferring statutory powers (including compulsory acquisition powers) and the requisite

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consents, permissions and licences for construction and operation of the Project. These aspects of the regime are considered critical to ensure that this strategic water resource scheme is operational at the earliest opportunity and for Southern Water to meet its 'all best endeavours' obligation under the section 20 Agreement. In the absence of a section 35 direction, the Project would require a wide range of statutory powers, consents, permissions and licences which would have to be sought under a number of different consenting regimes including the Town and Country Planning Act 1990 and the Water Industry Act 1991.

Planning permission

7.58 In the absence of a section 35 direction, Southern Water would have to submit multiple planning applications for the Project to seven local planning authorities (including Hampshire County Council). There is currently no efficient procedure outside of the 2008 Act to bring all of these applications (together with land assembly) into a single and coordinated consenting regime, and no fixed timescales for the determination of the planning applications including on any potential appeal or call-in).

7.59 Delivering planning permission for the Project using the Town and Country Planning Act 1990 introduces several risks to timely project delivery, including:

- the piecemeal nature of the multiple applications introducing complexity in application documentation, such as in relation to EIA scoping and other EIA considerations;
- the risk of delay to the Project through local planning authority processes not aligning, and delays with one application in one authority area impacting on the progress of other applications being considered by other authorities;
- lack of local plan allocation or support for infrastructure of this scale, cross-boundary geographic extent and type, increasing the potential for refusal of part of the Project, necessitating call-in or an appeal and consequential delay; and
- risk of conflicting planning conditions and/or varying requirements (including section 106 planning obligations agreements) across the pipeline route in relation to mitigation to address different local planning policy and planning authority requirements.

7.60 A refusal of planning permission by one local authority, the need to go through a compulsory purchase order inquiry, or a potential planning appeal or call-in inquiry, could easily add a number of years to the delivery schedule. Any significant delay to the Project would not only impact on the delivery of the environmental benefits and resilient water supply that it is intended to achieve but would also damage the reputation of Southern Water and its regulators for failing to secure efficient and effective delivery of this critical infrastructure.

7.61 A DCO application, supported by the WRSE Regional Plan and WRMPs19 and 24, would address all of these concerns, and would allow all stakeholders to contribute to a single process in which key information including EIA, HRA and WFD assessment issues, and related mitigation, could be considered efficiently and consistently across the entire project.

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7.62 The 2008 Act regime would also be underpinned by a strong national planning policy context for such a DCO application to be considered against. This is crucial in filling the policy gaps that exist at the local level for this scale of cross-boundary infrastructure provision.

Other consents, permits and licences

7.63 The 2008 Act regime enables a range of additional consents, permits and licences to be delivered in a single DCO. This would be beneficial to the Project, as Southern Water has noted the potential requirement for over 30 secondary licences and consents[34] for the Project covering such matters as HRA and WFD applications, marine licences, open space, highway orders, traffic regulation orders, powers to temporarily close/divert public rights of way during construction works, powers to construct works in watercourses, consents relating to hedgerows, and many more.

7.64 If planning permission were to be sought under the Town and Country Planning Act 1990, all of these additional consents, permits and licences would need to be applied for and granted separately, with some only capable of being sought sequentially following the grant of planning permission, introducing the risk of delay whilst all of the separate processes to obtain the necessary consents, permits and licences are completed, including any related public inquiries as a result. This would be mitigated by a section 35 direction, as Southern Water would then be able to "wrap up" most of these consents in a single application for a DCO, involving a comprehensive and inclusive Examination process that all interested parties could fully engage and participate in.

Land assembly

7.65 Although specific site extents and detailed pipeline routes have yet to be confirmed, the site of the WRP, pumping stations, break pressure tanks and underground water transfer pipelines will encompass a significant number of land ownerships and other land interests and rights. Whilst Southern Water has undertaken land referencing and contacted landowners to seek negotiated access to land for surveys and is committed to negotiating voluntary purchase of the land and rights over land required for the Project, there is a significant likelihood that it will be necessary for some land and rights required to deliver the Project to be obtained through compulsory powers.

7.66 A DCO can include powers for compulsory acquisition of land and rights over land, and can also provide for temporary possession of land (for example in relation to land required temporarily for pipe laying, or to facilitate diversions of existing utilities to facilitate delivery of the Project). The availability of temporary possession powers will help to reduce the impact on affected landowners and reduce the cost of and necessity for land acquisition.

7.67 The 2008 Act regime was specifically designed for the delivery of major strategic infrastructure, and section 35 was included as an enabling provision to allow statutory utilities and others to seek entry to the regime for major infrastructure projects which do not fall within the specific thresholds for automatic inclusion in the regime, such as large scale water recycling schemes that are acknowledged in paragraph 2.6.17 of the NPS as

[34] As detailed in Southern Water's Planning & Consenting Strategy for the Project, submitted to RAPID as part of Southern Water's Gate 2 submission in December 2021.

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being capable of qualifying as a project of national significance through a section 35 direction.

Statutory undertakers

7.68 The Project will require utility connections and provision for those connections could also (where necessary) be included within the DCO as part a single consent. The linear nature of the proposed pipelines also means that there will be a number of crossings of apparatus and land belonging to other statutory undertakers, including crossings of the national strategic road network, local highways, railways and other significant utilities. These crossings would be dealt with more efficiently in a DCO, in a single instrument containing the necessary enabling powers and related protective provisions. If there is no section 35 direction then these interfaces would all need to be separately negotiated outside of the Planning Act 2008 regime with each utility, adding potential delay and cost to the Project.

Havant Thicket Reservoir

7.69 A clear and certain programme, and the supportive policy framework of the NPS, both afforded by the 2008 Act regime, particularly in the absence of any policy allocation within a local plan or other development plan document, is also necessary given the Project's interface with the Havant Thicket Reservoir being delivered by Portsmouth Water.

7.70 The 2008 Act regime would provide certainty to Southern Water and Portsmouth Water in programme timescales, to enable alignment between the Project and delivery of the reservoir and ensure there was no doubt or uncertainty around procurement, and in relation to the interface between necessary consents to match construction timescales, particularly given the dependencies between these two major water resource projects.

DCO scope

7.71 A DCO would authorise the construction, operation and maintenance of all elements of the Project in a single instrument, delivered via a single process. Southern Water considers that the 2008 Act is far better suited to a project of this complexity, as it was designed to deliver in a single instrument all of the statutory works powers and land powers required for the project, protective provisions for any affected utility apparatus and other interests, deemed consents in relation to secondary consents, permits and licences, and the disapplication of certain other provisions (e.g. addressing any local legislation including byelaws which may otherwise be an insurmountable obstacle).

7.72 The 2008 Act provides a clear timescale for the examination, reporting and determination of an application for a DCO, once accepted for examination. The need for an expedited authorisation of the Project has already been acknowledged through the RAPID regulatory process, due to the identified urgent need for the 'largest element' of Southern Water's Water for Life – Hampshire programme to be delivered and operational at the earliest opportunity. Furthermore, certainty in consenting and onward project delivery timescales would help to reduce costs, borne ultimately by customers, and allow certainty for construction contract bidders via procurement processes, reducing overall consenting and delivery risk.

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7.73 Southern Water recognises that there is a substantial amount of pre-application work required to prepare a DCO application and has already made good progress under the existing Direction. Obtaining a new section 35 direction as soon as practicable will enable Southern Water to complete the necessary pre-application activities in order to submit the DCO application in 2025. These are the key milestones shown in Southern Water's programme in order for the Project to be consented, constructed and operational at the earliest opportunity.

8. Conclusion

8.1 The Project would ensure a resilient water supply for a potential population of 855,000 people across Hampshire during drought conditions and would be a key piece of strategic infrastructure in meeting the supply deficit for a number of Southern Water's water supply zones. It is also planned to provide longer-term drought resilience for Southern Water's water supply zones in Sussex to protect against water supply shortages in drought conditions arising from future abstraction reductions, and could provide potential longer-term resilience for Portsmouth Water, as a neighbouring water company area.

8.2 The Project would mitigate against the risks of debilitating water restrictions for both businesses and households in drought conditions, with the consequential socio-economic impacts that these would bring. In addition, it would contribute substantially to the UK's environmental objectives and policy priorities by protecting internationally significant chalk streams and river habitats, removing the environmental risks and impacts from emergency Drought Permits and Drought Orders that would otherwise have to be deployed to maintain essential water supplies.

8.3 The Project is a significant infrastructure scheme of substantial size consisting of both pioneering water recycling technology and extensive and large-scale water transfer pipelines and above-ground plant. It will interface with multiple land interests, designations, sites of ecological, landscape and historic interest and other major infrastructure, stretching across multiple local authority boundaries and requiring an extensive range of consents, powers, licences and permits, whilst potentially having a range of temporary and permanent effects.

8.4 The Project would make a significant contribution to the UK Government's environmental objectives, international commitments and policy priorities.

8.5 This request represents a 'qualifying request' under section 35 of the 2008 Act. The Project is within the field of water and would be wholly within England. The information within this request explains why the conditions in section 35(2)(a) and (b) are met in relation to the development, and why the Project is considered to be of national significance. This request therefore meets the requirements for a 'qualifying request' within the meaning of section 35ZA(11) of the 2008 Act to enable the SoS to give a direction for the Project under section 35(1).

8.6 It is also crucial that a new section 35 direction is given as soon as practicable. This will enable Southern Water to complete its pre-application obligations as an applicant under the 2008 Act regime to enable the submission of a DCO application in 2025. Consideration of the Project through the DCO consenting route and determined in

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accordance with the Water Resources NPS will minimise and manage the planning and consenting risks already identified in the RAPID gated process. Those risks could result in significant potential delays to the consenting of the Project thereby delaying the delivery of a resilient water supply for Hampshire residents and businesses, and the environmental benefits of reduced abstractions from the County's rivers.

8.7 Fundamentally, the certainty of timely delivery and the largely single authorisation of consents enabled by the 2008 Act regime, within a clear national policy context of the NPS, are considered to be critical to ensure that the Project is delivered and operational at the earliest opportunity and for Southern Water to meet its 'all best endeavours' obligations under its section 20 Agreement with the Environment Agency.

8.8 For all of these reasons, Southern Water therefore requests that the SoS gives a new section 35 direction for the Project, in the form of the draft at **Appendix B** to this request.

8.9 It should be noted that the draft at Appendix B splits the Project into three elements, namely the Principal Development, Associated Development and Ancillary Matters. It is only the Principal Development (i.e. the primary components of the Project) for which a new Direction is sought (mirroring the approach taken for the original request for the existing Direction).

8.10 The elements listed as both Associated Development and Ancillary Matters in Appendix B are indicative, non-exhaustive lists. Both the Associated Development and Ancillary Matters to be included in any DCO will be confirmed as the DCO application is finalised, post statutory consultation. The Ancillary Matters, in particular, will require careful consideration and will likely relate to the operation of pre-existing assets (e.g. pipelines, Havant Thicket Reservoir and other operational infrastructure required for the Project), as well as other 'standard' aspects such as the disapplication/modification of legislative provisions, the stopping up of highways (temporarily and permanently), traffic regulation, and other similar matters. In any event, the Ancillary Matters cannot be subject to a section 35 direction as they would not constitute "development" as defined under the Planning Act 2008.

8.11 It is acknowledged that the SoS may wish to give any direction in different terms to those in the draft at Appendix B. Should the SoS decide they wish to proceed on this basis, Southern Water particularly requests that:

- the description of the development defined as the **Principal Development** remains unchanged;
- the lists of development classified as Associated Development, and the list of matters classified as Ancillary Matters, are clearly drafted as non-exhaustive lists; and
- the terms of the direction specify that it is only the **Principal Development** which is that for which development consent is required (and, indeed, which is subject to any other formal terms or requirements of the direction).

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Appendix A: Glossary

Table A sets out the various terms used in the request and their definition.

Term	Definition
2008 Act	Planning Act 2008.
1 in 200 year	A severe drought – the return period of a significant drought and which is the design drought year in WRMP 19.
1 in 500 year	An extreme drought - the return period of a significant drought and which is the design drought year in the draft South East Regional Plan and Southern Water's revised draft WRMP24.
AoNB	Area of Outstanding Natural Beauty - an area of countryside in England, Wales or Northern Ireland which has been designated under the Countryside and Rights of Way Act 2000 to protect, conserve and enhance its natural beauty.
DCO	Development Consent Order - a DCO is a statutory instrument that grants consent in accordance with the provisions in the Planning Act 2008 for Nationally Significant Infrastructure Projects or projects of national significance brought into the DCO regime by a section 35 direction. A DCO can combine consent to develop, operate and maintain a project, alongside a range of other approvals that would normally have to be obtained separately such as listed building consent, a marine licence and certain environmental consents. A DCO can also contain powers for the compulsory acquisition and temporary possession of land.
DEFRA	Department for Environment, Food and Rural Affairs.
Drought conditions	Conditions resulting from a shortage of precipitation that has a 0.5% chance of occurring within a 12 month period (defined in s235 of the 2008 Act).
Drought Order	Powers granted by the Secretary of State during drought to modify abstraction / discharge arrangements on a temporary basis.
Drought Permit	An authorisation granted by the Environment Agency under drought conditions, which allows for abstraction / impoundment outside the schedule of existing licences on a temporary basis.
LPA	Local Planning Authority.
NSIP	Nationally Significant Infrastructure Project.
Preferred Strategy	Final strategy for the Western Area as described in WRMP19 (referred to as Strategy A in the draft WRMP19) and is what is required to be delivered by the Section 20 Agreement.
RAPID	Regulators' Alliance for Progressing Infrastructure Development - formed to help accelerate the development of new water infrastructure and design future regulatory frameworks. Made up of the three water regulators: Ofwat, the Environment Agency and the Drinking Water Inspectorate. It was established with the intention of providing a seamless regulatory interface, working with the industry to promote the development of national water resources infrastructure that is in the best interests of water users and the environment.
Ramsar	Wetland site of international importance designated under the Ramsar Convention.
section 20 Agreement	The agreement signed by Southern Water and the Environment Agency during the abstraction licence inquiry in March 2018 under section 20 of the Water Resources Act 1991.
section 35 direction	Direction in relation to a project of national significance under section 35 of the 2008 Act.

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Term	Definition
SAC	Special Area of Conservation - land designated under the Conservation of Habitats and Species Regulations 2017 (as amended) in England and Wales and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended) in the UK offshore marine area. Important high-quality conservation sites that will make a significant contribution to conserving the habitats and species.
SSSI	Site of Special Scientific Interest - area of land in England notified as an SSSI under the Wildlife and Countryside Act 1981 (as amended) for wildlife and natural features, supporting many characteristic, rare and endangered species, habitats and natural features.
SPA	Special Protection Areas are protected areas for birds in the UK classified under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended) in England, Scotland and Wales; the Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended) in the UK offshore area; and other legislation related to the uses of land and sea.
SoS	Secretary of State for Environment, Food and Rural Affairs.
WFD	Water Framework Directive 2006/60/EC - a framework for the protection of inland surface waters, estuaries, coastal waters and groundwater brought into effect in England and Wales through the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017.
WfL-H	Water for Life - Hampshire.
WRMP, WRMP19, WRMP24	Water Resources Management Plan – a statutory plan setting out how water companies will supply healthy, reliable drinking water to homes and businesses for at least the next 25 years. These plans are reviewed annually and published at least every five years. The plan published in 2019 is WRMP19 and the next update will be WRMP24 which is intended to be published in 2023.
WRSE	Water Resources South East, made up of an alliance of the six water companies that cover the South East region of England, tasked with developing a regional resilience plan for all users of water that will then be used as the starting point for water supply investment by each water company in the region including Southern Water's operational area.
WSW	Water Supply Works - a site whereby raw water is taken from the environment, treated and discharged into the distribution network supplying homes, businesses and industry.
WTW	Wastewater Treatment Works – where raw sewage from domestic and industrial customers is treated to remove contaminants before it can be returned to the water cycle/discharged back into the environment.

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Appendix B: Draft New s35 Direction

Draft Direction

HAMPSHIRE WATER TRANSFER AND WATER RECYCLING PROJECT

DIRECTION GIVEN BY THE SECRETARY OF STATE UNDER SECTION 35(1) OF THE PLANNING ACT 2008 (AS AMENDED)

By a letter to the Secretary of State dated XX [May] 2024 ("the Letter") Southern Water Services Limited ("the Applicant") formally requested the Secretary of State to exercise the power vested in the Secretary of State under section 35(1) of the Planning Act 2008 (as amended) ("the Planning Act") to direct that the proposed Hampshire Water Transfer and Water Recycling Project referred to in the Letter ("the Project") be treated as development of national significance for which development consent is required ("the new Direction").

The new Direction would replace the Direction given by the Secretary of State on 31 May 2022 ("the existing Direction") that the Project be treated as development of national significance for which development consent is required. The Applicant has requested the new Direction to:

- Provide flexibility in the description of a key element of the Project in order to realise potential community, environmental and cost benefits;
- update the description and capacity of certain components of the Project to reflect the scheme development and water resource management planning processes; and
- remove from any requirement to obtain development consent those components of the Project described in the existing Direction as the Associated Development and the Ancillary Matters.

The Secretary of State has made a decision within the deadline set out in section 35A(4) of the Planning Act and wishes to convey that decision.

Having considered the Applicant's request and the details of the Project, the Secretary of State is satisfied and has concluded that:

- the elements of the Project that are requested to be development for which development consent is required either are, or are a part of, a project in the field of water;
- the Project is within England;
- no application for consent or authorisation mentioned in section 33(1) or (2) of the Planning Act has been made in relation to the development to which the request relates; and
- the Applicant's request therefore constitutes a "qualifying request" in accordance with section 35ZA(1) of the Planning Act.

In coming to these conclusions, the Secretary of State notes that the Project relates to the construction of new water transfer and water recycling infrastructure for the purposes of water supply and thus sits within one of the qualifying infrastructure fields listed in section 35(2)(a)(i) of the Planning Act, namely water.

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The Secretary of State notes that the Applicant describes, in the Letter, the Project as comprising of the following:

- Water Recycling Plant (WRP) in the vicinity of Budds Farm Wastewater Treatment Works (WTW) with a peak output of approximately 60Ml/d;
- Underground water transfer pipelines between Budds Farm WTW and the WRP to accommodate approximately 80Ml/d peak transfer volumes in each direction;
- Where required to facilitate the Principal Development, an underground water transfer pipeline to transfer at peak operation approximately 60Ml/d of recycled water from the WRP to a connection at or in the vicinity of Havant Thicket Reservoir and an underground pipeline to transfer at peak operation (i.e. during drought conditions) approximately 90Ml/d of water from a connection at or in the vicinity of Havant Thicket Reservoir to a high lift pumping station at the WRP;
- Where required to facilitate the Principal Development, a water transfer pipeline to transfer at peak operation approximately 60Ml/d of recycled water from the WRP to connecting infrastructure at or in the vicinity of Bedhampton Springs and a water transfer pipeline to transfer at peak operation approximately 90Ml/d of reservoir water from connecting infrastructure at or in the vicinity of Bedhampton Springs to the high lift pumping station at the WRP;
- Underground water transfer pipeline to transfer approximately 90Ml/d of reservoir water during peak operation from the high lift pumping station at the WRP to Otterbourne Water Supply Works (WSW); and
- Intermediate pumping station(s) and break pressure tank(s) to support the underground water transfer pipeline(s) to Otterbourne WSW;

(together, "the Principal Development")

- associated development (within the meaning of section 115(1)(b) of the Planning Act) which may include, but is not limited to: an inlet pipe into Havant Thicket Reservoir, temporary works to support construction, works to support operation and maintenance, site accesses, temporary and permanent utility connections, highway diversions and landscaping, environmental mitigation, enhancement and compensation measures ("the Associated Development"); and

- ancillary matters, which may include but are not limited to, making provision in relation to the use and operation of any pre-existing or proposed pipelines connecting into the Principal Development ("the Ancillary Matters").

The Project does not include the construction of any dwellings.

The Project can therefore be summarised as comprising:

- the Principal Development;
- the Associated Development; and
- the Ancillary Matters,

all as detailed or referred to in the Letter.

The Secretary of State considers that the Principal Development by itself is nationally significant, for the reasons set out in the Annex below.

THE SECRETARY OF STATE HEREBY DIRECTS in accordance with section 35(1) of the Planning Act that:

1. The Principal Development, namely the main components of the Hampshire Water Transfer and Water Recycling project, is to be treated as development for which development consent is required. Any application for development consent for the Principal Development may also include any matters that may properly be included in a development consent order (in accordance with section 120 of the Planning Act) including ancillary matters (section 120(3)) and associated development (within the meaning of section 115(2) of the Planning Act).
2. The existing Direction is revoked.

THE SECRETARY OF STATE FURTHER DIRECTS in accordance with section 35ZA(3)(b) and (5)(b) of the Planning Act that any proposed application for a consent or authorisation mentioned in section 33(1) or (2) of the Planning Act in relation to the Principal Development is to be treated as a proposed application for which development consent is required.

This direction is given without prejudice to the Secretary of State's consideration of any application for development consent which may be made in relation to all or part of the Project.

Signed by

[name of person signing]

[position or role of named person]

Authorised to sign on behalf of the Secretary of State

[date]

ANNEX

REASONS FOR THE DECISION TO GIVE THE DIRECTION

The Secretary of State is of the opinion that the Principal Development, namely the main components of the Hampshire Water Transfer and Water Recycling project, is nationally significant and therefore should be treated as a development of national significance having in particular taken into account that the project would:

- be for a complex and substantial scheme, involving extensive infrastructure works and requiring multiple powers and consents (including multiple planning permissions, compulsory acquisition powers and highway orders), which should be seen as nationally significant development in its own right; and
- benefit from an application being determined in a timely and consistent manner by way of the Development Consent regime, and by removing the need to apply, and the uncertainty of applying, for a large number of separate powers and consents.

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Furthermore, the Principal Development would:

- provide a substantial number of people across Hampshire and neighbouring water supply zones with a resilient water supply during drought conditions and would be a key piece of strategic regional infrastructure in meeting the modelled supply deficit for a number of Southern Water's water supply zones;
- make a significant contribution to resolving the overall supply demand deficit in Southern Water's Western Area of supply;
- support the delivery of up to 87,000 new homes in Southern Water's Western Area of supply by 2045;
- mitigate against the social and economic risks of debilitating water restrictions for both businesses and households when the weather is dry; and
- make a significant contribution to the UK Government's environmental objectives and policy priorities.

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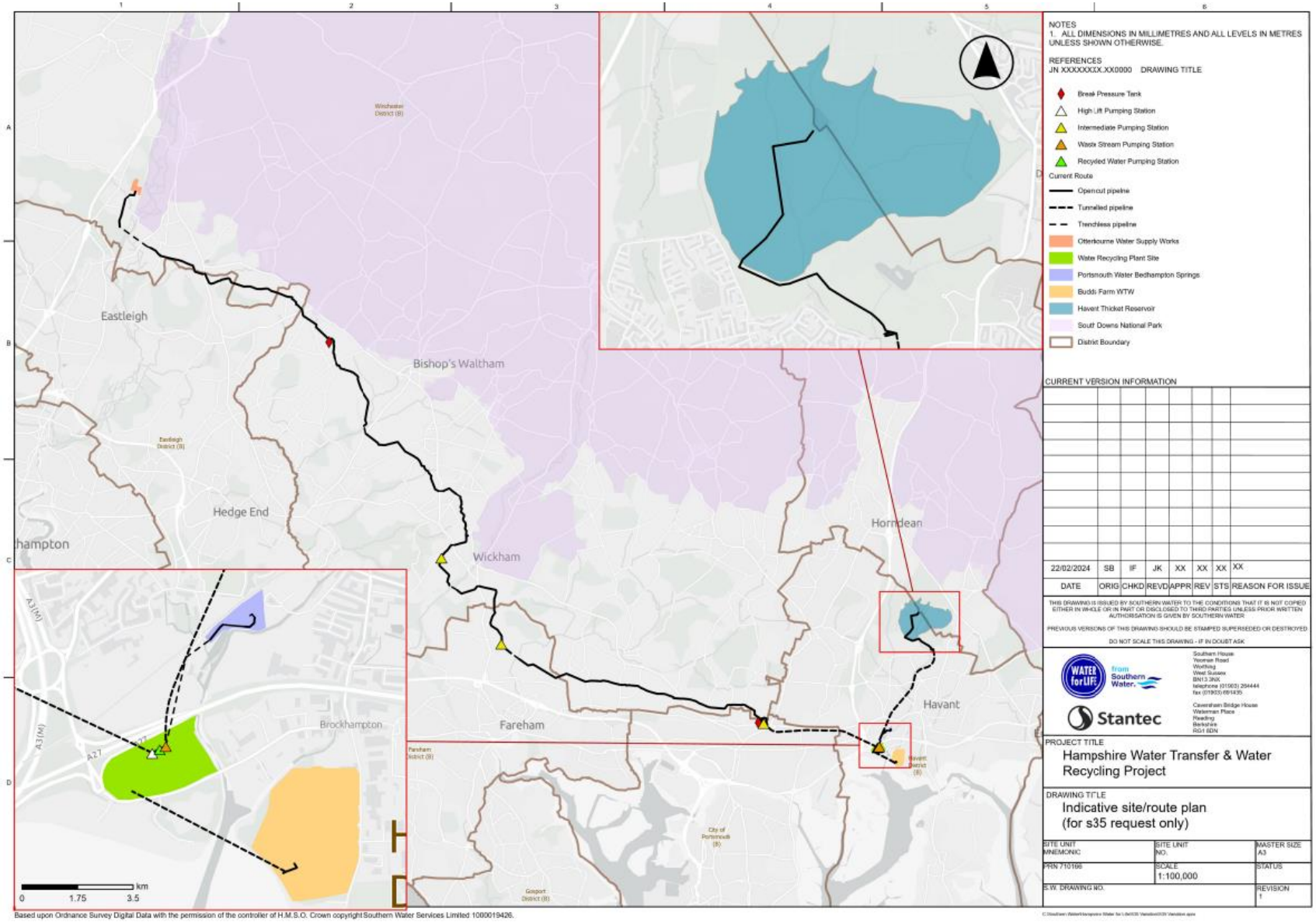
Appendix C: Indicative site/route plan



Appendix B S35 varied direction letter

DIRECTION BY THE SECRETARY OF STATE FOR ENVIRONMENT, FOOD AND RURAL AFFAIRS ("THE SECRETARY OF STATE") UNDER SECTIONS 35 AND 233(2) OF THE PLANNING ACT 2008 RELATING TO THE HAMPSHIRE WATER TRANSFER AND WATER RECYCLING PROJECT

ORGINALLY GRANTED ON 31 MAY 2022, VARIED ON 18 NOVEMBER 2024 FOLLOWING AN APPLICATION TO VARY RECEIVED ON 27 SEPTEMBER 2024

1. By email to the Secretary of State received on 27 September 2024 ('the Variation Request') Southern Water Services Limited ("the **Applicant**") formally requested that the Secretary of State exercise the power vested in him under sections 35(1) and 233(2) of the Planning Act 2008 (as amended) ("the Act") to direct that the Principal Development of the proposed Hampshire Water Transfer and Water Recycling Project ("the Project") be treated as development for which development consent under the Act is required.

2. In its Variation Request, the Applicant advises that the Principal Development is now comprised of the following elements:

    - underground water transfer pipelines to enable the transfer of approximately 90Ml/d of water during peak operation (i.e. during severe drought conditions) from Havant Thicket Reservoir to Otterbourne Water Supply Works (WSW).

    - water Recycling Plant (WRP) in vicinity of Budds Farm Wastewater Treatment Works (WTW) with an output of at least 15Ml/d.

    - underground pipeline to enable the transfer at peak operation of at least 15Ml/d of recycled water from the WRP to Havant Thicket Reservoir;

    - underground pipelines between Budds Farm WTW and the WRP to accommodate minimum 19Ml/d peak transfer volumes in each direction;

    - high lift pumping station, either located at the site of the WRP or located along the underground water transfer pipeline(s) between Havant Thicket Reservoir and Otterbourne WSW;

    - second stage pumping station and break pressure tank located along the underground water transfer pipeline(s) between Havant Thicket Reservoir and Otterbourne WSW;

(together, "the Principal Development")

3. Other elements of the Project include:

    - associated development (within the meaning of section 115(1)(b) of the Act) including, but not limited to: temporary works to support construction, works to support operation and maintenance, site accesses, temporary and permanent utility connections, highway diversions and landscaping, environmental mitigation, enhancement and compensation measures ("the Associated Development"); and

    - ancillary matters ("the Ancillary Matters").

The Project can therefore be summarised as comprising:

- The Principal Development
- The Associated Development; and
- The Ancilliary Matters.

4. The Secretary of State notes that the Variation Request relates to the Principal Development.

5. Having considered the Applicant's Variation Request and details of the Principal Development (as amended) under sections 35 and 35ZA of the Act, the Secretary of State is satisfied that—

   - no application for consent or authorisation mentioned in section 33(1) or (2) of the Act has been made in relation to the Principal Development to which the request relates;

   - the Principal Development forms part of a proposed project (the Project) in the field of water in accordance with section 35(2)(a)(i) of the Act;

   - the Principal Development will (when completed) be wholly within England in accordance with section 35(2)(b) and (3) of the Act;

   - The Proposed Project does not fall within the definition of a "nationally significant infrastructure project" under section 14(1) of the Act and therefore it is appropriate to consider use of the power in sections 35(1) and 233(2) of the Act; and

   - The Applicant's Variation Request constitutes a "qualifying request" in accordance with section 35ZA(11) of the Act

6. Having considered the details of the Applicant's proposals as set out in the Variation Request, the Secretary of State concludes that the Project is nationally significant in accordance with section 35(2)(c) of the Act; the reasons for this are included in the Annex below.

7. The Secretary of State considers that if the details of the Project change, before submitting any application to the Planning Inspectorate, the Applicant may wish to seek confirmation from the Secretary of State that the development that is the subject of the proposed application is the same as that for which the Direction is hereby given.

8. The Secretary of State has taken the direction within the conditions as required by sections 35A(2) and (5) of the Act, and issues this Direction accordingly under sections 35(1), 35ZA, and 233(2) of the Act.

9. THE SECRETARY OF STATE DIRECTS that the Principal Development is to be treated as development for which development consent is required. Any application for development consent for the Principal Development may also include any matters that may properly be included in a development consent order (in accordance with section 120 of the Act) including associated development (within the meaning of section 115(2) of the Act) and ancillary matters (section 120(3) of the Act).

10. The Secretary of State further directs in accordance with section 35ZA(3)(b) and (5) of the Act that a proposed application for a consent or authorisation mentioned in

section 33(1) or (2) of the Act in relation to the Principal Development is to be treated as a proposed application for development consent.

11. The Secretary of State further directs that the Direction of 31 May 2022 has been varied accordingly.

12. This Direction is given without prejudice to the Secretary of State's consideration of any application for development consent which is made in relation to the Principal Development.

[redacted]

Signed by

[redacted]

Secretary of State for Environment, Food and Rural Affairs

19 November 2024

ANNEX A

REASONS FOR THE DECISION TO ISSUE THE VARIED DIRECTION

The Secretary of State is of the opinion that the Direction should be issued for the reasons below:

The Principal Development, namely the main components of the Hampshire Water Transfer and Water Recycling Project is a development for which development consent is required, since the Project is considered to be nationally significant having in particular taken into account that the Project would:

- be for a complex and substantial scheme, involving extensive infrastructure works and requiring multiple powers and consents (including multiple planning permissions, compulsory acquisition powers and highway orders),
- benefit from an application being determined in a timely and consistent manner by the Secretary of State, and by removing the need to apply and the uncertainty of applying, for a large number of separate powers and consents.
- provide a substantial number of people across Hampshire with a resilient water supply during drought conditions and would be a key piece of strategic regional infrastructure in meeting the modelled supply deficit for Southern Water's water supply zone.
- make a significant contribution (c. 47%) to resolving the overall supply demand deficit in Southern Water’s Western Area of supply;.
- support the delivery of up to 87,000 new homes by 2045.
- have the capacity to be upgraded to support further increases in population growth, housing supply and / or further water resource pressures.
- mitigate against the social and economic risks of debilitating water restrictions for both businesses and households when the weather is dry; and
- make a significant contribution to the UK Government's environmental objectives and policy priorities.

Appendix C UK Marine policy assessment

C.1 Introduction

C.1.1 The purpose of this document is to demonstrate that the Project has had regard to relevant Marine planning policy. The purpose of this document is to demonstrate compliance with the relevant marine policies for the Project. Additionally, the Applicant has identified how the Project has had regard to the policy by reference to the application documentation which it has submitted.

C.1.2 Therefore, it is considered that the main topics in relation to the marine environment would be as follows:

- Marine Ecology and Biodiversity
- Noise
- Ecological and Chemical Water Quality and Resources
- Seascape
- Climate change adaption and mitigation
- Coastal Change and flooding

C.1.3 The MPS (HM Government, 2011) provides the policy framework for the preparation of Marine Plans, establishing how decisions affecting the marine area should be made in order to enable sustainable development. For the purposes of this marine policy tracker, any MPS policies relating solely to the preparation of marine plans have been excluded from the following compliance table.

C.1.4 This compliance tracker is to be read in conjunction with section 5 of the PPS (Document reference 5.5, DCO Volume 5) which provides further detail on how the Project interacts with the marine environment.

Relevant Section and/or Paragraph	Summary of the Relevant Paragraph Text	Assessment and relevant application documents
UK Marine Policy Statement (2011)		
Chapter 2, Section 2.6.1 Marine Ecology and Biodiversity		
2.6.1.3	Marine planning will be a key tool for ensuring that the targets and measures to be determined by the UK for the Marine Strategy Framework Directive (MSFD) can be implemented. As a general principle, development should aim to avoid harm to marine ecology, biodiversity and geological conservation interests (including geological and morphological features), including through location, mitigation and consideration of reasonable alternatives. Where significant harm cannot be avoided, then appropriate compensatory measures should be sought.	The Project has sought to avoid harm to marine ecology and geological conservation interests as part of the Project's development. As part of the process of development of the Project, reasonable alternative locations and routes were considered as set out in the Environment Statement (ES) Chapter 4 Consideration of alternatives, Volume I (Document reference 6.1, DCO Volume 6). The Project progressed through a number of stages of detailed review considering a range of technical, environmental, planning, social and economic criteria to determine the location of the project and the pipeline route. The SDR (Document reference 5.10, DCO Volume 5) and the DPD (Document reference 5.11, DCO Volume 5) set out the scheme design and evolution and the principles which guided the proposed Project design. Marine ecology and biodiversity and geology have been assessed and any potential likely significant effects mitigated as part of the relevant sections of ES Chapter 9 Marine biodiversity, Volume I (Document reference 6.1, DCO Volume 6). Chapter 9 provides an assessment of the likely significant effects on marine biodiversity from the construction, operation and decommissioning of the Project. ES Appendix 19.2 WER compliance assessment, Volume II (Document Reference 6.2, Volume 6) which assesses the impact of the Proposed Development on water bodies and associated protected areas. Marine ecology and biodiversity receptors considered within ES Chapter 9 include:

Relevant Section and/or Paragraph	Summary of the Relevant Paragraph Text	Assessment and relevant application documents
		• Designated sites: including their associated designated interest features. Designated sites within the Zone of Influence (ZoI) or that are hydrologically connected to the Project have been considered. • Marine mammals: species that may occur within the ZoI for the Project • Fish: including fish spawning and nursery grounds within the ZoI for the Project • Marine habitats: both intertidal and subtidal habitats within the ZoI for the Project are considered • Benthic marine species: species within the ZoI for the Project are considered • Fisheries: including recreationally and commercially targeted fish and shellfish species within the ZoI for the Project Geology encountered during specific ground investigation for the Pipelines are provided in Table 11-23 of ES Chapter 11 Land quality and ground conditions, Volume I (Document reference 6.1, DCO Volume 6). Geophysical characterisation surveys were undertaken in May 2022 (refer to ES Appendix 9.5 Subtidal geophysical survey, Volume II (Document reference 6.2, DCO Volume 6)) and grab samples were taken from the seabed. This survey spanned Langstone Harbour, its approaches extended from Gilkicker Point near Portsmouth Harbour's approach channel across to Hayling Island's eastern edge within the Solent. The survey generally extended 1-3km from shore. ES Appendix 9.5 Subtidal geophysical survey, Volume II (Document reference 6.2, DCO Volume 6) provides details of the survey coverage. • The SDR (Document reference 5.10, DCO Volume 5) • DPD (Document reference 5.11, DCO Volume 5)

Relevant Section and/or Paragraph	Summary of the Relevant Paragraph Text	Assessment and relevant application documents
		• ES Chapter 9 Marine biodiversity, Volume I (Document reference 6.1, DCO Volume 6) • ES Appendix 9.5 Subtidal geophysical survey, Volume II (Document reference 6.2, DCO Volume 6) • Chapter 11 Land quality and ground conditions, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6) • ES Appendix 19.2 WER compliance assessment, Volume II (Document Reference 6.2, Volume 6)
2.6.1.4	It is also recognised that the benefits of development may include benefits for marine ecology, biodiversity and geological conservation interests and that these may outweigh potential adverse effects. Development proposals may provide, where appropriate, opportunities for building-in beneficial features for marine ecology, biodiversity and geodiversity as part of good design; for example, incorporating use of shelter for juvenile fish alongside proposals for structures in the sea.	Policy AL7 states that planning permission will be granted for development proposals that positively contribute to the improvement of the Hermitage Stream. Planning applications for development proposals within proximity of the Hermitage Stream that prevent improvements to the Hermitage Stream being delivered, may be refused. As described in ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6), section 19.7, provides details of the future baseline of Hermitage Stream, against which the Project will be assessed, will be affected by Portsmouth Water's package of river channel improvement measures, which includes a range of geomorphological and habitat improvements in Hermitage Stream, and its tributaries Riders Lane Stream and Park Lane Stream. The combined length of these improvements would be approximately 5.48km. Opportunities for delivering Biodiversity Gain as part of the whole Project are reported in the Biodiversity Gain Plan (including Habitat Management and Monitoring Plan) which is submitted with the DCO application (Document reference 7.11, DCO Volume 7).

Relevant Section and/or Paragraph	Summary of the Relevant Paragraph Text	Assessment and relevant application documents
		As set out in the ENG Statement section 3 (Document reference 7.12, DCO Volume 7) Project wide environmental enhancements include: • Broadmarsh Coastal Park improvements – a package of interventions including enhanced planting and landscaping, providing biodiversity and social co-benefits. • Community Fund – support for water-related projects, including nature enhancement, to increase community resilience to climate and weather events. • ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6), • Biodiversity Gain Plan (including Habitat Management and Monitoring Plan) (Document reference 7.11, DCO Volume 7 • ENG Statement (Document reference 7.12, DCO Volume 7)
2.6.1.5	Marine plan authorities should apply precaution within an overall risk-based approach, in accordance with the sustainable development policies of the UK Administrations. The marine plan authority should ensure that appropriate weight is attached to designated sites; to protected species; habitats and other species of principal importance for the conservation of biodiversity; and to geological interests within the wider environment.	The SDR (Document reference 5.10, DCO Volume 5) set out the scheme design and evolution which guided the proposed Project design. A part of this process included considering: • Potential impacts on marine biodiversity and nature conservation sites • The impacts on the marine historic environment • The risks and potential impacts on marine water quality Further as set out in section 3.3 of the SDR (Document reference 5.10, DCO Volume 5) a consenting evaluation was undertaken for the selected configurations to identify the consenting risk for each option. The criteria used in the consenting evaluation were informed by the MPS (2011) and Marine Plans (South Inshore and South Offshore) (2018). Marine ecology and biodiversity have been assessed and any potential likely significant effects mitigated as part of ES Chapter 9 Marine biodiversity, Volume I (Document reference 6.1, DCO Volume 6). Chapter 9 provides an

Relevant Section and/or Paragraph	Summary of the Relevant Paragraph Text	Assessment and relevant application documents
		assessment of the likely significant effects on marine biodiversity from the construction, operation and decommissioning of the Project. Marine biodiversity receptors considered within Chapter 9 include designated sites and their associated designated interest features, protected species, and habitats and species of principal importance in England. Designated sites within the ZoI or that are hydrologically connected to the Project have been considered as part of the ES Chapter 9 Marine biodiversity assessment. ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1, DCO Volume 6) provides an assessment of the potential effects on birds that use the marine environment have been used to provide a complete assessment of the impacts to marine biodiversity. • SDR (Document reference 5.10, DCO Volume 5) • ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 9 Marine biodiversity, Volume I (Document reference 6.1, DCO Volume 6)
2.6.1.6	Many individual wildlife species receive statutory protection under a range of legislative provisions. Other species and habitats have been identified as being of principal importance for the conservation of biodiversity in the UK and thereby requiring conservation action or are subject to recommended conservation actions by an appropriate international organisation...The marine plan authority should ensure that development does not result in a	<u>Summary of compliance:</u> ES Chapter 9 Marine biodiversity, Volume I (Document reference 6.1, DCO Volume 6) table 9-1 provides details of how the Project accords with relevant legislation applicable to protected habitats and species: • Wildlife and Countryside Act 1981 • Natural Environment and Rural Communities (NERC) Act 2006 • Marine and Coastal Access Act 2009 • The Marine Strategy Regulations 2010 • The Water Environment (Water Framework Directive (WFD)) (England and Wales) Regulations (WER) 2017

Relevant Section and/or Paragraph	Summary of the Relevant Paragraph Text	Assessment and relevant application documents
	significant adverse effect on the conservation of habitats or the populations of species of conservation concern, and that wildlife species and habitats enjoying statutory protection are protected from the adverse effects of development, in accordance with applicable legislation.	• The Conservation of Offshore Marine Habitats and Species Regulations 2017 • The Conservation of Habitats and Species Regulations 2017 • Environment Act 2021 • The Environmental Targets (Marine Protected Areas) Regulations 2023 • ES Chapter 9 Marine biodiversity, Volume I (Document reference 6.1, DCO Volume 6)
Chapter 2, Section 2.6.3 Noise		
2.6.3.1	Noise resulting from a proposed activity or development in the marine area or in coastal and estuarine waters can have adverse effects on biodiversity although knowledge of the extent of impacts is limited and there are few systematic monitoring programmes to verify adverse effects. Man-made sound emitted within the marine environment can potentially affect marine organisms in various ways. It has the potential to mask biologically relevant signals; it can lead to a variety of behavioural reactions, affect hearing organs and injure or even kill marine life. Man made sound sources of primary concern with regard to disturbance of marine life are explosions, shipping, seismic surveys, offshore construction and offshore industrial	ES Chapter 9 Marine biodiversity, Volume I (Document reference 6.1, DCO Volume 6) section 9.4 sets out the primary mitigation that have been embedded in the Project design and tertiary mitigation measures such as noise dampening technology, good construction site management practices, etc. for reducing construction effects on marine habitats and species. ES Chapter 9, Section 9.7 provides details of the benthic surveys around the Eastney LSO to understand the marine habitats and species potentially affected. Further, section 9.8 details the assessment of likely significant effects on the parts of the Project below the Mean High Water Springs (MHWS) on marine habitats and species. Potential impacts identified include underwater noise impacts. ES Appendix 5.3 Response to EIA Scoping Opinion, Volume II (Document reference 5.3, DCO Volume 6.2) requested determination of the need for underwater noise modelling. ES Chapter 9 Marine biodiversity, Volume I (Document reference 6.1, DCO Volume 6) confirms at section 9.3 that the potential for underwater noise propagation was investigated. The assessment of the findings were shared with the relevant consultation bodies (MMO, EA) and NENE in the Technical Working Group meeting held in February 2025 where it was agreed that underwater noise modelling was not needed.

Relevant Section and/or Paragraph	Summary of the Relevant Paragraph Text	Assessment and relevant application documents
	activities, for example dredging, drilling and piling, sonar of various types and acoustic deterrent devices.	Section 5 of the Outline CEMP (Document reference 7.1, DCO Volume 7) includes measures when working in the intertidal section of Hermitage Stream to manage underwater noise and vibration. • ES Appendix 5.3 Response to EIA Scoping Opinion, Volume II (Document reference 5.3, DCO Volume 6.2) • ES Chapter 9 Marine biodiversity, Volume I (Document reference 6.1, DCO Volume 6) • Outline CEMP (Document reference 7.1, DCO Volume 7)
2.6.3.2	It should be noted that for certain animals, deliberate disturbance is prohibited and can only be carried out in accordance with the terms of a licence. The descriptors for achieving good environmental status under the MSFD include keeping underwater noise at levels that do not adversely affect the marine environment.	Underwater noise and vibration effects have been considered in ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1) and ES Chapter 9 Marine biodiversity, Volume I (Document reference 6.1). Section 5 of the Outline CEMP (Document reference 7.1, DCO Volume 7) includes measures to reduce underwater noise and vibration. Other documents of relevance to marine noise disturbance are as follows: • ES Appendix 15.1 Construction noise and vibration assessment, Volume II (Document reference 6.2) • ES Appendix 15.2 Construction traffic noise assessment, Volume II (Document reference 6.2) • ES Appendix 15.3 Operational noise assessment, Volume II (Document reference 6.2) • ES Chapter 15 Noise and vibration, Volume I (Document reference 6.1) • ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6)
Chapter 2, Section 2.6.4 Ecological and Chemical Water Quality and Resources		
2.6.4.1	Developments and other activities at the coast and at sea can have adverse effects on transitional waters, coastal waters and marine	Summary of compliance:

Relevant Section and/or Paragraph	Summary of the Relevant Paragraph Text	Assessment and relevant application documents
	waters. During the construction, operation and decommissioning phases of developments, there can be increased demand for water, discharges to water and adverse ecological effects resulting from physical modifications to the water environment. There may also be an increased risk of spills and leaks of pollutants into the water environment and the likelihood of transmission of invasive non-native species, for example through construction equipment, and their impacts on ecological water quality need to be considered.	ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6) includes a baseline which describes the existing quality of the waters. ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6) details of the hydrology, geomorphology, quantity and quality of surface waters (including freshwater, coastal and transitional waters) and the quality and quantity of groundwater. The scale and extent of water quality changes in release of treated wastewater via Eastney LSO are assessed in ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6). ES Chapter 9 Marine biodiversity, Volume I (Document reference 6.1, DCO Volume 6) section 9.10 provides a summary of the residual effects relating to the construction, operation and decommissioning of the Project with regard to marine biodiversity receptors. Potential operational impacts of the Project would include changes to the release volumes and concentrations of treated wastewater from the existing Eastney LSO, and releases from the WRP site SuDS outfall and compensatory flows into the lower reaches of the Hermitage Stream with potential for changes to the quality of water in the surrounding marine environment. These impacts are considered in ES Chapter 9 Marine biodiversity, Volume I (Document reference 6.1, DCO Volume 6) and ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6) and are assessed to be negligible. ES Appendix 19.2 WER compliance assessment, Volume II (Document reference 6.2, DCO Volume 6) presents an assessment of whether the Proposed Development is compliant with the requirements of the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (hereafter referred to as the WER. section 9 of Appendix 19.2 ES Appendix 19.2 assesses the release from the Eastney LSO.
2.6.4.3	The marine plan authority should satisfy itself where relevant that any development will not cause a deterioration in status of any water to which the WFD applies, subject to the provision of Article 4.7 of that Directive, or prevent compliance with any WFD obligation and is consistent with the requirements of daughter directives of the WFD including those on priority substances and groundwater. Decision makers should also take into account impacts on the quality of designated bathing waters and	

Relevant Section and/or Paragraph	Summary of the Relevant Paragraph Text	Assessment and relevant application documents
	shellfish waters from any proposed development.	• ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6) • ES Appendix 19.2 WER Compliance Assessment, Volume II (Document reference 6.2, DCO Volume 6)
2.6.4.4	Marine plan authorities will also need to take into account, once developed, any relevant targets, indicators or measures aimed at achieving good environmental status under the MSFD. One element of good environmental status involves ensuring that concentrations and effects of contaminants are kept within acceptable limits, so as to ensure that there are no significant impacts on, or risks to, the wider marine environment.	
Chapter 2, Section 2.6.5 Seascape		
2.6.5.1	The effects of activities and developments in the marine and coastal area on the landscape, including seascape, will vary on a case-by-case basis according to the type of activity, its location and its setting. There is no legal definition for seascape in the UK, but the European Landscape Convention (ELC) 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".* In the context of this document, references to seascape	ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6) provides an assessment of landscape and visual affects during construction, operation and decommissioning. The guidance within the NE (2012) An approach to Seascape Character Assessment which sets out the industry standard approach to the assessment of seascape character has informed the definition of Local Landscape Character Areas (LLCAs), summarised in ES Chapter 13, section 13.7 and described in detail in ES Appendix 13.3 Landscape baseline and effects, Volume II (Document reference 6.2, DCO Volume 6) which cover the inter-tidal harbours in the southern part of the study area. • ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6)

Relevant Section and/or Paragraph	Summary of the Relevant Paragraph Text	Assessment and relevant application documents
	should be taken as meaning landscapes with views of the coast or seas, and coasts and the adjacent marine environment with cultural, historical and archaeological links with each other.	• ES Appendix 13.3 Landscape baseline and effects, Volume II (Document reference 6.2, DCO Volume 6)
2.6.5.3	In considering the impact of an activity or development on seascape, the marine plan authority should take into account existing character and quality, how highly it is valued and its capacity to accommodate change specific to any development. Landscape Character Assessment methodology may be an aid to this process.	ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6) provides an assessment of landscape and visual effects during construction, operation and decommissioning. The Havant Borough Townscape, Landscape and Seascape Character Assessment have been considered in establishing the landscape baseline in section 13.7 of ES Chapter 13. • ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6)
Chapter 2, Section 2.6.7 Climate Change Adaptation and Mitigation		
2.6.7.4	Adapting to the impacts of climate change will also be a priority for terrestrial planning on the coast. Marine planning will need to be compatible with these impacts. This will include ensuring inappropriate types of development are not permitted in those areas most vulnerable to coastal change, or to flooding from coastal waters, while also improving resilience of existing developments to long-term climate change.	As set out in paragraph 4.2.10 of this PPS, the approach to climate change mitigation has been considered throughout the development of the Project, as set out in the DPD (Document reference 5.12, DCO Volume 5). Climate Change Adaptation and Mitigation is considered within section 5.3 of the PPS (Document reference 5.52, DCO Volume 5). A Climate Change Resilience (CCR) assessment has been prepared and is included within ES Chapter 10 Carbon and climate change, Volume I (Document reference 6.1, DCO Volume 6), which evaluates future trends in climate change impacts and the Project's vulnerability and resilience to such changes during the construction, operation and decommissioning phases. The CCR assessment, incorporating primary and tertiary mitigation measures, to

Relevant Section and/or Paragraph	Summary of the Relevant Paragraph Text	Assessment and relevant application documents
		assess the resilience of the Project to climate change will be secured through the Outline CEMP (Document reference 7.1, DCO Volume 7) as confirmed in ES Chapter 10 Carbon and climate change, Volume I (Document reference 6.1, DCO Volume 6) sections 1.4.7-.1.4.8. • PPS (Document reference 5.5, DCO Volume 5) • ES Chapter 10 Carbon and climate change, Volume I (Document reference 6.1, DCO Volume 6) • Outline CEMP (Document reference 7.1, DCO Volume 7) • ES Chapter 10 Carbon and climate change, Volume I (Document reference 6.1, DCO Volume 6)
Chapter 2, Section 2.6.8 Coastal Change and Flooding		
2.6.8.1	Coastal change and coastal flooding are likely to be exacerbated by climate change, with implications for activities and development on the coast. These risks are a major consideration in ensuring that proposed new developments are resilient to climate change over their lifetime.	Please refer to Chapter 2. Climate Change Adaptation and Mitigation responses above.
2.6.8.2	Activities on the coast which may be relevant to marine planning include, for example, dredging, dredged material deposition, cooling water culvert construction, marine landing facility construction, land reclamation and flood and coastal erosion risk management. Any of these could, if not managed properly, result in direct effects on the coastline,	ES Chapter 9 Marine biodiversity, Volume I (Document reference 6.1, DCO Volume 6) section 9.8 provides an assessment of likely significant effects on all those parts of the Project below the Mean High Water Springs (MHWS). It should be noted that the Project does not involve any physical changes to the coastline or seabed, or dredging or disposal into the sea. • ES Chapter 9 Marine biodiversity, Volume I (Document reference 6.1, DCO Volume 6)

Relevant Section and/or Paragraph	Summary of the Relevant Paragraph Text	Assessment and relevant application documents
	seabed marine ecology and biodiversity.	
2.6.8.3	Indirect changes to the coastline and seabed might arise as a result in response to some of these direct changes. This could lead to localised or more widespread coastal erosion or accretion and changes to offshore features such as submerged banks and ridges. Interruption or changes to the supply of sediment, due to infrastructure, has the potential to affect physical habitats along the coast or in estuaries.	ES Chapter 9 Marine biodiversity, Volume I (Document reference 6.1, DCO Volume 6), section 9.8 provides an assessment of likely significant effects for all those parts of the Project below the MHWS have been considered for any effects on the coastline, seabed and marine biodiversity. ES Chapter 5 EIA approach and methodology, Volume I (Document reference 6.1, DCO Volume 6) section 5.2 EIA scoping sets out the effects on coastal processes were agreed to be scoped out of further assessment. Following inclusion of the proposed WRP Site SuDS outfall at the intertidal section of Hermitage Stream during operation, section 5.2 in ES Chapter 5 EIA approach and methodology, Volume I (Document reference 6.1, DCO Volume 6) sets out that as the SuDS outfall design would not protrude into the stream more than existing outfalls in the Hermitage Stream by referring to section 2 and 3 of the DPD (Document reference 5.11, DCO Volume 5), no effects on coastal process are anticipated from the existence of the structure during operation. • ES Chapter 5 EIA approach and methodology (Document reference 6.1, DCO Volume 6)
South Inshore and South Offshore Marine Plan (July 2018)		
S-CC-1	Proposals must consider their contribution to greenhouse gas emissions arising from unintended consequences on other activities. Where such consequences are likely to result in increased greenhouse gas emissions, proposals should demonstrate that they will, in order of preference: a) avoid, b) minimise, c)	The Applicant's approach to reducing carbon emissions as far as reasonably practicable is set out in ES Chapter 10 Carbon and climate change, Volume I (Document reference 6.1, DCO Volume 6) and in the PPS (Document reference 5.5, DCO Volume 5). The scheme was developed to avoid carbon emissions where practicable. The distances for the transfer of treated wastewater which in turn reduces the carbon emissions associated with the constructing the pipelines and pumping

Relevant Section and/or Paragraph	Summary of the Relevant Paragraph Text	Assessment and relevant application documents
	mitigate unintended consequences on other activities.	water between Budds Farm WTW and the WRP was a key consideration as set out in section 2.3 of the Scheme Design Report (Document reference 5.10, DCO Volume 5). As confirmed within section 5 of the Design Approach document (Document reference 5.12, DCO Volume 5), the Project has been designed to minimise carbon and emissions (principle PDP_5). The Project has been designed to minimise carbon use and emissions throughout the project life cycle – including energy efficient and low carbon designs for buildings/new assets where feasible. Carbon emissions arising from activities associated with the Proposed Development have been considered as part of the scheme and design development process are detailed within section 10.4 of ES Chapter 10 Carbon and climate change, Volume I (Document reference 6.1, DCO Volume 6). Mitigation has been embedded into the design of the Project that has reduced lifecycle emissions is also provided in section 10.4 of ES Chapter 10 Carbon and climate change, Volume I (Document reference 6.1, DCO Volume 6). The Outline CEMP will include the requirement for the submission of an Outline CMP which will provide a framework for the Appointed Contractor. ES Chapter 10 Carbon and climate change, Volume I (Document reference 6.1, DCO Volume 6) evaluates future trends in climate change impacts and the Project's vulnerability and resilience to such changes during the construction, operation and decommissioning phases has been prepared and is included within ES Chapter 10 Carbon and climate change, Volume I (Document reference 6.1, DCO Volume 6). Further, the Climate Change Resilience assessment provides a framework for the consideration of climate change
S-CC-2	Proposals should demonstrate for the lifetime of the proposal that: 1) they are resilient to the effects of climate change 2) they will not have a significant adverse impact upon climate change adaptation measures elsewhere. In respect of 2) proposals should demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate the significant adverse impacts upon these climate change adaptation measures.	

Relevant Section and/or Paragraph	Summary of the Relevant Paragraph Text	Assessment and relevant application documents
		resilience and adaptation (ES Chapter 10 Carbon and climate change, Volume I (Document reference 6.1, DCO Volume 6)). • DPD (Document reference 5.11, DCO Volume 5) • PPS (Document reference 5.5, DCO Volume 5) • ES Volume I (Document reference 6.1, DCO Volume 6) • ES Volume II (Document reference 6.2, DCO Volume 6) • ES Volume III (Document reference 6.3, DCO Volume 6) • ES Chapter 10 Carbon and climate change (Document reference 6.1, DCO Volume 6)
S-SCP-1	Proposals that may have a significant adverse impact upon the seascape of an area should only be supported if they demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impacts upon the seascape of an area, d) if it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.	Summary of compliance As demonstrated in Chapter 2, section 2.6.5 Seascape section above, there is no significant adverse impact upon the seascape anticipated.
S-WQ-1	Proposals that may have significant adverse impacts upon water environment, including upon habitats and species that can be of benefit to water quality must demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impacts.	Refer to Marien Ecology and biodiversity (paragraph 2.6.1.4) response.

Relevant Section and/or Paragraph	Summary of the Relevant Paragraph Text	Assessment and relevant application documents
S-WQ-2	Activities that can deliver an improvement to the water environment, or enhance habitats and species which can be of benefit to water quality, should be supported.	
Shoreline Management Plan Selsey Bill to Hurst Spit SMP13		
Policy Unit 5A19 Southmoor Lane to Farlington Marshes	This frontage is backed along much of its length by the regionally important A27 and rail networks. Within the relatively extensive tidal floodplain, there is mixed development with residential and commercial properties, community facilities, commercial, agricultural grade 1 land. There is also a strategically important sewage treatment plant at Budd's Farm, and a former landfill site. Existing defences are owned and maintained by the Local Authority and the Highways Authority. Analysis of shoreline erosion indicates the rate and scale of coastal processes are less within the harbours than on the open coast. The inter-tidal habitats are of International, European and national nature conservation importance; fields provide feeding sites for Brent Geese and support	Climate change adaptation has been considered within ES Chapter 10 Carbon and climate change, Volume I (Document reference 6.1, DCO Volume 6). A Climate Change Resilience (CCR) assessment which evaluates future trends in climate change impacts and the Project's vulnerability and resilience to such changes during the construction, operation and decommissioning phases has been prepared. Policy Unit 5A19 and Policy Unit 5API01 seek to maintain or improve protection from coastal flood and erosion to important assets or features at the coast. Further, the policy acknowledges the 'strategically important sewage treatment plant at Budd's Farm, and a former landfill site.' ES Chapter 9 Marine biodiversity section 9.8 Assessment of likely significant effects sets out that all the parts of the Project below the MHWS have been considered for any effects on the coastline, seabed and marine biodiversity. Coastal flooding is considered within ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6). Fluvial and coastal flood risk is shown in ES Figure 19.9 Fluvial and coastal flood risk, Volume III (Document reference 6.3, DCO Volume 6). Refer to ES Appendix 19.1, Flood Risk Assessment, Volume II Document reference 6.2, DCO Volume 6).

Relevant Section and/or Paragraph	Summary of the Relevant Paragraph Text	Assessment and relevant application documents
	the adjacent and nearby SPA/Ramsar sites. • Epoch 1 From Present Day (up to 2025): Hold the Line • Epoch 2 Medium Term (2025 to 2055): Hold the Line • Epoch 3 Long Term (2055 to 2105): Hold the Line	Surface waters - transitional and coastal covers the onshore catchments (referred to as coastal catchments by the EA which are part of transitional and coastal water bodies within which the Order Limits are located, but also the water bodies within which changes could potentially occur as a result of alterations to the existing discharge at the Eastney LSO. This has been determined on the output of three-dimensional (3D) dispersion modelling as set out in ES Figure 19.1 Surface water features, Volume III (Document reference 6.3, DCO Volume 3). • ES Chapter 10 Carbon and climate change (Document reference 6.1, DCO Volume 6) • Climate change resilience assessment methodology (Document reference 6.2, DCO Volume 6). • ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6) • ES Appendix 19.1, Flood Risk Assessment, Volume II Document reference 6.2DCO Volume 6) • ES Figure 19.1 Surface water features, Volume III (Document reference 6.3, DCO Volume 6) • in ES Figure 19.9 Fluvial and coastal flood risk, Volume III (Document reference 6.3, DCO Volume 6)
Policy Unit 5API01 Langstone Harbour entrance to Portsmouth Harbour entrance (harbour)	This unit covers the Portsea Island frontage shared by Portsmouth and Langstone harbours, and excludes the open coast lengths. Within the extensive tidal floodplain are the heavily developed and populated conurbations of Portsmouth City that comprise residential and Ministry of Defence (MOD) properties and	Policy Unit 5API01 seeks to maintain or improve protection from coastal flood and erosion to important assets or features at the coast. Coastal flooding is considered within ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6). Fluvial and coastal flood risk is shown in ES Figure 19.9 Fluvial and coastal flood risk, Volume III (Document reference 6.3, DCO Volume 6) and ES Appendix 19.1, Flood Risk Assessment, Volume II Document reference 6.2, DCO Volume 6).

Relevant Section and/or Paragraph	Summary of the Relevant Paragraph Text	Assessment and relevant application documents
	facilities, as well as a number of former landfill sites, sewage works and associated critical infrastructure. There are also the commercial operations of the Cross Channel Ferry Port and other industries. Significant proportions of the inter tidal habitats within Portsmouth and Langstone Harbours are of International, European and national nature conservation importance, and support the nearby and adjacent SPA/Ramsar sites.	Details of the intertidal habitat surveys and subtidal habitats have been undertaken by the applicant are set out in section 9.7 of ES Chapter 9 Marine biodiversity, Volume I (Document reference 6.1, DCO Volume 6). • ES Chapter 9 Marine biodiversity, Volume I (Document reference 6.1, DCO Volume 6) • ES Appendix 9.4 Intertidal survey results, Volume II (Document reference 6.2, DCO Volume 6) • ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6) • ES Figure 19.9 Fluvial and coastal flood risk, Volume III (Document reference 6.3, DCO Volume 6) • ES Appendix 19.1, Flood Risk Assessment, Volume II (Document reference 6.2, DCO Volume 6)

Appendix D Relevant Local Plan policies

D.1.1 This appendix sets out local planning policies that may be relevant under Section 104(d) of the PA 2008 and provides a summary assessment of the Project against these policies (noting the policy assessment against the NPSWRI which present the primary policies for decision making).

D.1.2 The appendix focuses on the main topics of interest of each of the host authorities (and SDNPA) as summarised in Chapter 6 of the PPS and reflected in Draft SoCGs (Document reference 5.8, DCO Volume 5).

D.1.3 Other local policies that have been considered in or informed technical assessments are identified as part of the relevant ES (Document reference 6.1, DCO Volume 6).

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
East Hampshire District Council		
East Hampshire District Local Plan Part 1 - Joint Core Strategy (adopted June 2014)		
Policy CP5: Employment and Workforce Skills	Planning permission will be granted for development that improves workforce skills and employability; it promotes and supports skills and employment provision in existing business clusters and high growth sectors; and secures local skills and training provision and employment on significant development, particularly with regard to construction skills and employment.	The economic benefits of the Project are set out in section 3 of the PPS (Document reference 5.5, DCO Volume 5) in the CftP document (CftP) (Document reference 5.6, DCO Volume 5). The Outline SEP (Document reference 7.9, DCO Volume 7) highlights opportunities for local people, businesses and education providers associated with the construction of the Project in section 7. • PPS (Document reference 5.5, DCO Volume 5) • CftP (Document reference 5.6, DCO Volume 5) • Outline SEP (Document reference 7.9, DCO Volume 7)
Policy CP21: Biodiversity	New development will be required to maintain, enhance and protect district wide biodiversity.	There will be no physical works within the Havant Thicket Reservoir. Mass balance modelling has been undertaken to investigate any potential changes in the Havant Thicket Reservoir water quality as a result of the recycled water being discharged into the reservoir. Additionally, as set out in ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1, DCO Volume 6), section 8.7, modelling of the proposed High Rejection Rate Membrane treatment at the WRP shows that the Project would not result in a deterioration of biological status. Refer to ES Appendix 19.6 Havant Thicket Reservoir Compensatory Flows water quality modelling, Volume II (Document reference 6.2, DCO Volume 6) for the full modelling details and results. Details of the arboricultural methodology, desk study and field survey results for habitats, ancient woodland and veteran and notable trees are detailed in ES Appendix 8.2, Habitats, Volume II (Document reference 6.2, DCO Volume 6) and are shown spatially in ES Figures ES Figure 8.4 Habitats of principal importance for conserving biodiversity within the desk study area (Document reference 6.3, DCO Volume 6).

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
		• ES Chapter 8 Terrestrial and freshwater biodiversity Volume I, (Document reference 6.1, DCO Volume 6) • ES Appendix Vol II - 19.6 Havant Thicket Reservoir Compensatory Flows water quality modelling, Volume II (Document reference 6.2, DCO Volume 6) ES Appendix 8.2, Habitats, Volume II (Document reference 6.2, DCO Volume 6) and are shown spatially in ES Figures 8.4 Habitats of principal importance for conserving biodiversity within the desk study area, Volume III (Document reference 6.3, DCO Volume 6)
Policy CP26: Water resources/Water Quality	Development will be required to protect the quality and quantity of water and make efficient use of water. Development will be permitted provided that it: • Protects and enhances the quality and quantity of groundwater, surface water features and controls aquatic pollution to help to achieve the requirements of the European Water Framework Directive. The Council have a duty to take account of the Water Framework Directive (WFD) objectives. Any development which will impact on a known water body will be required to seek out opportunities to introduce mitigation and enhancement measures to help ensure the objectives of the WFD are met. The site identified for the Havant Thicket reservoir will be safeguarded from development.	As described in ES Chapter 3 Description of the Proposed Development, Volume I (Document reference 6.1, DCO Volume 6) a range of measures have been embedded into the Project design to protect the quality and quantity of water. The design of the WRP ensures that the recycled water discharging into the Havant Thicket Reservoir complies with water quality requirements. This includes measures for phosphorus reduction. ES Chapter 19 Water environment, Volume I (Document reference 6.1 DCO Volume 6) includes an assessment of the hydrology, geomorphology, quantity and quality of surface waters (including freshwater, coastal and transitional waters). ES Appendix 19.2 WER Compliance Assessment, Volume II, (Document reference 6.2, DCO Volume 6) has been produced to confirm how the Project accords with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017, which implement the Water Framework Directive in England. This should be read alongside ES Appendix 19.11 Havant Thicket Reservoir water quality modelling, Volume II, (Document reference 6.2, DCO Volume 6). • ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1, DCO Volume 6)

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
		• ES Chapter 19 Water Environment, Volume I, (Document reference 6.1, DCO Volume 6) • ES Appendix 19.2 WER Compliance Assessment, Volume II, (Document reference 6.2, DCO Volume 6) • ES Appendix 19.11 Havant Thicket Reservoir water quality modelling, Volume II, (Document reference 6.2, DCO Volume
Policy CP27: Pollution	Development must not result in pollution which prejudices the health and safety of communities and their environments. Developments that may cause pollution, and developments sensitive to pollution, will only be permitted if they are appropriately separated and designed to remove the risk of unacceptable impacts. Engineering or administrative controls may be required to provide sufficient protection to focus on reducing pollution at source.	The Statutory Nuisance Statement (Document reference 5.3, DCO Volume 5) in section 2 concludes that with the implementation of mitigation measures set out in the Outline CEMP (Outline CEMP) (Document reference 7.1, DCO Volume 7) and OEMP (Document reference 7.7, DCO Volume 7), statutory nuisances are not anticipated during construction, operation or maintenance of the project. ES Chapter 17 Socio-economics, Tourism and Health, Volume I (Document reference 6.1, DCO Volume 6) in section 17.8 includes an assessment of neighbourhood amenity and ES Chapter 12 Land use and agriculture, Volume I (Document reference 6.1, DCO Volume 6) section 12.8 considers amenity effects for residential properties, commercial properties and land, and community land and facilities. ES Chapter 11 Land quality and ground conditions, Volume I (Document reference 6.1, DCO Volume 6) provides details of potential sources of contamination based on historical and current land uses. Additionally, ES Chapter 11 considers ground conditions, designated environmental sites, underlying geological and hydrogeological conditions and how these may interact or be impacted by potential sources of ground contamination. Chapter 11 also considers the effects arising from the ground conditions and how likely these are to have an

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
		effect on human health, controlled waters (surface waters and hydrogeology) and designated sites (ecological and geological). ES Chapter 6 Air quality and odour, Volume I (Document reference 6.1, DCO Volume 6) has assessed the impact of the Proposed Development on sensitive human and ecological receptors, allowing identification and implementation of appropriate mitigation measures. • Statutory Nuisance Statement (Document reference 5.3, DCO Volume 5) • ES Chapter 11 Land quality and ground conditions, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 12 Land use and agriculture, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 17 Socio-economics, Tourism and Health of the ES, Volume I (Document reference 6.1, DCO Volume 6) • Outline CEMP (Outline CEMP) (Document reference 7.1, DCO Volume 7) • OEMP (Document reference 7.7, DCO Volume 7) • ES Chapter 6 Air quality and odour Volume I (Document reference 6.1, DCO Volume 6)
Policy CP31: Transport	The use of sustainable modes of transport (including cycling, walking and public and community transport) and reduced dependence on the private car will be encouraged.	ES Chapter 18 Traffic and Transport, Volume I (Document reference 6.1, DCO Volume 6) provides the assessment of the likely significant effects on traffic and transport from the construction, operation and decommissioning of the Project. ES Chapter 18 considers road safety, which includes safety from a pedestrian and cycle perspective. It also provides an assessment of the impact of a temporary increase in traffic associated with construction activities. The assessment of effects contained within ES Chapter 18 are underpinned by a series of management plans, including the Framework CTMP (including

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
		Framework Construction Worker Travel Plan) (Framework CTMP) (Document reference 7.2, DCO Volume 7) which provide an overview of the signage strategy associated with the Project. The traffic and transport assessment includes an assessment of amenity, fear and intimidation. ee • ES Chapter 18 Traffic and Transport, Volume I (Document reference 6.1, DCO Volume 6) • Framework CTMP (Document reference 7.2, DCO Volume 7)
East Hampshire District Our Local Plan 2021 – 2040 Regulation 18 consultation document (January 2024)		
Draft Policy NBE2: Biodiversity, Geodiversity and Nature Conservation	Development proposals will be permitted where they protect and enhance biodiversity and geodiversity features and must be supported by adequate and up-to-date ecological information.	As confirmed within ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1, DCO Volume 6), the storage of recycled water at Project Havant Thicket Reservoir would not result in a deterioration of biological status. No physical works will take place within Havant Thicket Reservoir as part of the Project. It is therefore assumed that habitats within the reservoir footprint will have been lost as part of the Havant Thicket Reservoir development and field survey areas for this assessment have excluded the footprint of the reservoir. • ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 19 Water Environment, Volume I (Document reference 6.1, DCO Volume 6) • ES Appendix 19.2 WER Compliance Assessment, Volume II, (Document reference 6.2, DCO Volume 6) • ES Appendix 19.11 Havant Thicket Reservoir water quality modelling, Volume II, (Document reference 6.2, DCO Volume 6)
Draft Policy NBE3: BNG	Development will only be permitted where a measurable BNG of at least 10% is	Biodiversity and nature conservation is set out within the ENG (section 4.2.26) and Biodiversity and nature conservation (section 4.4.19) sections of the PPS (Document reference 5.5, DCO Volume 5). Further,

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
	demonstrated and secured in perpetuity (for at least 30 years) subject to: • The latest DEFRA metric or agreed equivalent being submitted to quantify the baseline and post-development biodiversity value of the development site and off-site areas proposed for habitat creation. • The assessment being undertaken by a suitably qualified and/or experienced ecologist and is submitted together with baseline and proposed habitat mapping in a digital format with the application. • The submission of a 30 year management plan detailing how the post-development biodiversity values of the site and any supporting off-site mitigation will be achieved and funded over the time period; and d. The location of any off-site habitats created are within areas which maximise opportunities for local nature recovery wherever this is possible.	this policy has been used to inform the protected species and habitat mitigation embedded in the Project design, refer to section 4.4 and the DPD (Document reference 5.11, DCO Volume 5), the Biodiversity Gain Plan (including Habitat Management and Monitoring Plan in appendix E) (Document reference 7.11, DCO Volume 7) and it has informed the practices set out in the Outline CEMP and has fed into the Indicative Environmental Masterplan which is appended to the Design Approach Document (appendix C) (Document reference 5.12, DCO Volume 5) • PPS (Document reference 5.5, DCO Volume 5) • DPD (Document reference 5.11, DCO Volume 5) • Biodiversity Gain Plan (including Habitat Management and Monitoring Plan) (Document reference 7.11, DCO Volume 7) • Outline CEMP (Document reference 7.1, DCO Volume 7)
Draft Policy NBE8.2 Water Quality, Supply and Efficiency	New development will need to meet strict environmental standards for adequate wastewater conveyance and treatment and may be required to incorporate well designed mitigation measures to ensure the water environment does not	Primary (embedded) mitigation has been identified as part of the design process and embedded within the Project's design to avoid or reduce potential environmental impacts. The mitigation is set out in section 3 of the DPD (Document reference 5.11, DCO Volume 5) and in Table 12 of ES Appendix 3.1 Primary mitigation. Further, ES Appendix 19.2 WER Compliance Assessment, Volume II, (Document reference 6.2, DCO Volume 6) has been produced to confirm how the Project accords with

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
	deteriorate, both during construction and during the lifetime of the development.	the European Water Framework Directive, which aims to protect and enhance the quality of water resources. An Outline CEMP (Document reference 7.1, DCO Volume 7) will be prepared which will set out the responsibilities with regards to compliance with legislation and to implement any mitigation measures and management measures to minimise environmental impacts form the construction phase of the development. • DPD (Document reference 5.11, DCO Volume 5) • ES Appendix 3.1 Primary mitigation, Volume II (Document reference 6.2, DCO Volume 6) • ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 19 Water Environment, Volume I (Document reference 6.1, DCO Volume 6) • ES Appendix 19.2 WER Compliance Assessment, Volume II, (Document reference 6.2, DCO Volume 6) • ES Appendix 19.11 Havant Thicket Reservoir water quality modelling, Volume II, (Document reference 6.2, DCO Volume 6) • Outline CEMP (Document reference 7.1, DCO Volume 7)
Draft Policy NBE13: Protection of Natural Resource	Development proposals will be permitted provided that they ensure that the Local Plan Area's natural resources remain safe, protected, and prudently used. Development proposals will be expected to demonstrate that they: • Do not give rise to soil contamination or air, noise, radiation, light or water pollution where the level of discharge,	Refer to EHDC Policy CP31: Transport and EHDC Policy CP27: Pollution.

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	emissions or contamination could cause harm to sensitive receptors (including impact on dark night skies); • Ensure that, where evidence of contamination exists, the land is made fit for its intended purpose and does not pose an unacceptable risk to sensitive receptors; • Do not result in a reduction in the quality or quantity of groundwater resources; this includes the protection of principal aquifers and the source protection zones within the southern part of the Local Plan Area.	
Draft Policy DGC2: Sustainable Transport	DGC2.2 Development will be permitted that: • Does not have a severe impact on the operation of, safety of, or accessibility to the local or strategic highway networks; • Mitigates impacts on the local or strategic highway networks, caused from the development itself and/or the cumulative effects of development, through the provision of, or contributions towards, necessary and relevant transport improvements.	Refer to EHDC Policy CP27: Pollution.
Draft Policy E1: Planning for	E1.2 Opportunities for employment and workforce skills training will be required by means of Section 106 agreements for non-residential developments exceeding	Refer to EHDC Policy CP5: Employment and Workforce Skills.

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
Economic Development	1,000sqm or from developments providing 50 or more (net) dwellings.	
Eastleigh Borough Council		
Eastleigh Borough Local Plan 2016-2036 (adopted April 2022)		
Policy S5: New Development in the Countryside	Planning permission will be granted for new development in the countryside provided it is related to essential public utilities (policy DM9).	As set out in the PPS section 3.2 (Document reference 5.5, DCO Volume 5) and as set out in section 2 of the CftP document (Document reference 5.6, DCO Volume 5), the Project is critical to maintaining essential water supplies to customers whilst protecting the environment, both during drought events and normal conditions. It has the resilience and adaptability to be flexible in the future to meet other sub-regional and regional needs, including for Southern Water's Central area. Failure to deliver the Project would place continued additional pressure on an already seriously water-stressed area. ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6), ES Appendix 13.2 Landscape and visual impact assessment methodology, Volume II (Document reference 6.2, DCO Volume 6), ES Appendix 13.3 Landscape baseline and effects, Volume II (Document reference 6.2, DCO Volume 6) and ES Appendix 13.4 Visual baseline and effects, Volume II (Document reference 6.2, DCO Volume 6) demonstrate that consideration has been given to the of the character of the countryside within Eastleigh. • PPS (Document reference 5.5, DCO Volume 5) • CftP document (Document reference 5.6, DCO Volume 5) • ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6)

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
		• ES Appendix 13.2 Landscape and visual impact assessment methodology, Volume II(Document reference 6.2, DCO Volume 6) • ES Appendix 13.3 Landscape baseline and effects, Volume II (Document reference 6.2, DCO Volume 6) • ES Appendix 13.4 Visual baseline and effects, Volume II (Document reference 6.2, DCO Volume 6)
Policy S8: Historic Environment	The Borough Council will continue to conserve and/or enhance the Boroughs heritage assets in a manner appropriate to their significance.	Within EBC there will be some potential effects on archaeology (medieval period) however with secondary mitigation that the magnitude of impact and significance of effect of direct physical effects to non-designated archaeological remains can be reduced or offset to a residual non-significant effect in EIA terms (i.e. anticipated to be no worse than a minor adverse significance of effect).Secondary mitigation would comprise the application of an agreed scheme of archaeological investigation aimed at providing mitigation of the loss of archaeological information and secured in the Proposed Development Outline WSI (Document reference 7.6, DCO Volume 7). With the application of secondary mitigation through investigation and recording, it is anticipated that the magnitude of impact and significance of effect of direct physical effects to non-designated archaeological remains can be reduced or offset to a residual non-significant effect in EIA terms (i.e. anticipated to be no worse than a minor adverse significance of effect). Section 4 of the PPS (Document reference 5.5, DCO Volume 5) provides a summary of how the Project has considered the historic environment and accords with the provisions of the NPSWRI. ES Chapter 7 Archaeology and cultural heritage, Volume I (Document reference 6.1, DCO Volume 6) provides the assessment of the likely significant effects on archaeology and cultural heritage from the construction, operation and decommissioning of the Project. Details of

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		the potential impact on the following heritage assets are identified, including (note not an exhaustive list): • Park Pale at Marwell Park • Marwell Park • Crowdhill • PPS (Document reference 5.5, DCO Volume 5) • ES Chapter 7 Archaeology and cultural heritage, Volume I (Document reference 6.1, DCO Volume 6) • ES Appendix 7.1 Historic environment baseline study, Volume II (Document reference 6.2, DCO Volume 6) • ES Appendix 7.2 Historic environment gazetteer Part A and Part B, Volume II (Document reference 6.2, DCO Volume 6) • ES Appendix 7.3 Detailed gradiometer survey report - Phase 1, Volume II (Document reference 6.2, DCO Volume 6) • ES Appendix 7.4 Geoarchaeological desk-based assessment and landscape characterisation, Volume II (Document reference 6.2, DCO Volume 6) • ES Appendix 7.5 Geoarchaeological monitoring reporting, Volume II (Document reference 6.2, DCO Volume 6) • ES Appendix 7.6 Heritage assets settings scoping appraisal, Volume II (Document reference 6.2, DCO Volume 6) • ES Appendix 7.7 Heritage assets setting assessment, Volume II (Document reference 6.2, DCO Volume 6) • ES Appendix 7.8 Detailed gradiometer survey report - Phase 2, Volume II (Document reference 6.2, DCO Volume 6) • ES Appendix 7.9 Trial trenching report, Volume II (Document reference 6.2, DCO Volume 6)

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
		• ES Appendix 7.10 World War II Crash Site Pigeon House Farm Technical Note and geophysical survey report, Volume II (Document reference 6.2, DCO Volume 6) • Proposed Development Outline WSI (Document reference 7.6, DCO Volume 7)
Policy S9: Green Infrastructure	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.	Opportunities to reinforce and enhance the green infrastructure network, including access to the public right of way network for the Project, have been considered within the Biodiversity Gain Plan (including Habitat Management and Monitoring Plan) (Document reference 7.11, DCO Volume 7) and ENG Statement (Document reference 7.12, DCO Volume 7). • Biodiversity Gain Plan (including Habitat Management and Monitoring Plan) (Document reference 7.11, DCO Volume 7) • ENG Statement (Document reference 7.12, DCO Volume 7)
Policy S11: Transport Infrastructure	The Council will work with the highway authorities and developers to minimise transport emissions, pollution and congestion by ensuring new developments encourage walking, cycling and the use of public transport, minimise congestion and support safety on the highway network as informed by appropriate transport assessments and safeguarding the routes and securing the funding to deliver new and improved transport infrastructure.	ES Chapter 18 Traffic and transport, Volume I (Document reference 6.1, DCO Volume 6) provides the assessment of the likely significant effects on traffic and transport from the construction, operation and decommissioning of the Project. Further, ES Chapter 18 considers road safety, which includes safety from a pedestrian and cycle perspective. It also provides an assessment of the impact of a temporary increase in traffic associated with construction activities. The assessment of effects contained within ES Chapter 18 is underpinned by a series of management plans, including the Framework CTMP (including Framework CTMP) (Document reference 7.2, DCO Volume 7) (FCTMP) which provide an overview of the signage strategy associated with the Project. • ES Chapter 18 Traffic and transport, Volume I (Document reference 6.1, DCO Volume 6) • Framework CTMP (including Framework Construction Worker Travel Plan) (Document reference 7.2, DCO Volume 7)

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Policy DM1: General Criteria for New Development	All new development should not have an unacceptable impact on, and where possible should enhance residential amenities of both new and existing residents; the character and appearance of urban areas, the countryside, biodiversity (avoiding significant adverse impacts); and the significance of heritage assets.	The Project has been accompanied by an ES Volume I, II and III (Document reference 6.1, DCO Volume 6), (Document reference 6.2, DCO Volume 6), (Document reference 6.3, DCO Volume 6) considers the effects of the location, design, build, operation and, where appropriate, decommissioning of the Project including with regards to ecology, landscape and heritage. The ES also details the measures proposed to avoid or reduce any identified effects. • ES, Volume I, II and III (Document reference 6.1, DCO Volume 6) (Document reference 6.2, DCO Volume 6), (Document reference 6.3, DCO Volume 6)
Policy DM3: Adaptation to Climate Change	All development should be designed to adapt to the predicted climate change impacts for the Borough.	As set out in paragraph 4.2.10 of the PPS, the approach to climate change mitigation has been considered throughout the development of the Project. ES Appendix 10.2 Climate change resilience assessment methodology, Volume II (Document reference 6.2, DCO Volume 6) evaluates future trends in climate change impacts and the Project's vulnerability and resilience to such changes during the construction, operation and decommissioning phases has been prepared and is included within ES Chapter 10 Carbon and climate change, Volume I (Document reference 6.1, DCO Volume 6). • PPS (Document reference 5.5, DCO Volume 5) • ES Chapter 10 Carbon and climate change, Volume I (Document reference 6.1, DCO Volume 6) • ES Appendix 10.2 Climate change resilience assessment methodology, Volume II (Document reference 6.2, DCO Volume 6)
Policy DM5: Managing Flood Risk	Development will only be permitted within the areas at risk of flooding, now and in the future, as identified on the EA most recent flood maps and the Council's Strategic Flood Risk Assessment provided that:	As set out in the Flood Risk section of the PPS (section 4.4) (Document reference 5.5, DCO Volume 5), parts of the Project fall within flood zones 2 and 3. ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2 DCO Volume 6) has been prepared as part of the DCO application. The impacts of the Project on surface and groundwater flows and flood risk are assessed in section 19.8 of ES

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	• It meets the sequential and exception test (where required) as outlined in government guidance; • A site–specific flood risk assessment demonstrates that the development, including the access, will be safe without increasing flooding elsewhere, and where possible, will reduce flood risk overall; • The scheme incorporates flood protection, flood resilience and resistance measures appropriate to the character and biodiversity of the area and the specific requirements of the site and where appropriate takes advantage of opportunities to utilise natural flood management techniques; • Appropriate flood warning and evacuation plans are in place; and • New site drainage systems are designed taking account of events which exceed the normal design standard. • Development should not increase flooding elsewhere.	Chapter 19 Water environment, Volume I (Document reference 6.1 DCO Volume 6). The assessment concluded that, following the application of mitigation measures embedded into the scheme design and construction-stage strategy documents, there would be no significant effects on surface and groundwater flows and flood risk. Surface construction activities along section L of the pipeline could potentially result in changes to the volume and pattern of surface flows, changes to infiltration rates, and corresponding changes to off-site flood risk. However, a temporary construction-stage drainage system will be established, designed according to the best practice principles set out in the Outline CEMP (Document reference 7.1, DCO Volume 7) (section 19.4). This will incorporate measures to capture and attenuate surface runoff and ensure that there are no changes to off-site runoff rates and flood risk. All of the permanent above-ground infrastructure is located in Flood Zone 1; therefore no flood warnings or evacuation plans are required in this instance. The SuDS Drainage Strategy is included within ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2, DCO Volume 6) details the approach and performance of the proposed SuDS for the scheme, within this document there has been performance testing of the SuDS to show how they can manage surface water runoff for events up to the 1 in 100-year +45% climate change event. This performance testing has not gone above the 1 in 100-year+45%CC event. The SuDS designs are inherently conservative as they do not consider the losses to infiltration, all attenuation features (basins) are in topographical low points of the site so if they were to be exceeded, they would spill to their receptor which we have chosen as the existing baseline receptor in all cases, as such the approach mirrors existing greenfield conditions. • PPS (Document reference 5.5, DCO Volume 5)

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		• ES Chapter 19 Water environment, Volume I (Document reference 6.1 DCO Volume 6) • ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2 DCO Volume 6) • Outline CEMP (Document reference 7.1 DCO Volume 7)
Policy DM8: Pollution	Development will not be permitted if it is likely to cause loss of amenity or impact on public health or other unacceptable environmental impacts through: • Air pollution (including odours or particulate emissions); • Pollution of surface, underground, coastal waters or other watercourses; • Noise or vibration; • Light intrusion, both generally and with respect to the South Downs National Park's status as an • International Dark Night Skies reserve; or • Land contamination.	The Project includes Eastleigh Air Quality Management Area (AQMA) no.1 (A335). The air quality section of the PPS (section 4.4) (Document reference 5.5, DCO Volume 5) sets out how the Project accords with section 4.2 of the NPSWRI, which requires applicants to minimise the emission of air pollutants as far as reasonably practicable. Primary mitigation measures specific to air quality and odour are set out in ES Chapter 6 Air quality and odour, Volume I (Document reference 6.1, DCO Volume 6) and good construction measures set out in the Outline CEMP (Outline CEMP) (Document reference 7.1, DCO Volume 7). ES Chapter 19 Water environment, Volume I, (Document reference 6.1, DCO Volume 6) section 19.8 details the impact of the Project on surface and groundwater quality. ES Appendix 19.2 WER Compliance Assessment, Volume II, (Document reference 6.2, DCO Volume 6) has been produced to confirm how the Project accords with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017, which implement the Water Framework Directive in England andaim to protect and enhance the quality of water resources. Noise and vibration impacts are contained within ES Chapter 15 Noise and vibration, Volume I (Document reference 6.1, DCO Volume 6) and how the Project accords with the NPSWRI is set out in section 4.4 of the PPS.

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
		Lighting and lighting impacts is covered within section 4.4 of the PPS. Construction lighting design and operational lighting design will follow good practice and will be secured within the Outline CEMP (Document reference 7.1, DCO Volume 7). ES Chapter 17-Socio-economics, tourism and health, Volume I (Document reference 6.1, DCO Volume 6) in section 17.8 includes an assessment of neighbourhood amenity and ES Chapter 12 Land use and agriculture, Volume I (Document reference 6.1, DCO Volume 6) section 12.8, considers amenity effects for residential properties, commercial properties and land, and community land and facilities. ES Chapter 11 Land quality and ground conditions, Volume I (Document reference 6.1, DCO Volume 6), provides details of potential sources of contamination based on historical and current land uses. Additionally, ES Chapter 11 considers ground conditions, designated environmental sites, underlying geological and hydrogeological conditions and how these may interact or be impacted by potential sources of ground contamination. Chapter 11 also considers the effects arising from the ground conditions and how likely these are to have an effect on human health, controlled waters (surface waters and hydrogeology) and designated sites (ecological and geological). The Statutory Nuisance Statement (Document reference 5.3, DCO Volume 5) in section 2 concludes that with the implementation of mitigation measures set out in the Outline CEMP (Document reference 7.1, DCO Volume 7) and Outline Environmental Management Plan (Document reference 7.7, DCO Volume 7), statutory nuisances are not anticipated during construction, operation or maintenance of the project. • PPS (Document reference 5.5, DCO Volume 5)

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
		• ES Chapter 6 Air quality and odour Volume I, (Document reference 6.1, DCO Volume 6) • ES Chapter 11 Land quality and ground conditions, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 12 Land use and agriculture, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 15 Noise and vibration, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 17-Socio-economics, tourism and health, Volume I (Document reference 6.1, DCO Volume 6) • ES Appendix 19.2 WER Compliance Assessment, Volume II, (Document reference 6.2, DCO Volume 6) • Outline CEMP (Document reference 7.1, DCO Volume 7) • Outline Environmental Management Plan (Document reference 7.7, DCO Volume 7) • Statutory Nuisance Statement (Document reference 5.3, DCO Volume 5)
DM9: Public Utilities and Communications	The development of new and improvement of existing utilities infrastructure essential to meet the needs of new and existing communities will be encouraged and permitted subject to the other policies of this plan. In the event of conflict with other policies of this plan the Borough Council will require a full justification including an assessment of alternative means of provision.	As set out in the PPS section 3.2 (Document reference 5.5, DCO Volume 5) and as set out in section 2 of the CftP document (Document reference 5.6, DCO Volume 5), the Project is critical to maintaining essential water supplies to customers whilst protecting the environment, both during drought events and normal conditions. • PPS (Document reference 5.5, DCO Volume 5) • CftP document (Document reference 5.6, DCO Volume 5)

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Policy DM10: Water and Waste Water	Where new water supply or wastewater infrastructure is required or proposed in support of new development the development will be phased alongside the provision of the infrastructure to ensure: • Compliance with the Habitats Regulations; • That there is no deterioration of the status of water bodies which might impact adversely on Water Framework Directive requirements; and • The avoidance or mitigation of any other adverse impacts. Wherever possible measures should be implemented which would improve the water environment.	A HRA - Stage 2 Appropriate Assessment and MCZ Assessment - Stage 1 Assessment has been undertaken by the Applicant (Document reference 5.2, DCO Volume 5). Further detail is set out in section 4.2.21of the PPS. The Project has been accompanied by ES Chapter 19 Water environment, Volume I (Document reference 6.1 DCO Volume 6) which considers water environments. Water quality has been assessed in ES Appendix 19.2 WER Compliance Assessment, Volume II, (Document reference 6.2, DCO Volume 6). • HRA - Stage 2 Appropriate Assessment and MCZ - Stage 1 Assessment has been undertaken by the Applicant (Document reference 5.2, DCO Volume 5) • PPS (Document reference 5.5, DCO Volume 5) • ES Chapter 19 Water environment, Volume I (Document reference 6.1 DCO Volume 6) • ES Appendix 19.2 WER Compliance Assessment, Volume II, (Document reference 6.2, DCO Volume 6)
Policy DM11: Nature Conservation	The Council's general approach to nature conservation is to protect, conserve and enhance: • All international, national and local nature conservation designations; and networks of natural habitats and features and facilitate their adaptation to climate change wherever possible. • Assist in achieving national, county and local biodiversity targets as set out in biodiversity action plans (baps) and assist in achieving national, county and	Biodiversity and nature conservation is set out within the ENG (section 4.2.25) and Biodiversity and nature conservation (section 4.3.56) sections of the PPS (Document reference 5.5, DCO Volume 5) of the PPS (Document reference 5.5, DCO Volume 5). Additionally, the Biodiversity Gain Plan (including Habitat Management and Monitoring Plan) (Document reference 7.11, DCO Volume 7) outlines the Applicant's approach to delivering biodiversity gains which involves a combination of on-site and off-site delivery. The Project and the Order Limits have been designed to avoid ancient woodland and veteran trees as set out in the Design Approach Document (Document reference 5.12, DCO Volume 5) and the SDR

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
	local biodiversity targets as set out in biodiversity action plans (baps). • Seek a net gain of biodiversity on all development sites.	(Document reference 5.10, DCO Volume 5). The ES Appendix 13.5 AIA, Volume II (Document reference 6.2, DCO Volume 6) provides the baseline for trees within the Order Limits and sets out measures to protect trees including the installation of tree protection fencing, ground protection fencing and facilitation pruning and site supervision. Details of the methodology, desk study and field survey results for habitats, ancient woodland and veteran and notable trees are detailed in ES Appendix 8.2, Habitats, Volume II (Document reference 6.2, DCO Volume 6) and are shown spatially in ES Figures: • ES Figure 8.5 Ancient Woodland and ancient, veteran and notable trees within the desk study area, Volume III(Document reference 6.3, DCO Volume 6) • ES Figure 8.9 UK Habitat Classification for linear features and important hedgerows within the field survey area, Volume III (Document reference 6.3, DCO Volume 6) • ES Figure 8.10 National Vegetation Classification within the field survey area, Volume III (Document reference 6.3, DCO Volume 6). Trees are also covered within the 'generic impact' policies in the NPSWRI as addressed in section 4 of this PPS. • ES Appendix 13.5 AIA, Volume II (Document reference 6.2, DCO Volume 6) • PPS (Document reference 5.5, DCO Volume 5) • Biodiversity Gain Plan (including Habitat Management and Monitoring Plan) (Document reference 7.11, DCO Volume 7) ES Figure 8.4 Habitats of principal importance for conserving biodiversity within the desk study area, Volume III (Document reference 6.3, DCO Volume 6)

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		• ES Figure 8.5 Ancient Woodland and ancient, veteran and notable trees within the desk study area, Volume III(Document reference 6.3, DCO Volume 6) • ES Figure 8.9 UK Habitat Classification for linear features including important hedgerows within the field survey area, Volume III (Document reference 6.3, DCO Volume 6) • ES Figure 8.10 National Vegetation Classification within the field survey area, Volume III (Document reference 6.3, DCO Volume 6)
Policy DM12: Heritage assets	Development of a heritage asset or within its setting will be permitted provided it does not harm or detract from the significance or special interest of the asset and sustains and enhances its special character and qualities. The more important the asset, the greater the weight that should be accorded to this criterion.	• Refer to EBC Policy S8: Historic Environment response.
Policy DM13: General Development Criteria Transport	All new development must have safe and convenient access to the highway network and make provision for access to, and by, other transport modes including public transport and cycle and pedestrian routes as appropriate.	ES Chapter 18 Traffic and transport, Volume I (Document reference 6.1, DCO Volume 6) provides an assessment of the impact of traffic generation associated with the Project. • ES Chapter 18 Traffic and transport, Volume I (Document reference 6.1, DCO Volume 6)
Policy DM16: Workforce Training Requirements and New Jobs	Opportunities will be sought for the provision of workforce training opportunities and jobs for local unemployed people on major construction sites.	The economic benefits of the Project are set out in section 3 of the PPS (Document reference 5.5, DCO Volume 5) in the CftP document (CftP) (Document reference 5.6, DCO Volume 5). Further section 7 of the Outline SEP (Document reference 7.9, DCO Volume 7) highlights opportunities for local people, businesses and education providers associated with the construction of the Project. • PPS (Document reference 5.5, DCO Volume 5)

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		• CftP document (Document reference 5.6, DCO Volume 5) • Outline SEP (Document reference 7.9, DCO Volume 7)
Fareham Borough Council		
Local Plan 2037 (adopted April 2023)		
Strategic Policy DS1: Development in the Countryside	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 provides infrastructure that meets an overriding public need and/or it can demonstrate a requirement for a location outside of the urban area. In addition, proposals will need to demonstrate that they (j) Protect and enhance landscapes, sites of biodiversity or geological value and soils, and recognise the intrinsic character and beauty of the countryside.	As set out in the PPS section 3.2 (Document reference 5.5, DCO Volume 5) and in the CftP (Document reference 5.6, DCO Volume 5) the Project is critical to maintaining essential water supplies to customers whilst protecting the environment, both during drought events and normal conditions. It has the resilience and adaptability to be flexible in the future to meet other sub-regional and regional needs, including for Southern Water's Central area. Failure to deliver the Project would place continued additional pressure on an already seriously water-stressed area. There is an overriding public need for the Project. ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6), ES Appendix 13.2 Landscape and visual impact assessment methodology, Volume II (Document reference 6.2, DCO Volume 6), ES Appendix 13.3 Landscape baseline and effects, Volume III (Document reference 6.2, DCO Volume 6) and ES Appendix 13.4 Visual baseline and effects, Volume II (Document reference 6.2, DCO Volume 6) and effects demonstrate that consideration has been given to the of the character of the countryside. The Indicative Environmental Masterplan, which has been appended to the Design Approach Document (appendix C) (Document reference 5.12, DCO Volume 5) has been produced to co-ordinate and integrate BNG opportunities across the Project. • PPS (Document reference 5.5, DCO Volume 5)

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		• CftP document (Document reference 5.6, DCO Volume 5) • Design Approach Document (Document reference 5.12, DCO Volume 5) • ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6), • ES Appendix 13.2 Landscape and visual impact assessment methodology, Volume II (Document reference 6.2, DCO Volume 6) • ES Appendix 13.3 Landscape baseline and effects, Volume II (Document reference 6.2, DCO Volume 6) • ES Appendix 13.4 Visual baseline and effects, Volume II (Document reference 6.2, DCO Volume 6) • Outline CEMP (Document reference 7.1, DCO Volume 7) • Biodiversity Gain Plan (including Habitat Management and Monitoring Plan) (Document reference 7.11, DCO Volume 7)
Strategic Policy DS3: Landscape	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.	ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6) provides as assessment of landscape and visual effects during construction, operation and decommissioning. FDC's Areas of Special Landscape Quality (ASLQ) have been considered in establishing the value attached to the landscape in ES Chapter 13 Landscape and visual, paragraph 13.7 and ES Appendix 13.3, Landscape baseline and effects, Volume II (Document reference 6.2, DCO Volume 6). The Indicative Environmental Masterplan, which has been appended to the Design Approach Document (appendix C) (Document reference 5.12, DCO landscape which was prepared by landscape architects, provides details of the multi-functional environmental mitigation and enhancement measures within the framework of the landscape design.

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		• Design Approach Document (Document reference 5.12, DCO Volume 5) • ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6) • ES Appendix 13.3, Landscape baseline and effects, Volume II (Document reference 6.1, DCO Volume 6)
Strategic Policy CC1: Climate Change	The Council promotes mitigation and adaptation to climate change through adopting higher water efficiency standards to contribute to alleviating water stress and consumption across the Borough.	This Project will be alleviating water stress within the region. The ES Appendix 10.2 Climate change resilience assessment methodology, Volume II (Document reference 6.2, DCO Volume 6) which evaluates future trends in climate change impacts and the Project's vulnerability and resilience to such changes during the construction, operation and decommissioning phases has been prepared and is included within ES Chapter 10 Carbon and climate change, Volume I (Document reference 6.1, DCO Volume 6). As set out in paragraph 4.2.10 of the PPS (Document reference 5.5, DCO Volume 5) the approach to climate change mitigation has been considered throughout the development of the Project. • PPS (Document reference 5.5, DCO Volume 5) • ES Chapter 10 Carbon and climate change, Volume I (Document reference 6.1, DCO Volume 6) • ES Appendix 10.2 Climate change resilience assessment methodology, Volume II (Document reference 6.2, DCO Volume 6)
Policy CC2: Managing Flood Risk and SuDS	Planning permission will be granted where the proposal development will be safe over its lifetime, taking into account the increased risk of flooding due to climate change and without increasing flood risk elsewhere and any proposed flood protection, prevention and resilience measures address the specific	Policy CC2 has informed the approach regarding the management of flood risk and surface water drainage of the Project set out in ES Chapter 19 Water environment, Volume I (Document reference 6.1 DCO Volume 6) and ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2, DCO Volume 6). The assessment concluded that, following the application of mitigation measures embedded into the scheme design and construction-stage strategy documents, there would be no significant effects on surface and groundwater flows and flood risk.

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
	requirements of the site and are appropriate to the character and biodiversity of the area.	• ES Chapter 19 Water environment, Volume I (Document reference 6.1 DCO Volume 6) • Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2, DCO Volume 6)
Policy NE1 – Protection of Nature Conservation, Biodiversity and the Local Ecological Network	Development will be permitted where: • 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; and • Protected and priority habitats and species, including breeding and foraging areas are protected and enhanced; and • 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.	This policy has been used to inform the protected species and habitat mitigation embedded in the Project design as set out in section 4.4 of the PPS (Document reference 5.5, DCO Volume 5) and within the DPD (Document reference 5.11, DCO Volume 5). Biodiversity and nature conservation is set out within the ENG Statement (Document reference 7.12, DCO Volume 7) and Biodiversity and nature conservation (section 4.4.19) of the PPS (Document reference 5.5, DCO Volume 5) and within ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1, DCO Volume 6). This policy has also informed the practices set out in the Outline CEMP and has fed into the Indicative Environmental Masterplan, which has been appended to the Design Approach Document (appendix C) (Document reference 5.12, DCO Volume 5). • PPS (Document reference 5.5, DCO Volume 5) • DPD (Document reference 5.11, DCO Volume 5) • Design Approach Document (Document reference 5.12, DCO Volume 5) • ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1, DCO Volume 6) • Outline CEMP (Document reference 7.1, DCO Volume 7) • Biodiversity Gain Plan (including Habitat Management and Monitoring Plan) (Document reference 7.11, DCO Volume 7)
Policy NE2: BNG	The development of one or more dwelling or a new commercial/leisure building	Biodiversity and nature conservation is set out within the ENG and Biodiversity and nature conversations section 4.3.56 of the PPS

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
	should provide at least 10% net gains for biodiversity from the existing baseline value of the site and should be maintained for a minimum of 30 years.	(Document reference 5.5, DCO Volume 5). Additionally, the Biodiversity Gain Plan (including Habitat Management and Monitoring Plan) (Document reference 7.11, DCO Volume 7) outlines the Applicant's approach to delivering biodiversity gains which involves a combination of on-site and off-site delivery. • PPS (Document reference 5.5, DCO Volume 5) • Biodiversity Gain Plan (including Habitat Management and Monitoring Plan) (Document reference 7.11, DCO Volume 7)
Policy NE4: Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent	Planning permission will be granted where the integrity of the designated sites is maintained, having regard to the effect of nutrients on the designated sites arising from increased wastewater production.	Water quality is set out in PPS section 4.3.442 and is set out within ES Chapter 19 Water environment, Volume I (Document reference 6.1 DCO Volume 6). ES Chapter 19 Water environment, Volume I (Document reference 6.1 DCO Volume 6) includes an assessment of the hydrology, geomorphology, quantity and quality of surface waters (including freshwater, coastal and transitional waters). This policy has been taken into account in ES Appendix 19.7 Nutrient Assessment, Volume II (Document reference 6.2, DCO Volume 6). Results of the nutrient assessment have also been used to inform potential impacts on water quality and protected areas in ES Appendix 19.2 WER Compliance Assessment, Volume II, (Document reference 6.2, DCO Volume 6). • ES Chapter 19 Water environment, Volume I (Document reference 6.1 DCO Volume 6) • ES Appendix 19.7 Nutrient Assessment, Volume II (Document reference 6.2, DCO Volume 6) • ES Appendix 19.2 WER Compliance Assessment, Volume II, (Document reference 6.2, DCO Volume 6)

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
Policy NE6: Trees, woodland and Hedgerows	Development will be permitted which retains protected trees, hedgerows and woodland and non-protected trees, hedgerows and woodland, particularly those which have high amenity value; or where there is clear justification for their removal, provides for the suitable replacement. In either case and 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.	Details of the methodology, desk study and field survey results for habitats, ancient woodland and veteran and notable trees are detailed in ES Appendix 8.2, Habitats, Volume II (Document reference 6.2, DCO Volume 6) and are shown spatially in ES Figures: • ES Figure 8.4 Habitats of principal importance for conserving biodiversity within the desk study area, Volume III (Document reference 6.3, DCO Volume 6) • ES Figure 8.5 Ancient Woodland and ancient, veteran and notable trees within the desk study area, Volume III (Document reference 6.3, DCO Volume 6) • ES Figure 8.9 UK Habitat Classification for linear features including important hedgerows within the field survey area, Volume III (Document reference 6.3, DCO Volume 6) • ES Figure 8.10 National Vegetation Classification within the field survey area, Volume III (Document reference 6.3, DCO Volume 6) Within FBC there will be a trenched open-cut pipeline east of Crockerhill which will cross a strip of woodland resulting in permanent habitat loss. Other lines of trees will be crossed by the open-cut pipeline in two locations within Sections F and L (vegetation crossing IDs VX_F_005; and VX_L_001). These features will be reinstated following construction. As per the reinstatement strategy, large trees cannot be planted within 10m of the pipeline. However, habitat fragmentation would be mitigated by scrub planting over the pipeline. The magnitude of this impact is minor, on a feature of low value; it is considered not to be is not significant as set out in ES Chapter 8 Terrestrial and Freshwater Biodiversity, Volume I (Document reference 6.1, DCO Volume 6). • ES Chapter 8 Terrestrial and Freshwater Biodiversity, Volume I (Document reference 6.1, DCO Volume 6)

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
		• ES Appendix 8.2, Habitats, Volume II (Document reference 6.2, DCO Volume 6) • ES Figure 8.4 Habitats of principal importance for conserving biodiversity within the desk study area, Volume III (Document reference 6.3, DCO Volume 6) • ES Figure 8.5 Ancient Woodland and ancient, veteran and notable trees within the desk study area, Volume III (Document reference 6.3, DCO Volume 6) • ES Figure 8.9 UK Habitat Classification for linear features including important hedgerows within the field survey area, Volume III (Document reference 6.3, DCO Volume 6) • ES Figure 8.10 National Vegetation Classification within the field survey area, Volume III (Document reference 6.3, DCO Volume 6)
Policy NE8: Air Quality	Major development shall minimise emissions and contribute to the improvement of local air quality through the delivery and/or enhancement of Green Infrastructure. Development will be permitted where it: • Demonstrates good practice and principles of design, minimising emissions and contributing to the reduction of transport impacts on local air quality; and • Where relevant, positively contributes to the delivery of the Council's Air Quality Action Plan by mitigating any identified effects of development on air quality within (AQMAs and/or any Clean Air Zones.	The air quality section of the PPS (section 4.4) (Document reference 5.5, DCO Volume 5) sets out how the Project accords with section 4.2 of the NPSWRI, which requires applicants to minimise the emission of air pollutants as far as reasonably practicable. Primary mitigation measures specific to air quality and odour are set out in ES Chapter 6 Air quality and odour, Volume I (Document reference 6.1, DCO Volume 6) and good construction measures set out in the Outline CEMP (Document reference 7.1, DCO Volume 7). • PPS (Document reference 5.5, DCO Volume 5) • ES Chapter 6 Air quality and odour, Volume I (Document reference 6.1, DCO Volume 6) • Outline CEMP (Document reference 7.1, DCO Volume 7).

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
Policy NE9: Green Infrastructure	Major development shall minimise emissions and contribute to the improvement of local air quality through the delivery and/or enhancement of Green Infrastructure.	The delivery of green infrastructure and additional planting as set out in the Indicative Environmental Masterplan which has been appended to the Design Approach Document (appendix C) (Document reference 5.12, DCO Volume 5) will contribute towards improving air quality through the green infrastructure filtering pollutants and releasing oxygen. • Design Approach Document (DCO Ref 5.12)
Policy TIN2: Highway Safety and Road Network	Development will be permitted where: • There is no unacceptable impact on highway safety, and the residual cumulative impact on the road networks is not severe; and • The impacts on the local and strategic highway network arising from the development itself or the cumulative effects of development on the network are mitigated through a sequential approach consisting of measures that would avoid/reduce the need to travel, active travel, public transport, and provision of improvements and enhancements to the local network or contributions towards necessary or relevant off-site transport improvement schemes.	ES Chapter 18 Traffic and transport, Volume I (Document reference 6.1, DCO Volume 6) provides the assessment of the likely significant effects on traffic and transport from the construction, operation and decommissioning of the Project. Further, ES Chapter 18 considers road safety, which includes safety from a pedestrian and cycle perspective. It also provides an assessment of the impact of a temporary increase in traffic associated with construction activities. The assessment of effects contained within ES Chapter 18 is underpinned by a series of management plans, including the Framework CTMP air (Document reference 7.2, DCO Volume 7) (FCTMP) which provide an overview of the signage strategy associated with the Project. • ES Chapter 18 Traffic and transport, Volume I (Document reference 6.1, DCO Volume 6) • Framework CTMP (including Framework Construction Worker Travel Plan) (Document reference 7.2, DCO Volume 7)
Policy D1: High Quality Design and Place Making	Development proposals and spaces will be of high quality, based on the principles of urban design and sustainability to ensure the creation of well designed, beautiful and safe quality places. Development proposals will be permitted where compliance with the following key	The approach to delivering 'good design' is set out in detail in the Design Approach Document (Document reference 5.12, DCO Volume 5) and the SDR (Document reference 5.10, DCO Volume 5) with mitigation measures secured through the DPD (Document reference 5.11, DCO Volume 5) and the Outline Landscape and Ecology Management Plan (Document reference 7.5, DCO Volume 7).

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
	characteristics of high quality design, has been demonstrated: • Context - where proposals appropriately respond to the positive elements of local character, ecology, history, culture and heritage; and • Identity - where proposals create places that are attractive, memorable, distinctive and of strong character; and • Nature - where proposals positively integrate existing and new habitats and biodiversity within a coherent and well managed, connected structure; and • Lifespan - where proposals are designed and constructed to create enduring high-quality buildings, spaces and places that are attractive and functional.	The Project design has been supported by a range of documentation as set out in the Guide to the Application (Document reference 1.3, DCO Volume 1) which has provided context in terms of cultural heritage, ecology and landscape. • Design Approach Document (Document reference 5.12, DCO Volume 5) • SDR (Document reference 5.10, DCO Volume 5) • DPD (Document reference 5.11, DCO Volume 5) • Outline Landscape and Ecology Management Plan (Document reference 7.5, DCO Volume 7) • ES Chapter 7 Archaeology and cultural heritage, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6)
Policy D2: Ensuring Good Environmental Conditions	Development proposals, including changes of use, will be permitted where they do not have an unacceptable adverse impact on the environmental conditions of future users.	The Statutory Nuisance Statement (Document reference 5.3, DCO Volume 5) in section 2 concludes that with the implementation of mitigation measures set out in the Outline CEMP (Document reference 7.1, DCO Volume 7) and OEMP (Document reference 7.7, DCO Volume 7), statutory nuisances are not anticipated during construction, operation or maintenance of the project. The air quality section of the PPS (section 4.4) (Document reference 5.5, DCO Volume 5) sets out how the Project accords with section 4.2 of the NPSWRI, which requires applicants to minimise the emission of air pollutants as far as reasonably practicable. Primary mitigation measures specific to air quality and odour are set out in ES Chapter 6 Air quality and odour Volume I (Document reference 6.1, DCO Volume 6) and good

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		construction measures set out in the outline CEMP (Outline CEMP) (Document reference 7.1, DCO Volume 7). ES Chapter 19 Water environment, Volume I (Document reference 6.1 DCO Volume 6) includes an assessment of the hydrology, geomorphology, quantity and quality of surface waters (including freshwater, coastal and transitional waters). ES Appendix 19.2 WER Compliance Assessment, Volume II, (Document reference 6.2, DCO Volume 6) has been produced to confirm how the Project accords with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017, which implement the Water Framework Directive in England, and aims to protect and enhance the quality of water resources. Noise and vibration impacts are contained within ES Chapter 15 Noise and vibration Volume I (Document reference 6.1, DCO Volume 6) and how the Project accords with the NPSWRI is set out in section 4.3 of the PPS. Lighting and lighting impacts is covered within section 4.4 of the PPS. Construction lighting design and operational lighting design will follow good practice and will be secured within the section 4.7 of the Outline CEMP (Document reference 7.1, DCO Volume 7). ES Chapter 17-Socio-economics, tourism and health, Volume I (Document reference 6.1, DCO Volume 6) in section 17.8 includes an assessment of neighbourhood amenity and ES Chapter 12 Land use and agriculture, Volume I (Document reference 6.1, DCO Volume 6) section 12.8, considers amenity effects for residential properties, commercial properties and land, and community land and facilities.

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		ES Chapter 11 Land quality and ground conditions, volume I (Document reference 6.1, DCO Volume 6), provides details of potential sources of contamination based on historical and current land uses. Additionally, ES Chapter 11 considers ground conditions, designated environmental sites, underlying geological and hydrogeological conditions and how these may interact or be impacted by potential sources of ground contamination. Chapter 11 also considers the effects arising from the ground conditions and how likkly these are to have an effect on human health, controlled waters (surface waters and hydrogeology) and designated sites (ecological and geological). • PPS (Document reference 5.5, DCO Volume 5) • ES Chapter 6 Air quality and odour, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 11 Land quality and ground conditions, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 12 Land use and agriculture, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 15 Noise and vibration, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 17-Socio-economics, tourism and health, volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 19 Water environment, Volume I (Document reference 6.1 DCO Volume 6) • ES Appendix 19.2 WER Compliance Assessment, Volume II, (Document reference 6.2, DCO Volume 6) • Outline CEMP (Document reference 7.1, DCO Volume 7) • OEMP (Document reference 7.7, DCO Volume 7)

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		• Statutory Nuisance Statement (Document reference 5.3, DCO Volume 5)
Policy D4: Water Quality and Resources	The Council together with its partners will seek to improve water quality and manage the use of water resources by ensuring development proposals provide for the satisfactory supply and disposal of surface and wastewater. Development proposals must not be detrimental to the management and protection of river, coastal and groundwater (including Source Protection Zones). Opportunities to enhance these resources in line with the Water Framework Directive (WFD) objectives will be supported.	ES Chapter 19 Water environment, Volume I (Document reference 6.1 DCO Volume 6) includes an assessment of the hydrology, geomorphology, quantity and quality of surface waters (including freshwater, coastal and transitional waters). Appendix 19.2 ES Appendix 19.2WER, Volume II (WER) Compliance Assessment (Document reference 6.2, DCO Volume 6) provides a detailed assessment of potential impacts of the Project on surface and groundwater bodies. • ES Chapter 19 Water environment, Volume I (Document reference 6.1 DCO Volume 6) • ES Appendix 19.2 WER Compliance Assessment, Volume II, (Document reference 6.2, DCO Volume 6)
Strategic Policy HE1: Historic Environment and Heritage Assets	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.	Within FBC there will be some potential effects on archaeology (medieval period) however with secondary mitigation that the magnitude of impact and significance of effect of direct physical effects to non-designated archaeological remains can be reduced or offset to a residual non-significant effect in EIA terms (i.e. anticipated to be no worse than a minor adverse significance of effect).Secondary mitigation would comprise the application of an agreed scheme of archaeological investigation aimed at providing mitigation of the loss of archaeological information and secured in the Proposed Development Outline WSI (Document reference 7.6, DCO Volume 7). With the application of secondary mitigation through investigation and recording, it is anticipated that the magnitude of impact and significance of effect of direct physical effects to non-designated archaeological remains can be reduced or
Policy HE3: Listed Buildings and Structures and/or their Settings	Where a development would affect a listed building/structure and/or its setting, proposals should preserve or enhance any features of special architectural or historic interest they possess, proposals must demonstrate sufficient understanding of and respond to the historic environment.	

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Policy HE4: Archaeology	Development which would result in harm to the significance of a Scheduled Monument or other nationally important archaeological site will not be permitted unless the tests set out in the NPPF are met. Applications for development on sites where archaeological remains may be present must be accompanied by an initial desk-based assessment of the archaeological value in the site. Where that initial assessment indicates that significant archaeological remains are or may be present, an archaeological field evaluation will be required.	offset to a residual non-significant effect in EIA terms (i.e. anticipated to be no worse than a minor adverse significance of effect). Section 4 of the PPS (Document reference 5.5, DCO Volume 5) provides a summary of how the Project has considered the historic environment and accords with the provisions of the NPSWRI. ES Chapter 7 Archaeology and cultural heritage, volume I (Document reference 6.1, DCO Volume 6) provides the assessment of the likely significant effects on archaeology and cultural heritage from the construction, operation and decommissioning of the Project. The assessment within S Chapter 7 Archaeology and cultural heritage, includes the following heritage assets in FBC (note not an exhaustive list): • House at Saw Mills (Pink and Company Limited) (grade II listed building) • Albany Farm • PPS (Document reference 5.5, DCO Volume 5) • ES Chapter 7 Archaeology and cultural heritage, Volume I (Document reference 6.1, DCO Volume 6) • ES Appendix 7.1 Historic environment baseline study, Volume II (Document reference 6.2, DCO Volume 6) • ES Appendix 7.2 Historic environment gazetteer Part A and Part B, Volume II (Document reference 6.2, DCO Volume 6) • ES Appendix 7.3 Detailed gradiometer survey report - Phase 1, Volume II (Document reference 6.2, DCO Volume 6) • ES Appendix 7.4 Geoarchaeological desk-based assessment and landscape characterisation, Volume II (Document reference 6.2, DCO Volume 6)

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
		• ES Appendix 7.5 Geoarchaeological monitoring reporting, Volume II (Document reference 6.2, DCO Volume 6) • ES Appendix 7.6 Heritage assets settings scoping appraisal, Volume II (Document reference 6.2, DCO Volume 6) • ES Appendix 7.7 Heritage assets setting assessment, Volume II (Document reference 6.2, DCO Volume 6) • ES Appendix 7.8 Detailed gradiometer survey report - Phase 2, Volume II (Document reference 6.2, DCO Volume 6) • ES Appendix 7.9 Trial trenching report, Volume II (Document reference 6.2, DCO Volume 6) • ES Appendix 7.10 World War II Crash Site Pigeon House Farm Technical Note and geophysical survey report, Volume II (Document reference 6.2, DCO Volume 6) • Proposed Development Outline WSI (Document reference 7.6, DCO Volume 7)
Local Plan Part 3 Policy WEL2: High Level Development Principles	The new development through its location, layout, housing and employment offers, transport links and social, economic and environmental aspects will form a functional part of Fareham and the wider South Hampshire area. The layout will create a connected network of Strategic Green Infrastructure, open spaces and recreational facilities that respects and enhances the landscape qualities of the area and meets the needs of the new community; and avoids or mitigates the potential ecological impacts of the development, and provides a net gain in	The Project would pass near to the site of the Welborne Garden Village, north of Fareham. The Project has also avoided locating the Pipeline in close proximity to residential areas. There is one small area of overlap with the Welborne Garden Village site, around the proposed site of the temporary construction compound to support the construction of Immediate Pumping Station (IPS)-F. None of the permanent infrastructure associated with the Project intersects with the development as shown on the Works Plans (Document reference 2.3, DCO Volume 2). Works Plans (Document reference 2.3, DCO Volume 2)

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	biodiversity in the area (particularly with regards to priority habitats and species).	
Local Plan Part 3 Policy WEL4: Comprehensive Approach	The development of Welborne shall be taken forward on a comprehensive basis to reflect the phasing and delivery guidelines set out within the Welborne Plan and in accordance with the principles of the Strategic Framework Diagram. The promoting landowners will jointly prepare a Structuring Plan which sets out the disposition of the mainland-uses and location of key items of infrastructure across the Welborne site as a whole.	Refer to FDC Policy WEL2: High Level Development Principles response above.
Havant Borough Council		
Havant Borough Council Core Strategy (2011) (adopted March 2011)		
Policy CS2: Employment	Safeguard existing employment sites and allocations that are fit for purpose from development proposals for non-employment uses. Provide jobs, generate wealth or produce an economic output on existing employment sites that are not fit for current purpose.	A full discussion of this policy is set out within section 6.5 of the PPS (Document reference 5.5, DCO Volume 5. • PPS (Document reference 5.5, DCO Volume 5
Policy CS3: Skills and employability	Planning permission will be granted for development proposals that: Prioritise the use of previously developed land for the provision of new employment floorspace. Promote local employment and training initiatives on new employment sites particularly with regard to construction skills.	The Project is proposing to utilise site BD11 which is allocated for employment use. However, the Project would not deliver the type of employment use envisaged however the principle of use would not be incompatible with the use identified in the Allocation document. Further discussion on this issue is set out in section 6.4 of the PPS (Document reference 5.5, DCO Volume 5. The economic benefits of the Project are set out in section 3 of the PPS (Document reference 5.5, DCO Volume 5) in the CftP document (CftP)

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		(Document reference 5.6, DCO Volume 5). Further the Outline SEP (Document reference 7.9, DCO Volume 7) highlights opportunities for local people, businesses and education providers associated with the construction of the Project. • PPS (Document reference 5.5, DCO Volume 5 • CftP (Document reference 5.6, DCO Volume 5) • Outline SEP (Document reference 7.9, DCO Volume 7)
CS7 Community Support and Inclusion	Planning permission will be granted for development that has been informed and shaped by community and local stakeholder involvement in accordance with the Statement of Community Involvement.	There has been extensive community engagement with HBC, with the neighbouring local planning authorities, key stakeholders for example, NE and Historic England and the wider community as set out in the Consultation Report (Document reference 5.1, DCO Volume 5). Consultations were in: • Summer 2024 (29 May-23 July 2024 • Spring 2025 (5 March-4 April 2025) • Autumn 2025 (targeted consultation) (10 September-8 October 2025) • Consultation Report (Document reference 5.1, DCO Volume 5)
Policy CS8: Community Safety	Planning permission will be granted for development proposals that engrain community safety into the development process from the beginning.	Safety is considered within the 'Safety' section 4.3 of the PPS (Document reference 5.5, DCO Volume 5) and accords with the provisions of the NPSWRI. • PPS (Document reference 5.5, DCO Volume 5)
Policy CS11: Protecting and Enhancing the Special Environment and Heritage	Planning permission will be granted for development that: • 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	This policy is relevant to the landscape and visual context of the WRP site, Budds Farm WTW, and Bedhampton Springs. These policies, along with the Havant Borough Townscape, Landscape and Seascape Character Assessment, have been considered in establishing the landscape baseline in ES Chapter 7 Archaeology and Cultural Heritage, Volume I (Document reference 6.1, DCO Volume 6) (section 13.7).

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	developers, groups and the wider community. • Protects and where possible enhances the borough's statutory and non-statutory designated landscape, habitats and features of biological, hydrological or geological interest. • Has particular regard to the following hierarchy of nature conservation designations Protects and where appropriate enhances the borough's statutory and non-statutory heritage designations. • Protects the best and most versatile agricultural land that has the greatest potential for local food security.	Effects on Old Bedhampton Conservation Area have been considered in line with the conservation area appraisal in ES Chapter 7 Archaeology and Cultural Heritage, Volume I (Document reference 6.1, DCO Volume 6) section 7.8. Section 7.8 sets out that *"visible construction activity would alter the character of this part of the Old Bedhampton Conservation Area, although the relatively limited extent of the conservation area affected and the proximity of the works to the operational railway and waterworks would limit the magnitude of any adverse effect."* Additionally, there would be permanent physical change to the Old Bedhampton Conservation Area due to the requirement for an above ground section of pipeline and a pipebridge over Old Mill Dam which falls within the Conservation Area, albeit in a small peripheral element, away from its historic core and adjacent to the modern railway and extant waterworks. Section 7.8 concludes that *"This would be a moderate adverse effect which would be significant in the context of the EIA Regulations. This would comprise a limited magnitude of less than substantial harm to the significance of the heritage asset in the context of NPSWRI. This effect would be largely reduced on completion of construction works due to the existing topography of the Conservation Area and existing mature planting which provides screening. "* ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6) provides as assessment of landscape and visual effects during construction, operation and decommissioning. FDC's Areas of Special Landscape Quality has been considered in establishing the value attached to the landscape in ES Chapter 13 Landscape and visual, paragraph 13.7 and ES Appendix 13.3, Landscape baseline and effects, Volume II (Document reference 6.2, DCO Volume 6). The Indicative Environmental Masterplan, which has been appended to the Design Approach Document (Document reference 5.12, DCO Volume 5) which was prepared by landscape architects, provides details

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		of the multi-functional environmental mitigation and enhancement measures within the framework of the landscape design. Biodiversity and nature conservation is set out within the ENG and Biodiversity and nature conservation sections 4.3.26 and 4.4.19 of the PPS (Document reference 5.5, DCO Volume 5). Additionally, the Biodiversity Gain Plan (including Habitat Management and Monitoring Plan) (Document reference 7.11, DCO Volume 7) outlines the Applicant's approach to delivering biodiversity gains which involves a combination of on-site and off-site delivery. Best and most versatile agricultural land is considered within section 12.5 of ES Chapter 12 Land use and agriculture, Volume I (Document reference 6.1 DCO Volume 6). • PPS (Document reference 5.5, DCO Volume 5) • Design Approach Document (DCO Ref 5.12) • ES Chapter 7 Archaeology and Cultural Heritage, Volume I (Document reference 6.1 DCO Volume 6) • ES Appendix 7.1 Historic environment baseline study, Volume II (Document reference 6.2, DCO Volume 6) • ES Appendix 7.2 Historic environment gazetteer Part A and Part B, Volume II (Document reference 6.2, DCO Volume 6) • ES Appendix 7.3 Detailed gradiometer survey report - Phase 1, Volume II (Document reference 6.2, DCO Volume 6) • ES Appendix 7.4 Geoarchaeological desk-based assessment and landscape characterisation, Volume II (Document reference 6.2, DCO Volume 6) • ES Appendix 7.5 Geoarchaeological monitoring reporting, Volume II (Document reference 6.2, DCO Volume 6)

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
		• ES Appendix 7.6 Heritage assets settings scoping appraisal, Volume II (Document reference 6.2, DCO Volume 6) • ES Appendix 7.7 Heritage assets setting assessment, Volume II (Document reference 6.2, DCO Volume 6) • ES Appendix 7.8 Detailed gradiometer survey report - Phase 2, Volume II (Document reference 6.2, DCO Volume 6) • ES Appendix 7.9 Trial trenching report, Volume II (Document reference 6.2, DCO Volume 6) • ES Appendix 7.10 World War II Crash Site Pigeon House Farm Technical Note and geophysical survey report, Volume II (Document reference 6.2, DCO Volume 6) • Proposed Development Outline WSI (Document reference 7.6, DCO Volume 7) • ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6) • ES Appendix 13.3, Landscape baseline and effects, Volume II (Document reference 6.2, DCO Volume 6) • Outline CEMP (Document reference 7.1 DCO Volume 7) • Biodiversity Gain Plan (including Habitat Management and Monitoring Plan) (Document reference 7.11, DCO Volume 7)
Policy CS12: Chichester Harbour AONB	Development will be permitted where it carefully assesses the impact of individual proposals, and their cumulative effect, on the Chichester Harbour AONB, and its setting.	Chichester Harbour National Landscape lies in the east of the LVIA study area, beyond the Order Limits. Although the Project 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, Volume II (Document reference 6.2, DCO Volume 6) in section 3.7 ES Appendix 13.3 Landscape baseline and effects, Volume II (Document

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
		reference 6.2, DCO Volume 6), ES Appendix 13.4 Visual baseline and effects, Volume II (Document reference 6.2, DCO Volume 6) • ES Appendix 13.2 Landscape and visual impact assessment methodology, volume II (Document reference 6.2, DCO Volume 6) • ES Appendix 13.3 Landscape baseline and effects, volume II (Document reference 6.2, DCO Volume 6) • ES Appendix 13.4 Visual baseline and effects, Volume II (Document reference 6.2, DCO Volume 6)
Policy CS13: Green Infrastructure	Development will be permitted that creates, where appropriate, new green infrastructure (including access management measures) either through on-site provision or financial contributions.	Opportunities to reinforce and enhance the green infrastructure network, including access to the public right of way network, have been considered in the development of the Indicative Environmental Masterplan, which has been appended to the Design Approach Document (Document reference 5.12, DCO Volume 5). • Design Approach Document (DCO Ref 5.12).
Policy CS14: Efficient Use of Resources	Major areas of development must ensure that their on-site resource efficiency is maximised.	This has been addressed through measures included in Table 5-1 Environmental measures to be adopted during construction of the Outline CEMP (Document reference 7.1, DCO Volume 7) for the Project, and effects would be further mitigated through additional measures proposed in a SWMP which would be developed once a contractor has been appointed. Further, the ES Appendix 10.2 Climate change resilience assessment methodology, Volume II (Document reference 6.2, DCO Volume 6) which evaluates future trends in climate change impacts and the Project's vulnerability and resilience to such changes during the construction, operation and decommissioning phases has been prepared and is included within ES Chapter 10 Carbon and climate change, Volume I (Document reference 6.1, DCO Volume 6). As set out in paragraph 4.3 of the PPS (Document reference 5.5, DCO Volume 5) the approach to

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		climate change mitigation has been considered throughout the development of the Project. • PPS (Document reference 5.5, DCO Volume 5) • ES Chapter 10 Carbon and climate change, Volume I (Document reference 6.1, DCO Volume 6) • ES Appendix 10.2 Climate change resilience assessment methodology, Volume II (Document reference 6.2, DCO Volume 6) • Outline CEMP (Document reference 7.1, DCO Volume 7)
Policy CS15: Flood Risk and Coastal Erosion	Development in areas at risk of flooding now and in the future as identified on the latest EA flood risk maps and Strategic Flood Risk Assessment climate change maps will only be permitted where it meets the sequential and exception test (where required). A site-specific flood risk assessment demonstrates that the development will be safe, including the access, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall. The scheme incorporates flood protection; flood resilience and resistance measures appropriate to the character and biodiversity of the area and the specific requirements of the site. Appropriate flood warning and evacuation plans are in place.	As set out in the Flood Risk section of the PPS (Document reference 5.5, DCO Volume 5), parts of the Project fall within flood zones 2 and 3. An FRA has been prepared as part of the DCO application. The impacts of the Project on surface and groundwater flows and flood risk are assessed in section 19.8 of ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6), also refer to ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2, DCO Volume 6). The assessment concluded that, following the application of mitigation measures embedded into the scheme design and construction-stage strategy documents, there would be no significant effects on surface and groundwater flows and flood risk. • PPS (Document reference 5.5, DCO Volume 5) • ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6) • ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2, DCO Volume 6)
Policy CS16: High Quality Design	Planning permission will be granted for development that is designed to a high standard. Development should integrate with existing local landscape features,	The design approach for the Project has taken local character into account from an early stage, from the avoidance criteria adopted for site and route selection through to the preliminary Design Principles (Document reference 5.11, DCO Volume 5), (PDP 9 for example

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
	promotes wildlife and biodiversity and/or applies characteristics of the local area into the design of a scheme wherever possible. Development should be 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 the development does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking.	required design to "*Recognise and respect local landscape, heritage and recreational character and values and adopt a landscape-scale approach to design to maximise integration*"). ES Chapter 17 Socio-economics, tourism and health, Volume I (Document reference 6.1, DCO Volume 6) in section 17.8 includes an assessment of neighbourhood amenity and ES Chapter 12 Land use and agriculture, Volume I (Document reference 6.1, DCO Volume 6) in section 12.8 considers amenity effects for residential properties, commercial properties and land, and community land and facilities. • DPD (Document reference 5.11, DCO Volume 5) • ES Chapter 12 Land use and agriculture, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 17 Socio-economics, tourism and health, Volume I (Document reference 6.1, DCO Volume 6)
Policy CS19: Effective Provision of Infrastructure	Development will be permitted where: • It ensures that it makes the most effective use of existing infrastructure, including opportunities for co-location of facilities. • It ensures that if there is a proven need for additional infrastructure, a programme of delivery has been agreed with the relevant infrastructure provider that coordinates contributions from the development with other investment streams before development begins. • A programme of delivery of improved or new infrastructure needs to be	Although outside of HBC's local authority boundary, the Project has sought to make the most effective use of existing infrastructure, including opportunities for co-location of facilities, for example, through storing water at Havant Thicket Reservoir. As set out in section 3 of the PPS (Document reference 5.5, DCO Volume 5), there is a critical and urgent need to build resilience in the water sector to address pressures on water supplies" in an area which is classified by the EA as being 'seriously water stressed. The Project has progressed through a process which has considered alternative strategic water resource infrastructure solutions as well as different configurations of these solutions. The solutions progressed through a number of stages of detailed review considering a range of technical, environmental, planning, social and economic criteria to determine the location of the project and the pipeline route as set out in ES Chapter 4 Consideration

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
	agreed; the nature, scale and phasing of any infrastructure will be commensurate with the form of the development and its potential impact upon the surrounding area. • A programme of delivery of improved or new infrastructure is agreed so that the facilities being provided are accessible by a range of transport modes and meet the needs of the borough's community. • It ensures that new infrastructure supports the local economy. • It ensures that decisions on the provision of infrastructure are taken on the basis of whole-life costing. • It safeguards the requirements of infrastructure providers, in particular relating to bus corridor enhancements, telecommunications equipment (particularly high speed broadband), electricity power lines, high pressure gas mains, educational facilities, particularly those due for improvement under Building Schools for the Future, health facilities at Oak Park*, flood protection measures, aquifer protection areas, a winter storage reservoir at Havant Thicket*, additional water treatment infrastructure at Kingscroft Farm* and Bedhampton Springs* in	of alternatives, Volume I (Document reference 6.1, DCO Volume 6) and in the SDR (Document reference 5.10, DCO Volume 5). The CFtP document (Document reference 5.6, DCO Volume 5) provides details of the Project benefits and legacy in section 4 and the benefits to the wider economy. As set out within the ES documents I, II, III (Document reference 6.1, DCO Volume 6), (Document reference 6.2, DCO Volume 6) and (Document reference 6.3, DCO Volume 6) there have been assessments of the potential impact of the Project. • PPS (Document reference 5.5, DCO Volume 5) • CftP (Document reference 5.6, DCO Volume 5) • SDR (Document reference 5.10, DCO Volume 5). • ES Chapter 4 Consideration of alternatives, Volume I (Document reference 6.1, DCO Volume 6)

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
	Bedhampton and WTW at Budds Farm*. • It does not result in the loss of flood protection, education, health, social and other publicly-provided community buildings, structures or services, except where it is part of a service provider's plans to provide improved local services in equally accessible locations.	
Policy CS20: Transport and Access Strategy	Development will be permitted that does not increase congestion and promotes better use of existing transport networks. Development should provide transport management measures to ensure the safe and efficient operation of the strategic and local road network.	ES Chapter 18 Traffic and transport, Volume I (Document reference 6.1, DCO Volume 6) in section 18.8 provides the assessment of the likely significant effects on traffic and transport from the construction, operation and decommissioning of the Project. Further, ES Chapter 18 in section 18.5 considers road safety, which includes safety from a pedestrian and cycle perspective. It also provides an assessment of the impact of a temporary increase in traffic associated with construction activities. The assessment of effects contained within ES Chapter 18 are underpinned by a series of management plans, including the Framework CTMP (Document reference 7.2, DCO Volume 7) which provide an overview of the signage strategy associated with the Project. • ES Chapter 18 Traffic and transport, Volume I (Document reference 6.1, DCO Volume 6) • Framework CTMP (including Framework Construction Worker Travel Plan) (Document reference 7.2, DCO Volume 7)
Policy CS21: Developer Requirements	Where new or improved infrastructure is essential for planning permission to be granted the council will require the on-site or off-site provision and/or contributions through planning obligations, agreements or tariffs in accordance with the relevant	The CFtP (Document reference 5.6, DCO Volume 5) document provides details of the Project benefits and legacy in section 4. The Project benefits are placed into three categories:

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	legislation for off-site provision. The need for contributions will depend on information and advice from infrastructure providers on the expected impacts of the development on all the infrastructure types.	• Wider Benefits: Benefits intrinsic to the Project itself. For example, the benefits the Project will deliver in terms of providing water security and protecting chalk streams. • Project-Specific Benefits: Benefits secured through the DCO, for example training schemes and apprenticeships set out in the Outline SEP (Document reference 7.9, DCO Volume 7). Also, enhancements (secured by the DCO) that provide additional local benefits beyond simply offsetting project impacts. • Additional Benefits: Benefits committed to by the Applicant but not secured in the DCO. For example, provision of community funds and social value commitments such as creating volunteering opportunities etc. • CftP (Document reference 5.6, DCO Volume 5) • Outline SEP (Document reference 7.9, DCO Volume 7)
Policy DM6: Coordination of Development	Proposals will only be permitted where they do not undermine the future development potential of adjacent sites.	Policy DM6 has been considered in developing the methodology and approach for section 12.5 of ES Chapter 12 Land Use and Agriculture Assessment, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 12 Land Use and Agriculture Assessment, Volume I (Document reference 6.1, DCO Volume 6)
Policy DM8: Conservation Protection and Enhancement of Existing Natural Features	Development will only be permitted where it protects and enhances local habitats and landscape distinctiveness and which protects natural features of nature conservation and/or amenity importance on the site, for example trees, woodlands, hedgerows, soils, streams, stream corridors, springs, ditches or ponds from damage, destruction and a deterioration in quality. Where development provide new landscape works that integrate successfully with the local environment	Biodiversity and nature conservation considerations are set out within the ENG section 4.2.26 and Biodiversity and nature conservations section 4.4.19 of the PPS (Document reference 5.5, DCO Volume 5). Additionally, the Biodiversity Gain Plan (including Habitat Management and Monitoring Plan) (Document reference 7.11, DCO Volume 7) outlines the Applicant's approach to delivering biodiversity gains which involves a combination of on-site and off-site delivery. Opportunities to reinforce and enhance the green infrastructure network, including access to the public right of way network, have been considered in the development of the Indicative Environmental

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	and existing natural features, using local materials and plant species and making provision for future maintenance of new landscape works associated with new developments.	Masterplan which has been appended to the Design Approach Document (appendix C) (Document reference 5.12, DCO Volume 5). • PPS (Document reference 5.5, DCO Volume 5) • Biodiversity Gain Plan (including Habitat Management and Monitoring Plan) (Document reference 7.11, DCO Volume 7) • Design Approach Document (Document reference 5.12, DCO Volume 5)
Policy DM9: Development in the Coastal Zone	Planning permission will only be granted for development in the coastal zone which contributes positively to the landscape and has regard to best practice on the design of new buildings in coastal locations.	This policy has informed the DPD (Document reference 5.11, DCO Volume 5) for the Project and fed into the mitigation and enhancement presented in the ES, and the Biodiversity Gain Plan (including Habitat Management and Monitoring Plan) (Document reference 7.11, DCO Volume 7) to seek no harmful effects on nature conservation within the Chichester and Langstone Harbours Special Protection Area (SPA) and Ramsar site, Solent Maritime SAC, Langstone Harbour Site of Special Scientific Interest (SSSI), or any Sites of Importance for Nature Conservation (SINC) or Local Nature Reserves (LNRs). • DPD (Document reference 5.11, DCO Volume 5) • Biodiversity Gain Plan (including Habitat Management and Monitoring Plan) (Document reference 7.11, DCO Volume 7)
Policy DM10: Pollution	Development that may cause pollution of water, air or soil or pollution through noise, smell, smoke, fumes, gases, steam, dust, vibration, light, heat, electromagnetic radiation and other pollutants will only be permitted where all of the following relevant criteria can be met: • The health and safety of existing and future users of the site, or nearby occupiers and residents is not put at risk.	The Statutory Nuisance Statement (Document reference 5.3, DCO Volume 5) in section 2 concludes that with the implementation of mitigation measures set out in section 2 of the Outline CEMP (Document reference 7.1, DCO Volume 7) and OEMP (Document reference 7.7, DCO Volume 7), statutory nuisances are not anticipated during construction, operation or maintenance of the project. ES Chapter 19 Water environment, Volume I (Document reference 6.1 DCO Volume 6) includes an assessment of the hydrology,

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	• National air quality standards or objectives would not be breached. • The water environment would not be detrimentally affected. • It would not lead to an unacceptable deterioration in the quality or potential yield of coastal, surface and ground water resources. • External lighting is of the minimum level of illumination and duration required for security and operational purposes. • External lighting would not interfere with safe navigation in either Chichester or Langstone Harbours and other coastal locations.	geomorphology, quantity and quality of surface waters (including freshwater, coastal and transitional waters). ES Appendix 19.2 WER Compliance Assessment, Volume II, (Document reference 6.2, DCO Volume 6) has been produced to confirm how the Project accords with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017, which implement the Water Framework Directive in England, and aims to protect and enhance the quality of water resources. ES Chapter 17 Socio-economics, tourism and health Volume I (Document reference 6.1, DCO Volume 6) in section 17.8 includes an assessment of neighbourhood amenity and ES Chapter 12 Land use and agriculture, Volume I (Document reference 6.1, DCO Volume 6) in section 12.8 considers amenity effects for residential properties, commercial properties and land, and community land and facilities. The air quality section of the PPS (section 4.4) (Document reference 5.5, DCO Volume 5) sets out how the Project accords with section 4.2 of the NPSWRI, which requires applicants to minimise the emission of air pollutants as far as reasonably practicable. Primary mitigation measures specific to air quality and odour are set out in section 6.4 ES Chapter 6 Air quality and odour, Volume I (Document reference 6.1, DCO Volume 6) and good construction measures set out in the Outline CEMP (Document reference 7.1, DCO Volume 7). ES Chapter 11 Land quality and ground conditions, Volume I (Document reference 6, DCO Volume 6) in section 11.7 provides details of potential sources of contamination based on historical and current land uses. Additionally, ES Chapter 11 considers ground conditions, designated environmental sites, underlying geological and hydrogeological conditions and how these may interact or be impacted by potential

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		sources of ground contamination. Chapter 11 in section 11.8 also considers the effects arising from the ground conditions and how likely these are to have an effect on human health, controlled waters (surface waters and hydrogeology) and designated sites (ecological and geological). Lighting and lighting impacts is covered within section 4.4 of the PPS. Construction lighting design and operational lighting design will follow good practice and will be secured within the section 4.7 of the Outline CEMP (Document reference 7.1, DCO Volume 7). • Statutory Nuisance Statement (Document reference 5.3, DCO Volume 5) • PPS (Document reference 5.5, DCO Volume 5) • ES Chapter 6 Air quality and odour, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 11 Land quality and ground conditions, volume I (Document reference 6, DCO Volume 6) • ES Chapter 12 Land use and agriculture, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 17 Socioeconomic, Tourism and Health, Volume I (Document reference 6.1, DCO Volume 6) • Outline CEMP (Outline CEMP) (Document reference 7.1, DCO Volume 7) • OEMP (Document reference 7.7, DCO Volume 7)
Policy DM12: Mitigating the Impacts of Travel	New developments will be required to mitigate their travel impact, including the environmental impacts of travel (such as noise, air and visual pollution) and impacts on amenity, health and climate change.	ES Chapter 18 Traffic and transport, Volume I (Document reference 6.1, DCO Volume 6) in section 18.8 provides the assessment of the likely significant effects on traffic and transport from the construction, operation and decommissioning of the Project. Additionally, the following ES

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		chapters consider the environmental impacts of the Project in terms of travel: Traffic noise is set out within section 15.5 of the ES Chapter 15 Noise and vibration, Volume I (Document reference 6.1, DCO Volume 6) and within Table 15-17 (Traffic noise magnitude at receptors) and Table 15-41 (Summary of residual effects). Primary mitigation measures specific to air quality and odour are set out in section 6.4 of the ES Chapter 6 Air quality and odour, Volume I (Document reference 6.1, DCO Volume 6) and good construction measures set out in the outline CEMP (Document reference 7.1, DCO Volume 7). The SDR (Document reference 5.10, DCO Volume 5) and the DPD (Document reference 5.11, DCO Volume 5) set out the scheme design and evolution and the principles which guided the proposed Project design. Further ES Chapter 13 Landscape and visual (Document reference 6.1, DCO Volume 6) in section 13.8 summarises the results of the Landscape and Visual Impact Assessment (LVIA), which addresses the likely significant landscape and visual effects of the construction, operation and decommissioning of the Project. ES Chapter 17 Socio-economics, tourism and health, Volume I (Document reference 6.1, DCO Volume 6) in section 17.8 includes an assessment of neighbourhood amenity and health, in terms of accessibility and active travel. Reducing the impacts of travel, and are considered in the carbon assessment presented in section 1.8 of ES Chapter 10 Carbon and climate change, volume I (Document reference 6.1, DCO Volume 6) • The SDR (Document reference 5.10, DCO Volume 5) • DPD (Document reference 5.11, DCO Volume 5)

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		• ES Chapter 6 Air quality and odour, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 10 Carbon and climate change, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 13 Landscape and visual, volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 15 Noise and vibration, Volume I Document reference 6.1, DCO Volume 6) • ES Chapter 17 Socio-economics, tourism and health, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 18 Traffic and transport, Volume I (Document reference 6.1, DCO Volume 6) • Outline CEMP (Outline CEMP) (Document reference 7.1, DCO Volume 7)
Havant Borough Council Local Plans (Allocations) (adopted July 2014)		
Policy HB2: Havant and Bedhampton Employment Allocations	The following sites are allocated for employment development: • Ref: BD11 • Location/Address: Brockhampton West • Site Area: 9.41 ha • Floorspace: 23,400 sq m	This policy response is discussed and the regard given to the policy is set out in section 6.4 of the PPS. • PPS (Document reference 5.5, DCO Volume 5)
Policy AL2: Urban Area Boundaries and Undeveloped Gaps Between Settlements	The Borough's undeveloped gaps will be protected from development except if it meets an overriding public need e.g. for community or recreation use, that cannot be accommodated elsewhere in the Borough.	As set out in section 3 of the PPS, there is an "*immediate need to build resilience in the water sector to address pressures on water supplies"* in an area which is classified by the EA as being *'seriously water stressed'.* The Project has progressed through a process which has considered alternative strategic water resource infrastructure solutions as well as different configurations of these solutions (ES Chapter 4 Consideration of

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		alternatives, Volume I (Document reference 6.1, DCO Volume 6) and SDR (Document reference 5.10, DCO Volume 5)). • ES Chapter 4 Consideration of alternatives, volume I (Document reference 6.1, DCO Volume 6) • SDR (Document reference 5.10, DCO Volume 5)
Policy AL7: Hermitage Stream	Planning permission will be granted for development proposals that positively contribute to the improvement of the Hermitage Stream. Planning applications for development proposals within proximity of the Hermitage Stream that prevent improvements to the Hermitage Stream being delivered, may be refused.	Effects on the Hermitage Stream are considered in section 19.8 ES Chapter 19 Water Environment, Volume I (Document reference 6.1, DCO Volume 6). • ES Chapter 19 Water Environment, Volume I (Document reference 6.1, DCO Volume 6).
Policy DM20 Historic Assets	historic assets of Havant Borough. Applications that affect, or have the potential to affect, heritage assets are expected to provide a Heritage Statement.	Refer to HBC Policy CS11: Protecting and Enhancing the Special Environment and Heritage.
Policy DM23 Sites for Brent Geese and Waders	Planning permission will be granted for developments that avoid important sites for Brent Geese and/or waders outside of the statutory designated areas. Planning permission will be granted for development on or adjacent to uncertain sites for Brent Geese and/or waders outside of the statutory designated areas, where appropriate surveys are undertaken and it is determined that the site has no importance.	Brent geese have been considered within section 8.8 of the ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1, DCO Volume 6). Section 8.8.50-8.8.66 considers the Chichester and Langstone Harbours SPA and Ramsar and Langstone Harbour SSSI. This includes functionally linked habitat to Chichester and Langstone Harbours SPA, is located within the Order Limits at the WRP site. Vegetation removal would be required to facilitate the construction of the WRP site. The section considers the impact on Brent Geese and the importance of the land which is due to be lost has limited suitability for the Geese due to the undulating nature of the Site and the vegetation types. • ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1, DCO Volume 6)

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HBC Emerging New Local Plan- Building a Better Future (Regulation 18 (2025))		
Draft Policy 2: Defined Urban Areas	Development within the urban area is acceptable in principle. Planning permission for non-householder development outside of the urban area, as defined on the policies map, will only be permitted where it provides infrastructure that meets an evidenced need and requires the location in question and/or it specifically and demonstrably requires a location outside of a built-up area.	As set out in section 3 of the PPS (Document reference 5.5, DCO Volume 5), there is an "*immediate need to build resilience in the water sector to address pressures on water supplies"* in an area which is classified by the EA as being 'seriously water stressed'. The Project has progressed through a process which has considered alternative strategic water resource infrastructure solutions as well as different configurations of these solutions (ES Chapter 4 Consideration of alternatives, Volume I (Document reference 6.1, DCO Volume 6) and SDR (Document reference 5.10, DCO Volume 5)). The solutions progressed through a number of stages of detailed review considering a range of technical, environmental, planning, social and economic criteria to determine the location of the project and the pipeline route as set out in the ES Chapter 4 Consideration of alternatives, Volume I (Document reference 6.1, DCO Volume 6). Therefore, there is a demonstrated locational need for the Project to be located within the countryside. • PPS (Document reference 5.5, DCO Volume 5) • SDR (Document reference 5.10, DCO Volume 5) • ES Chapter 4 Consideration of alternatives, Volume I (Document reference 6.1, DCO Volume 6)
Draft Policy 4: Infrastructure and Environmental Mitigation to Support Development	Strategic Delivery of Infrastructure - The Council will work with infrastructure providers and other partners to bring about the strategic infrastructure investment needed in the Borough to accommodate planned development, with a particular focus on:	As set out in the PPS section 3.2 (Document reference 5.5, DCO Volume 5) and in the CftP (Document reference 5.6, DCO Volume 5) the Project is critical to maintaining essential water supplies to customers whilst protecting the environment, both during drought events and normal conditions. It has the resilience and adaptability to be flexible in the future to meet other sub-regional and regional needs, including for Southern Water's Central area. Failure to deliver the Project would place continued additional pressure on an already seriously water-stressed area. There is an overriding public need for the Project.

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	d) Facilitating the delivery of sufficient capacity in water supply and foul water conveyance and treatment. Site-specific Infrastructure - Developers will be required to provide or where appropriate make a financial contribution to infrastructure which is needed to make the development acceptable in planning terms. Planning permission will be granted where: o) The applicant has demonstrated due consideration of all the infrastructure needs arising from the development including cumulative effects of nearby sites; p) The proposal meets all the identified on-site and/or off-site infrastructure requirements; q) The whole life cost of infrastructure provision has been considered and mechanisms are in place for its future management and maintenance; and r) A programme of delivery has been agreed with the relevant infrastructure provider before development begins, which coordinates both financial and	The economic benefits of the Project are set out in section 3 of the PPS (Document reference 5.5, DCO Volume 5) in the CftP document (CftP) (Document reference 5.6, DCO Volume 5). ES Chapter 20 Cumulative and in-combination effects, Volume I (Document reference 6.1, DCO Volume 6) provides an assessment of the cumulative effects of the project. • PPS (Document reference 5.5, DCO Volume 5) • CftP (Document reference 5.6, DCO Volume 5) • ES Chapter 20 Cumulative and in-combination effects, Volume I (Document reference 6.1, DCO Volume 6)

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	physical contributions from the development with other investment streams and ensures that expected impacts are mitigated before they arise.	
Draft Policy 12: High quality Design	Development will be supported which is designed to a high sustainable standard which proactively responds to climate change and contributes to the creation of well-designed places where people enjoy living, working and visiting.	The SDR (Document reference 5.10, DCO Volume 5) and the DPD (Document reference 5.11, DCO Volume 5) set out the scheme design and evolution and the principles which guided the proposed Project design. Further ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6) in section 13.8 provides details of the potential landscape and visual effects. • SDR (Document reference 5.10, DCO Volume 5) • DPD (Document reference 5.11, DCO Volume 5) • ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6)
Draft Policy 17: Sustainable Construction Methods, Materials and Waste	All development should follow the construction methods, materials principles and waste hierarchy (as set out below) through the careful choice, use and sourcing of local and sustainable materials. Development which increases the floorspace of the site will be permitted where it: Minimises the creation of waste to support a circular economy.	This has been addressed through measures included in Table 5-1 Environmental measures to be adopted during construction of the Outline CEMP (Document reference 7.1, DCO Volume 7) for the Project, and effects would be further mitigated through additional measures proposed in a SWMP which would be developed once a contractor has been appointed. • Outline CEMP (Document reference 7.1, DCO Volume 7)
Draft Policy 19: BNG	Developments will be required to provide a BNG.	Biodiversity and nature conservation is set out within the ENG section 4.3.25 and Biodiversity and nature conservation section 4.4.19 sections of the PPS (Document reference 5.5, DCO Volume 5). Further, this

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
		policy has been used to inform the protected species and habitat mitigation embedded in the Project design, refer to section 4.4 and the DPD (Document reference 5.11, DCO Volume 5), the Biodiversity Gain Plan (including Habitat Management and Monitoring Plan) (Document reference 7.11, DCO Volume 7) and it has informed the practices set out in the Outline CEMP and has fed into the Indicative Environmental Masterplan appended to Design Approach Document (Document reference 5.12, DCO Volume 5). • PPS (Document reference 5.5, DCO Volume 5) • DPD (Document reference 5.11, DCO Volume 5) • Design Approach Document (Document reference 5.12, DCO Volume 5) • Biodiversity Gain Plan (including Habitat Management and Monitoring Plan) (Document reference 7.11, DCO Volume 7)
Draft Policy 24: Protected and Notable Species	Development must protect and conserve populations of protected and notable species. Where there is a reasonable likelihood of protected or notable species occurring and being harmed or negatively affected by development, planning permission will only be granted where: • An assessment of potential impacts to protected and notable species has been carried out by a suitably qualified ecologist using recognised appropriate assessment methods; • b) A mitigation, compensation and enhancement strategy is provided and approved; and	Refer to HBC Policy DM23 Sites for Brent Geese and Waders.

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	• c) Impact assessments are demonstrably guided by the mitigation hierarchy of 'avoid-mitigate-compensate'.	
Draft Policy 25: Solent Wader and Brent Goose Strategy Sites	Development proposals with the potential to impact Solent Wader and Brent Goose Strategy sites will only be granted planning permission where: • Development proposals are assessed in accordance with the Habitats Regulations. Such proposals will need to provide evidence to inform a HRA (HRA) and must assess potential impacts alone and in combination with other plans or projects; • Impact assessments are informed by robust data, using existing SWBGS records and/or bespoke field surveys as required; and • If demonstrated to be necessary to avoid an adverse effect, an avoidance and mitigation package in accordance with the Solent Wader and Brent Goose Strategy is provided and secured in perpetuity by legal agreement.	
Draft Policy 26: Flood Risk	Planning permission in areas at risk of flooding now, or in the future taking into account climate change, will be granted where:	As set out in the Flood Risk section of the PPS (Document reference 5.5, DCO Volume 5), parts of the Project fall within flood zones 2 and 3. An FRA has been prepared as part of the DCO application. The impacts of the Project on surface and groundwater flows and flood risk are assessed in section 19.8 of ES Chapter 19 Water environment, Volume I

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
	• The proposal passes the sequential and exception tests as set out in the NPPF, the PPG and relevant local guidance; • The development will be safe over its lifetime without increasing flood risk elsewhere; • Any proposed flood protection, resilience and resistance measures address the specific requirements of the site, and are appropriate to the character, residential amenity and biodiversity of the site and the area; • Opportunities have been explored and incorporated into the design which reduce flood risk	(Document reference 6.1, DCO Volume 6). Also refer to ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2, DCO Volume 6). The assessment concluded that, following the application of mitigation measures embedded into the scheme design and construction-stage strategy documents, there would be no significant effects on surface and groundwater flows and flood risk. • PPS (Document reference 5.5, DCO Volume 5) • ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6) • ES Appendix 19.1 Flood Risk Assessment, volume II (Document reference 6.2, DCO Volume 6)
Draft Policy 27: Drainage	Planning permission will be granted where current and future drainage needs, including for the expected climate change scenario, have been fully considered.	Flood risk and surface water drainage is set out in ES Appendix 19.1 Flood Risk Assessment Volume II (Document reference 6.2, DCO Volume 6). • PPS (Document reference 5.5, DCO Volume 5) • ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2, DCO Volume 6)
Draft Policy 28: Development on the Coast	In undeveloped areas of the coast • Development proposals will not be permitted, unless it can be demonstrated that the development specifically requires a coastal location, and	The Project has been informed by a number of the DPD (Document reference 5.11, DCO Volume 5) in sections 3.6 and 3.8 which have fed into the mitigation and enhancement presented in the ES, to seek to reduce harmful effects on the coast. How the Project accords with Marine Policy is set out within section 5 of the PPS (Document reference 5.5, DCO Volume 5). • PPS (Document reference 5.5, DCO Volume 5)

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
	• It meets the provisions of criterion c of this policy. In other areas of the coast • Development will be permitted where it: - Includes a design which demonstrates sensitivity to the coastal landscape and natural environment; - Have regard to the North Solent Shoreline Management Plan or any subsequent Coastal Strategies, and - Is in line with the Marine Plan for the area.	• DPD (Document reference 5.11, DCO Volume 5) • Biodiversity Gain Plan (including Habitat Management and Monitoring Plan) (Document reference 7.11, DCO Volume 7)
Draft Policy 30: Heritage and Historic Environment	Heritage assets are an irreplaceable resource, and consequently great weight will be given to their conservation. Development proposals should, in the first instance, avoid any harm to or loss of the significance of assets and any harm or loss considered unavoidable will require clear and convincing justification, irrespective of the level of that harm.	Refer to HBC Policy CS11: Protecting and enhancing the special environment and heritage response.
Policy 31: Trees, Hedgerows and Woodland	Development affecting trees, hedgerows and woodlands will only be permitted where it: • Reflects, conserves or enhances the existing landscape and integrates the	Details of the methodology (section 2), desk study and field survey results for habitats, ancient woodland and veteran and notable trees are detailed in section 3 of the ES Appendix 8.2, Habitats, Volume II (Document reference 6.2, DCO Volume 6) and are shown spatially in ES Figures:

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
	development into its surroundings, adding visual interest and amenity; • Adequately protects existing trees and hedgerows including their root systems prior to, during and after the construction process; and • Will not result in the loss or deterioration of ancient woodland and ancient or veteran trees.	• ES Figure 8.5 Ancient Woodland and ancient, veteran and notable trees within the Order Limits plus a 200m buffer, Volume III (Document reference 6.3, DCO Volume 6) • ES Figure 8.9 UK Habitat Classification for linear features including important hedgerows within the field survey area, Volume III (Document reference 6.3, DCO Volume 6) • ES Figure 8.10 National Vegetation Classification within the field survey area, Volume III (Document reference 6.3, DCO Volume 6) • PPS (Document reference 5.5, DCO Volume 5) • ES Figure 8.4 Habitats of principal importance for conserving biodiversity within the Order Limits plus a 200m buffer, Volume III (Document reference 6.3, DCO Volume 6) • ES Figure 8.5 Ancient Woodland and ancient, veteran and notable trees within the Order Limits plus a 200m buffer, Volume III(Document reference 6.3, DCO Volume 6) • ES Figure 8.9 UK Habitat Classification for linear features including important hedgerows within the field survey area, Volume III (Document reference 6.3, DCO Volume 6) • ES Figure 8.10 National Vegetation Classification within the field survey area, Volume III (Document reference 6.3, DCO Volume 6)
Draft Policy 43: Amenity and Pollution	Development will be permitted where: • Projected levels of noise, odour, vibration, light, water or air pollution from the development do not have a likely significant negative effect on the amenity of existing and future users of the site, nearby occupiers or the wider environment; or	Noise and vibration impacts are contained within ES Chapter 15 Noise and vibration, Volume I (Document reference 6.1, DCO Volume 6) and how the Project accords with the NPSWRI is set out in section 4.4 of the PPS (Document reference 5.5, DCO Volume 5). Lighting and lighting impacts is covered within section 4.3 of the PPS. Construction lighting design and operational lighting design will follow good practice and will be secured within the section 4.7 of the Outline CEMP (Document reference 7.1, DCO Volume 7).

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
	• Measures are provided which are suitable for the purposes intended and will ensure that any likely significant negative effect of pollution on receptors is mitigated to an acceptable level.	ES Chapter 19 Water environment, Volume I (Document reference 6.1 DCO Volume 6) includes an assessment of the hydrology, geomorphology, quantity and quality of surface waters (including freshwater, coastal and transitional waters). ES Appendix 19.2 WER Compliance Assessment, Volume II, (Document reference 6.2, DCO Volume 6) has been produced to confirm how the Project accords with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017, which implement the Water Framework Directive in England, and aims to protect and enhance the quality of water resources. The air quality section of the PPS (section 4.4) (Document reference 5.5, DCO Volume 5) sets out how the Project accords with section 4.2 of the NPSWRI, which requires applicants to minimise the emission of air pollutants as far as reasonably practicable. Primary mitigation measures specific to air quality and odour are set out in section 6.4 of the ES Chapter 6 Air quality and odour, Volume I (Document reference 6.1, DCO Volume 6) and good construction measures set out in the outline CEMP (Document reference 7.1, DCO Volume 7). ES Chapter 17 Socio-economics, tourism and health, Volume I (Document reference 6.1, DCO Volume 6) section 17.8, includes an assessment of neighbourhood amenity and ES Chapter 12 Land use and agriculture, Volume I (Document reference 6.1, DCO Volume 6) section 12.7, considers amenity effects for residential properties, commercial properties and land, and community land and facilities. The Statutory Nuisance Statement (Document reference 5.3, DCO Volume 5) in section 2 concludes that with the implementation of mitigation measures set out in the Outline CEMP (Document reference 7.1, DCO Volume 7) and OEMP (Document reference 7.7, DCO Volume

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
		7), statutory nuisances are not anticipated during construction, operation or maintenance of the project. • PPS (Document reference 5.5, DCO Volume 5) • ES Chapter 6 Air quality and odour, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 11 Land quality and ground conditions, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 12 Land use and agriculture, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 15 Noise and vibration, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 17 Socio-economics, tourism and health, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 19 Water environment, Volume I (Document reference 6.1 DCO Volume 6) • ES Appendix 19.2 WER Compliance Assessment, Volume II, (Document reference 6.2, DCO Volume 6) • Outline CEMP (Document reference 7.1, DCO Volume 7) • OEMP (Document reference 7.7, DCO Volume 7) • Statutory Nuisance Statement (Document reference 5.3, DCO Volume 5)
Draft Policy 44: Air Quality	Proposals for major development will be expected to minimise emissions and provide mitigation measures which offset emissions and are proportionate to the scale and nature of the development. Threshold based assessment In addition, proposals for 1,000 sqm or more (gross) of	The air quality section of the PPS (section 4.4) (Document reference 5.5, DCO Volume 5) sets out how the Project accords with section 4.2 of the NPSWRI, which requires applicants to minimise the emission of air pollutants as far as reasonably practicable. Primary mitigation measures specific to air quality and odour are set out in section 6.4 of the ES Chapter 6 Air quality and odour, Volume I (Document reference 6.1,

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
	commercial floorspace, or which are likely to materially alter the traffic flow on the local highway network will be permitted where either: • Projected levels of air pollution or emissions associated with the development would not result in a significant deterioration of current air quality at a location where national air quality objectives or limit values apply; or • Measures are provided which demonstrably mitigate the impact on air quality to an acceptable degree.	DCO Volume 6) and good construction measures set out in the Outline CEMP (Document reference 7.1, DCO Volume 7). • ES Chapter 6 Air quality and odour, Volume I (Document reference 6.1, DCO Volume 6) • Outline CEMP (Document reference 7.1, DCO Volume 7)
Draft Policy 45: Aquifer Source Protection Zones	Proposals for non-householder development in Aquifer Source Protection Zones will be permitted where: • The following key risks are taken into account at an early stage and understood in the context of a Conceptual Site Model and risk assessment: - Contaminated land; - Importation and use of soils; - Drainage and SuDS; - Foul water infrastructure; - Piling and foundation design;	Aquifers within the study area that have been classified by the EA are presented in ES Figure 19.6 Superficial aquifer designations, Volume III (Document reference 6.3, DCO Volume 6) and ES Figure 19.7 Bedrock aquifer designations, Volume III (Document reference 6.3, DCO Volume 6). Further ES Chapter 19 Water Environment, Volume I (Document reference 6.1, DCO Volume 6) in section 19.7 sets out details on aquifers. ES Appendix 19.3 Hydrogeological Impact Assessment, Volume II, (Document Reference 6.2, Volume 6) Further details relating to aquifers is referenced throughout Chapter 11 Land quality and ground conditions, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 19 Water Environment, Volume I (Document reference 6.1, DCO Volume 6) • ES Appendix 19.3 Hydrogeological Impact Assessment, Volume II, (Document Reference 6.2, Volume 6)

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
	- Activities that include large-scale ground disturbance such as excavations - Storage of chemicals and polluting materials; - Waste disposal.	• ES Figure 19.6 Superficial aquifer designations, Volume III (Document reference 6.3, DCO Volume 6) • ES Figure 19.7 Bedrock aquifer designations, volume III (Document reference 6.3, DCO Volume 6)
Draft Policy 46: Contaminated Land	Development proposals on sites likely to be affected by contamination will be permitted where either: • The applicant can demonstrate that there is no identified risk from land contamination; or • An appropriate risk assessment accounts for potential sources of contamination both on and off the site and deliverable measures are provided which ensure that any likely significant negative effect on receptors is mitigated to an acceptable level prior to occupation of the development.	ES Chapter 11 Land Quality and ground conditions, Volume I (Document reference 6.1, DCO Volume 6) in section 11.8 sets out the assessment of the likely significant effects on land quality and ground conditions from the construction, operation and decommissioning of the Project. Chapter 11 includes the likely significant effects of the Proposed Development on land quality and ground conditions are assessed taking account of embedded primary and tertiary mitigation within the design. The need for any secondary mitigation is then considered along with any proposals for monitoring and/or enhancement. ES Chapter 11 Land Quality and ground conditions, Volume I (Document reference 6.1, DCO Volume 6)
Draft Policy 47: Accessibility, Transport and Parking	Planning permission will be granted for development proposals, provided that the needs of all people and modes of transport have been considered, with sustainable and active modes of travel prioritised and positively encouraged through on and/or off-site measures.	ES Chapter 18 Traffic and transport, Volume I (Document reference 6.1, DCO Volume 6) in section 18.8 provides the assessment of the likely significant effects on traffic and transport from the construction, operation and decommissioning of the Project. ES Chapter 18 in section 18.5 considers road safety, which includes safety from a pedestrian and cycle perspective. It also provides an assessment of the impact of a temporary increase in traffic associated with construction activities. The assessment of effects contained within ES Chapter 18 is underpinned by a series of management plans, including the Framework CTMP (Document

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
		reference 7.2, DCO Volume 7), which provide an overview of the signage strategy associated with the Project. • ES Chapter 18 Traffic and transport, Volume I (Document reference 6.1, DCO Volume 6) • Framework CTMP (including Framework Construction Worker Travel Plan) (Document reference 7.2, DCO Volume 7)
Draft Policy 53: Employment and Skills Plans	Development proposals for residential developments of 50 dwellings or more (gross) and commercial developments of at least 2,000 sqm floorspace (gross external area) will be permitted where they provide a site specific SEP to support the Borough's residents to access employment and skills training.	The economic benefits of the Project are set out in section 3 of the PPS (Document reference 5.5, DCO Volume 5) in the CftP document (CftP) (Document reference 5.6, DCO Volume 5). Further the Outline SEP(Document reference 7.9, DCO Volume 7) highlights opportunities for local people, businesses and education providers associated with the construction of the Project. • PPS (Document reference 5.5, DCO Volume 5) • CftP (Document reference 5.6, DCO Volume 5) • Outline SEP (Document reference 7.9, DCO Volume 7)
Portsmouth City Council		
The Portsmouth Plan (adopted January 2012)		
Policy PCS12: Flood Risk	The city council will reduce flood risk by following the flood risk management hierarchy set out in PPS25.	As set out in the Flood Risk section of the PPS (Document reference 5.5, DCO Volume 5), parts of the Project fall within flood zones 2 and 3. An FRA has been prepared as part of the DCO application. The impacts of the Project on surface and groundwater flows and flood risk are assessed in section 19.8 of ES Chapter 19 Water environment, volume I (Document reference 6.1, DCO Volume 6), also refer to ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2, DCO Volume 6). The assessment concluded that, following the application of mitigation measures embedded into the scheme design and construction-stage strategy documents, there would be no significant effects on surface and groundwater flows and flood risk.

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		• PPS (Document reference 5.5, DCO Volume 5) • ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6) • ES Appendix 19.1 Flood Risk Assessment, volume II (Document reference 6.2, DCO Volume 6)
Policy PCS 13: A Greener Portsmouth	The City Council will work collaboratively to protect, enhance and develop the green infrastructure network. The Council will refuse planning permission for proposals which would result in the net loss of existing areas of open space, 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 would outweigh the harm.	Biodiversity and nature conservation is set out within the 'ENG' section 4.2.25 and 'Biodiversity and Nature Conservation' section 4.3.56 sections of the PPS (Document reference 5.5, DCO Volume 5). Additionally, the Biodiversity Gain Plan (including Habitat Management and Monitoring Plan) (Document reference 7.11, DCO Volume 7) outlines the Applicant's approach to delivering biodiversity gains which involves a combination of on-site and off-site delivery. Opportunities to reinforce and enhance the green infrastructure network, including access to the public right of way network, have been considered in the development of Indicative Environmental Masterplan, which has been appended to the Design Approach Document (Document reference 5.12, DCO Volume 5). This policy was also relevant to the design, mitigation and enhancement measures relating to Portsdown Hill. • PPS (Document reference 5.5, DCO Volume 5) • Design Approach Document (Document reference 5.12, DCO Volume 5) • Biodiversity Gain Plan (Document reference 7.11, DCO Volume 7)
Policy PCS 15: Sustainable Design and Construction	All development which takes place in Portsmouth must contribute to addressing climate change.	This Project will be alleviating water stress within the region. ES Appendix 10.2 Climate Change Resilience (CCR) assessment methodology, Volume II (Document reference 6.2, DCO Volume 6) which evaluates future trends in climate change impacts and the Project's vulnerability and resilience to such changes during the construction,

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
		operation and decommissioning phases has been prepared and is included within section 10.8 of the ES Chapter 10 Carbon and Climate Change, Volume I (Document reference 6.1, DCO Volume 6). • ES Chapter 10 Carbon and Climate Change, Volume I (Document reference 6.1, DCO Volume 6) • ES Appendix 10.2 Climate Change Resilience assessment methodology, Volume II (Document reference 6.2, DCO Volume 6)
Policy PCS 16: Infrastructure and Community Benefit	Development will be required to provide or contribute towards the provision of infrastructure needed to support it. Development will also be required to provide or contribute towards community benefits related to the development. Where new infrastructure is needed to support new development, the infrastructure must be operational no later than the completion of the development or phase of development for which it is needed.	The CFtP document (Document reference 5.6, DCO Volume 5) in section 4 provides details of the Project benefits and legacy. The Project benefits are placed into three categories: Wider Benefits: Benefits intrinsic to the Project itself. For example, the benefits the Project will deliver in terms of providing water security and protecting chalk streams. Project-Specific Benefits: Benefits secured through the DCO, for example training schemes and apprenticeships set out in section 7.1 of the Outline SEP (Document reference 7.9, DCO Volume 7). Also, enhancements (secured by the DCO) that provide additional local benefits beyond simply offsetting project impacts. Additional Benefits: Benefits committed to by the Applicant but not secured in the DCO. For example, provision of community funds and social value commitments such as creating volunteering opportunities etc. • CftP (Document reference 5.6, DCO Volume 5) • Outline SEP(Document reference 7.9, DCO Volume 7)
Policy PCS 17: Transport	The Council will promote walking and cycling and improved integration with other modes of transport.	ES Chapter 18 Traffic and transport, Volume I (Document reference 6.1, DCO Volume 6) section 18.8 provides the assessment of the likely significant effects on traffic and transport from the construction, operation

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
		and decommissioning of the Project. ES Chapter 18 section 18.5 considers road safety, which includes safety from a pedestrian and cycle perspective. • ES Chapter 18 Traffic and transport, Volume I (Document reference 6.1, DCO Volume 6)
Policy PCS 23: Design and Conservation	All new development must be well designed and, in particular, respect the character of the city. Development should protect and enhance the city's important views and settings of key buildings across the sea, harbours and from Portsdown Hill.	As set out in the PSS (Document reference 5.5, DCO Volume 5) discussions have been held between PCC and the Applicant with regards to landscape and visual impacts on Portsdown Hill. Additionally, PCC were given an opportunity to provide feedback on the LVIA landscape and visual receptors and the Local Landscape Character Areas (LLCA) as documented in section 3 of the Draft SOCG - PCC (SoCG (Document reference 5.8, DCO Volume 5). ES Chapter 7 Archaeology and cultural heritage, Volume I (Document reference 6.1, DCO Volume 6) section 7.8 provides the assessment of the likely significant effects on archaeology and cultural heritage from the construction, operation and decommissioning of the Project. • PPS (Document reference 5.5, DCO Volume 5) • Draft SOCG PCC (Document reference 5.8, DCO Volume 5) • ES Chapter 7 Archaeology and cultural heritage, Volume I (Document reference 6.1, DCO Volume 6)
Portsmouth City Local Plan (extant saved policies) (adopted July 2006)		
Policy CM8: Portsdown Hill	Development proposals on open space or other undeveloped land on Portsdown Hill will not be permitted unless for recreational, agricultural or related countryside uses that would maintain the value of the landscape.	Refer to PCC Policy PCS 23: Design and Conservation.

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Emerging New Local Plan-Composite Pre-Submission Portsmouth Local Plan (Regulation 19 document) (2025)		
Draft Core Policy PLP1: Design	The Council will ensure that a high standard and quality of design and place-making that support beauty is achieved in the City. Development proposals will be supported provided that they make a positive contribution towards achieving the Portsmouth Design Vision.	Refer to PCC Policy PCS 15: Sustainable Design and Construction.
Draft Core Policy PLP2: Climate Emergency	1. Development proposals will be supported provided that they: a) Reduce greenhouse gas emissions and store carbon; d) Are designed to adapt and be resilient to the impacts of local climate change; e) Reduce the risk of flooding both now and in the future, taking account of predicted sea level rises and the impact on areas vulnerable to coastal change; g) Prioritise active travel and effective public transport over car use wherever possible; h) Deliver green infrastructure and enhance biodiversity.	ES Chapter 10 Carbon and climate change, Volume I (Document reference 6.1, DCO Volume 6) section 10.4 sets out the primary and tertiary mitigation measures adopted as part of the design to reduce carbon emissions including: • A reduction in the quantity of material use, fuel consumption and vehicle movements through utilising Portsmouth Water's pipelines for one section of the Project. • The implementation of a SuDS anticipated to reduce carbon emissions compared to traditional drainage solutions (secured through the DPD (Document reference 5.11, DCO Volume 5). • Using resources sustainably across the Project through the development of strategies for the use of natural resources and materials in line with the Outline CEMP (Document reference 7.1, DCO Volume 7). • DPD (Document reference 5.11, DCO Volume 5) • ES Chapter 10 Carbon and climate change, volume I (Document reference 6.1, DCO Volume 6) • Outline CEMP (Document reference 7.1, DCO Volume 7)
Development Management Policy PLP27:	1. Development proposals will be permitted where they, as relevant, at both	The economic benefits of the Project are set out in section 3 of the PPS (Document reference 5.5, DCO Volume 5) in the CftP document (CftP) (Document reference 5.6, DCO Volume 5).

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Employability and Skills	the construction and occupation stages of the scheme: a) Raise local skill levels and increase employability as demonstrated in an Employment and Skills Plan	The Outline SEP (Document reference 7.9, DCO Volume 7) highlights opportunities for local people, businesses and education providers associated with the construction of the Project. • PPS (Document reference 5.5, DCO Volume 5) • CftP (Document reference 5.6, DCO Volume 5) • SEP Outline SEP (Document reference 7.9, DCO Volume 7)
Draft Strategic Policy PLP31: Flooding	1. Development proposals will be permitted where: • They seek to reduce the impact and extent of all types of flooding following the relevant flood risk management steps as set out in government policy and guidance; • They are accompanied by a site specific Flood Risk Assessment where required by national policy that is informed by the PfSH SFRA Level 1 and Portsmouth SFRA Level 2; • The proposal meets the sequential and exception tests as set out in government policy and guidance; d) The development will be safe over its lifetime, taking into account the increased risk of flooding due to climate change; • Landowners must safeguard land and ensure development does not impact the integrity of or prejudice land used for existing or future flood defences/	Refer to PCC Policy PCS12: Flood Risk.

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	flood risk management and/or maintenance of watercourses; • The development will not result in the increase of flood risk elsewhere and where possible will reduce the overall level of flood risk; • Appropriate flood prevention, protection and resilience measures necessary and appropriate to specific requirements of the proposal site and any other areas potentially impacted by the proposed development have been sensitively incorporated. These will be maintained for the lifetime of the development. Flood management and mitigation measures should be informed by the PfSH SFRA Level 1 and Portsmouth SFRA Level 2;	
Draft Policy LP32: SuDS	Development proposals will be permitted where they ensure the surface run-off rates from the proposed development do not exceed the existing surface run-off rates, with betterment preferred. Development proposals in areas at risk of flooding from surface water will be permitted where the net surface run off is actively reduced when compared to pre development levels. Development proposals will be permitted where SuDS are incorporated and ensure that:	Surface water drainage and SuDS, including in future risk associated with climate change has been taken into account in ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2, DCO Volume 6). Construction activities at the BPT/IPS-E could potentially result in changes to the volume and pattern of surface flows, changes to infiltration rates, and corresponding changes to off-site flood risk. However, a temporary Construction Drainage Plan will be established, designed according to the good practice principles set out in section 6.1 of and table 5-1 Environmental measures to be adopted during construction of the Outline CEMP (Document reference 7.1, DCO Volume 7). This includes measures to capture and attenuate surface

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
	• They incorporate green infrastructure and maximise multi-functional benefits including net gains in biodiversity; • They are sensitively located and designed to promote an enhanced landscape/townscape and good quality spaces that improve public amenity; • Details for future maintenance over the lifetime of the development shall be included with the proposal as part of a sustainable drainage strategy; and • A joined up approach is taken across the whole site. • Development proposals will be permitted where they provide proportionate evidence to demonstrate that wastewater infrastructure can accommodate or be improved to accommodate the proposals and that appropriate provisions will be made. Where necessary, occupation of development should be phased to align with the delivery of network reinforcement, in liaison with the service provider.	runoff and ensure that there are no changes to off-site runoff rates and flood risk. The BPT/IPS-E would require permanent above-ground infrastructure, including impermeable surfaces, and as such could potentially change flow patterns, infiltration rates and flood risk. However, a SuDS will be developed to capture and attenuate surface runoff and ensure that there are no changes to off-site runoff rates and flood risk (section 19.4 of ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6). Biodiversity and nature conservation is set out within the ENG (section 4.2.26) and Biodiversity and nature conservation (section 4.4.19) sections of the PPS (Document reference 5.5, DCO Volume 5). Further, this policy has been used to inform the protected species and habitat mitigation embedded in the Project design, refer to section 4.4 and the DPD. • ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6) • ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2, DCO Volume 6) • ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2, DCO Volume 6) • Outline CEMP (Document reference 7.1, DCO Volume 7)
Draft Development Management Policy PLP35: Air Quality and Pollution	Planning permission will only be granted for development proposals when it can be demonstrated, in a proportionate manner, that they will not contribute to and will not be subject to unacceptable levels of pollution, which cannot be mitigated.	The Air Quality section of the PPS (section 4.4) (Document reference 5.5, DCO Volume 5) sets out how the Project accords with section 4.2 of the NPSWRI, which requires applicants to minimise the emission of air pollutants as far as reasonably practicable. Primary mitigation measures specific to air quality and odour are set out in section 6.4 of the ES Chapter 6 Air quality and odour, Volume I (Document reference 6.1,

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
	This includes all of the following: • Air quality /odour / dust; • Noise; • Vibration; • Light; • Water including leachates; • Any other forms of pollution.	DCO Volume 6) and good construction measures set out in the Outline CEMP (Document reference 7.1, DCO Volume 7). Noise and vibration impacts are contained within ES Chapter 15 Noise and vibration, Volume I (Document reference 6.1, DCO Volume 6) and how the Project accords with the NPSWRI is set out in section 4.3 of the PPS (Document reference 5.5, DCO Volume 5). Lighting and lighting impacts is covered within section 4.3 of the PPS. Construction lighting design and operational lighting design will follow good practice and will be secured within section 4.7 of the Outline CEMP (Document reference 7.1, DCO Volume 7). ES Appendix 19.2 WER Compliance Assessment, Volume II, (Document reference 6.2, DCO Volume 6) has been produced to confirm how the Project accords with the European Water Framework Directive, which aims to protect and enhance the quality of water resources. ES Chapter 17 Socio-economics, tourism and health, Volume I (Document reference 6.1, DCO Volume 6) section 17.8, includes an assessment of neighbourhood amenity and ES Chapter 12 Land use and agriculture, Volume I (Document reference 6.1, DCO Volume 6) section 12.8, considers amenity effects for residential properties, commercial properties and land, and community land and facilities. The Statutory Nuisance Statement (Document reference 5.3, DCO Volume 5) in section 2 concludes that with the implementation of mitigation measures set out in the Outline CEMP (Document reference 7.1, DCO Volume 7) and OEMP (Document reference 7.7, DCO Volume 7), statutory nuisances are not anticipated during construction, operation or maintenance of the project. • PPS, Volume I (Document reference 5.5, DCO Volume 5)

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
		• ES Chapter 6 Air quality and odour, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 11 Land quality and ground conditions, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 12 Land use and agriculture, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 15 Noise and vibration, volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 17 Socio-economics, tourism and health, volume I (Document reference 6.1, DCO Volume 6) • ES Appendix 19.2 WER Compliance Assessment, Volume II, (Document reference 6.2, DCO Volume 6) • Outline CEMP (Document reference 7.1, DCO Volume 7) • OEMP (Document reference 7.7, DCO Volume 7)
Draft Strategic Policy PLP38: Green Infrastructure	Development proposals will be supported provided that they maintain, protect and enhance the function, integrity, quality, connectivity and multi-functionality of the existing green and blue infrastructure network and individual sites.	Refer to PCC Policy PCS 23: Design and Conservation.
Draft Strategic Policy PLP39: Biodiversity	Development proposals will be permitted where they conserve and enhance biodiversity, giving particular regard to ecological networks and areas with high potential for priority habitat restoration or creation.	Refer to PCC Policy PCS 13: A Greener Portsmouth.
Draft Development Management	Development Management Policy PLP40: BNG	Biodiversity and nature conservation is set out within the ENG and Biodiversity and nature conversations section 4.3.56 of the PPS (Document reference 5.5, DCO Volume 5). Additionally, the Biodiversity

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
Policy PLP40: BNG	Development proposals (except exempt development) will be permitted where they: Demonstrate at least a 10% net gain for biodiversity, accounted for in a BNG plan. Development proposals should prioritise on site BNG and only use offsite banks and credits where this is not achievable.	Gain Plan (including Habitat Management and Monitoring Plan) (Document reference 7.11, DCO Volume 7) outlines the Applicant's approach to delivering biodiversity gains which involves a combination of on-site and off-site delivery. • PPS (Document reference 5.5, DCO Volume 5) • Biodiversity Gain Plan (including Habitat Management and Monitoring Plan) (Document reference 7.11, DCO Volume 7)
Draft Development Management Policy PLP46: Local Green Spaces	The following green areas, as defined on the Policies Map and in figure 9.1, are designated and protected as Local Green Spaces, in line with the NPPF or its future equivalent: • Portsdown Hill	Draft policy PLP46: Local Green Spaces proposes to extend the area of designated open space (specifically as Local Green Space) around Portsdown Hill which includes the proposed BPT / IPS-E site. Portsmouth Local Plan Regulation 19 Pre-Submission consultation representations have been submitted to PCC in September 2024 which made recommendations that the policy should align with the NPPF Green belt policies. PCC have submitted their local plan for examination, and they have removed BPT/IPSE from the proposed Local Green Space on Portsdown Hill as the land has been excluded as it is required for essential water infrastructure buildings.
Draft Strategic Policy PLP47: Movement and Transport	Development proposals will be permitted where they protect and enhance highway safety on the local and strategic highway networks. Any significant detrimental impacts must be mitigated fully as approved by the Local Highway Authority and/or National Highways (where relevant).	Refer to PCC Policy PCS 17: Transport.
Draft Development Management	Development proposals will be permitted where they:	Policy PCS 16: Infrastructure and Community Benefit.

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
Policy PLP50: Infrastructure Delivery	• Demonstrate that appropriate, necessary and reasonable infrastructure investment has been secured either in the form of suitable on-site or off-site works, and/or financial contributions to mitigate its impact; • The whole life cost of infrastructure provision has been considered, and appropriate mechanisms are in place for its future maintenance/care; and • A programme of delivery has been agreed with the relevant infrastructure provider(s) prior to commencement of relevant infrastructure works and/or the development itself. Infrastructure delivery should be integrated with development phasing to ensure timely provision. Financial contributions towards future infrastructure maintenance will, where necessary, be secured by means of a legal agreement. The provision of new or improved utility infrastructure by service providers will be supported in principle where it meets identified strategic and/or community needs, or enhances protection of the environment.	
Draft Policy PLP53 Historic Environment	Development proposals will be permitted where they conserve or enhance the city's	There are scheduled monuments and listed buildings including (note this is not an exhaustive list) within the Order Limits in PCC:

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
	heritage assets in a manner appropriate to their significance.	• Fort Widley (Scheduled Monument and grade II* listed building) • Fort Southwick (grade I listed building-listed in both PCC and WCC) • Fort Purbrook (grade II* listed building) Section 4 of the PPS (Document reference 5.5, DCO Volume 5) provides a summary of how the Project has considered the historic environment and accords with the provisions of the NPSWRI. Furthermore, ES Chapter 7 Archaeology and cultural heritage, Volume I (Document reference 6.1, DCO Volume 6) section 7.8 provides the assessment of the likely significant effects on archaeology and cultural heritage from the construction, operation and decommissioning of the Project. • PPS (Document reference 5.5, DCO Volume 5) • ES Chapter 7 Archaeology and cultural heritage, Volume I (Document reference 6.1, DCO Volume 6) • ES Appendix 7.1 Historic environment baseline study, Volume II (Document reference 6.2, DCO Volume 6)
PLP54: Listed Buildings	Development proposals which affect a listed building or its setting will only be permitted and Listed Building Consent and or Planning Permission granted where: a) They preserve or enhance the significance of the listed building and its setting by demonstrating that loss of historic fabric and detail of significance, including internal features, floor plans and the integrity of the rooms, is avoided; or b) Harm to the significance of the listed building or its setting is minimised and considered to be outweighed by public benefits by the Council. In such circumstances appropriate mitigation measures will be expected, including archaeological investigation including a written report or recording.	
Draft Policy PLP56 Archaeology	Development proposals will be permitted where they do not cause harm to archaeological heritage assets and/or their setting. There will be a presumption in favour of preservation in-situ or where harm to, or loss of, an archaeological heritage asset's significance is unavoidable, development will be permitted where clear justification in terms of public benefits arising from the development outweigh that harm.	Within PCC there are archaeological remains including at the BPT. However with secondary mitigation that the magnitude of impact and significance of effect of direct physical effects to non-designated archaeological remains can be reduced or offset to a residual non-significant effect in EIA terms (i.e. anticipated to be no worse than a minor adverse significance of effect).Secondary mitigation would comprise the application of an agreed scheme of archaeological investigation aimed at providing mitigation of the loss of archaeological information and secured in the Proposed Development Outline WSI (Document reference 7.6, DCO Volume 7). With the application of secondary mitigation through investigation and recording, it is anticipated that the magnitude of impact and significance of effect of direct physical

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
		effects to non-designated archaeological remains can be reduced or offset to a residual non-significant effect in EIA terms (i.e. anticipated to be no worse than a minor adverse significance of effect). • The Outline WSI (Document reference 7.6, DCO Volume 7)
Winchester City Council		
Winchester District Local Plan 2020-2040 (Adopted March 2026)		
Strategic Policy SP3 Development in the Countryside	In the countryside, defined as land outside the settlement boundaries, the Local Planning Authority will only permit the following types of development: ii. Development which has an operational need for a countryside location, such as agriculture, horticulture, forestry, essential infrastructure or outdoor recreation.	As set out in the PPS section 3.2 (Document reference 5.5, DCO Volume 5) and as set out in the CftP document (Document reference 5.6, DCO Volume 5), the Project is critical to maintaining essential water supplies to customers whilst protecting the environment, both during drought events and normal conditions. It has the resilience and adaptability to be flexible in the future to meet other sub-regional and regional needs, including for Southern Water's Central area. Failure to deliver the Project would place continued additional pressure on an already seriously water-stressed area. ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6), ES Appendix 13.2 Landscape and visual impact assessment methodology, Volume II (Document reference 6.2, DCO Volume 6), ES Appendix 13.3 Landscape baseline and effects, Volume II (Document reference 6.2, DCO Volume 6) and ES Appendix 13.4 Visual baseline and effects, Volume II (Document reference 6.2, DCO Volume 6) demonstrate that consideration has been given to the of the character of the countryside within Winchester. ES Chapter 17 Socio-economics, tourism and health, Volume I (Document reference 6.1, DCO Volume 6), includes an assessment of neighbourhood amenity in section 17.8 and ES Chapter 12 Land use and agriculture, Volume I (Document reference 6.1, DCO Volume 6) section 12.8, considers amenity effects for residential properties, commercial properties and land, and community land and facilities.

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
		Noise and vibration impacts are contained within ES Chapter 15 Noise and vibration, Volume I (Document reference 6.1, DCO Volume 6) and how the Project accords with the NPSWRI is set out in section 4.4 of the PPS (Document reference 5.5, DCO Volume 5). Lighting and lighting impacts is covered within section 4.4 of the PPS. Construction lighting design and operational lighting design will follow good practice and will be secured within section 4.7 of the Outline CEMP (Document reference 7.1, DCO Volume 7). Traffic generation is considered within ES Chapter 18 Traffic and transport, Volume I (Document reference 6.1, DCO Volume 6). • PPS (Document reference 5.5, DCO Volume 5) • CftP document (Document reference 5.6, DCO Volume 5) • ES Chapter 6 Air quality and odour, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 11 Land quality and ground conditions, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 12 Land use and agriculture, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6) • ES Appendix 13.2 Landscape and visual impact assessment methodology, Volume II (Document reference 6.2, DCO Volume 6) • ES Appendix 13.3 Landscape baseline and effects, Volume II (Document reference 6.2, DCO Volume 6) • ES Appendix 13.4 Visual baseline and effects, Volume II (Document reference 6.2, DCO Volume 6)

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
		• ES Chapter 15 Noise and vibration, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 17 Socio-economics, tourism and health, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 18 Traffic and transport, Volume I (Document reference 6.1, DCO Volume 6) • ES Appendix 19.2 WER Compliance Assessment, Volume II, (Document reference 6.2, DCO Volume 6) • Outline CEMP (Document reference 7.1, DCO Volume 7) • OEMP (Document reference 7.7, DCO Volume 7)
Strategic Policy CN1 Mitigating and Adapting to Climate Change	In order to mitigate against climate change, development proposals (excluding household extensions and changes of use) will need to demonstrate through the design process that: Low carbon solutions have been incorporated that reduce and minimise energy consumption through the energy hierarchy classification of energy options (Policy CN2) and how carbon emissions have been considered at every stage of the design process.	As set out in paragraph 4.2.10 of the PPS, the approach to climate change mitigation has been considered throughout the development of the Project. ES Appendix 10.2 Climate change resilience assessment methodology, Volume II (Document reference 6.2, DCO Volume 6) evaluates future trends in climate change impacts and the Project's vulnerability and resilience to such changes during the construction, operation and decommissioning phases has been prepared and is included within ES Chapter 10 Carbon and climate change, Volume I (Document reference 6.1, DCO Volume 6). • PPS (Document reference 5.5, DCO Volume 5) • ES Chapter 10 Carbon and climate change, Volume I (Document reference 6.1, DCO Volume 6) • ES Appendix 10.2 Climate change resilience assessment methodology, Volume II (Document reference 6.2, DCO Volume 6)
Policy D1: High quality, well designed and inclusive places	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	The design approach for the Project has taken local character into account from an early stage, from the avoidance criteria adopted for site and route selection through to the DPD (Document reference 5.11, DCO Volume 5) PDP 9 for example, required design to *"Recognise and respect local landscape, heritage and recreational character and values*

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
	achieve good design. All development should use high quality materials that are attractive and durable and appropriate to the context and the proposed design. Proposals should not have an unacceptable adverse impact on adjoining land, uses or property by reason of intrusive lighting, overlooking, overshadowing or by being overbearing.	*and adopt a landscape-scale approach to design to maximise integration*". • DPD (Document reference 5.11, DCO Volume 5)
Strategic Policy D4: Design Principles for Market Towns and Rural Villages	New development will deliver the Local Plan Vision for Market Towns and Rural Villages. Development proposals should be prepared through the design process set out in Policy D1 and will need to demonstrate how they address the following: • Any relevant aspects, identified characteristics and principles set out in, Village Design Statements, Conservation Area Appraisals and Management Plans, Local Area Design Codes, Planning Frameworks and Design Codes that have been prepared and consulted on with the involved local community in accordance with the Statement of Community Involvement; • For proposals within the setting of the South Down National Park, the need to avoid or minimise any adverse impacts on the national park;	ES Chapter 7 Archaeology and cultural heritage, Volume I (Document reference 6.1, DCO Volume 6) section 7.8 provides the assessment of the likely significant effects on archaeology and cultural heritage from the construction, operation and decommissioning of the Project. ES Chapter 13 , Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6), ES Appendix 13.2 Landscape and Visual Impact Assessment methodology, Volume II (Document reference 6.2, DCO Volume 6), ES Appendix 13.3 Landscape baseline and effects, Volume II (Document reference 6.2, DCO Volume 6) and ES Appendix 13.4 Visual baseline and effects, Volume II (Document reference 6.2, DCO Volume 6) demonstrate that consideration has been given to the of the character of the countryside within Winchester and the South Downs National Park, with reference to published studies. • ES Chapter 7 Archaeology and cultural heritage, Volume I (Document reference 6.1, DCO Volume 6) • ES Appendix 7.1 Historic environment baseline study, Volume II (Document reference 6.2, DCO Volume 6) • ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6)

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
	• Relevant local evidence set out in the 10 Characteristics of well-designed places, in the National Design Guide including any updates as necessary; • How community engagement has been used to inform and been used to influence the outcome of the design process; • Preserving history and heritage; relating positively to the immediate and wider setting of the site; responsive to local character and identity; enhancing green/blue infrastructure; supporting and encouraging the use of sustainable modes of transport.	• ES Appendix 13.2 Landscape and visual impact assessment methodology, Volume II (Document reference 6.2, DCO Volume 6) • ES Appendix 13.3 Landscape baseline and effects, Volume II (Document reference 6.2, DCO Volume 6) • ES Appendix 13.4 Visual baseline and effects, Volume II (Document reference 6.2, DCO Volume 6)
Policy D7: Development Standards	Pollution (excluding noise) Development which generates pollution or is sensitive to it, and accords with the Development Plan, will only be permitted where it achieves an acceptable standard of environmental quality and avoids unacceptable impacts on health or quality of life. Proposals should comply with all national statutory standards relating to environmental quality and include a statement setting out how such requirements have been met, where relevant, in designing the proposal. Where	Primary mitigation measures specific to air quality and odour are set out in section 6.4 of the ES Chapter 6 Air quality and odour, Volume I (Document reference 6.1, DCO Volume 6) and good construction measures set out in the outline CEMP (Document reference 7.1, DCO Volume 7). Lighting and lighting impacts is covered within section 4.3 of the PPS. Construction lighting design and operational lighting design will follow good practice and will be secured within section 4.7 of the Outline CEMP (Document reference 7.1, DCO Volume 7). ES Chapter 19 Water environment, Volume I (Document reference 6.1 DCO Volume 6) includes an assessment of the hydrology, geomorphology, quantity and quality of surface waters (including freshwater, coastal and transitional waters).

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
	there is potential for adverse impacts to occur on the following matters a proportionate assessment should be conducted: • Odour; • Light intrusion/glare; • Ambient air quality; • Groundwater and surface water pollution; • Contaminated land; • Construction phase pollution impacts for large or prolonged developments. Noise Development which generates noise pollution or is sensitive to it will only be permitted where it accords with the Development Plan and does not have an unacceptable impact on human health or quality of life.	ES Appendix 19.2 WER Compliance Assessment, Volume II, (Document reference 6.2, DCO Volume 6) has been produced to confirm how the Project accords with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017, which implement the Water Framework Directive in England, and aims to protect and enhance the quality of water resources. ES Chapter 11 Land Quality and ground conditions, Volume I (Document reference 6.1, DCO Volume 6) section 11.8sets out the assessment of the likely significant effects on land quality and ground conditions from the construction, operation and decommissioning of the Project. Chapter 11 includes the likely significant effects of the Proposed Development on land quality and ground conditions are assessed taking account of embedded primary and tertiary mitigation within the design. The need for any secondary mitigation is then considered along with any proposals for monitoring and/or enhancement. The Statutory Nuisance Statement (Document reference 5.3, DCO Volume 5) in section 2 concludes that with the implementation of mitigation measures set out in the Outline CEMP (Document reference 7.1, DCO Volume 7) and OEMP (Document reference 7.7, DCO Volume 7), statutory nuisances are not anticipated during construction, operation or maintenance of the project. • ES Chapter 6 Air quality and odour, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 11 Land Quality and ground conditions, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 19 Water environment, Volume I (Document reference 6.1 DCO Volume 6) • ES Appendix 19.2 WER Compliance Assessment, Volume II, (Document reference 6.2, DCO Volume 6)

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
		• Outline CEMP (Document reference 7.1, DCO Volume 7) • OEMP (Document reference 7.7, DCO Volume 7)
Policy 8: Contaminated Land	The development of land, which is known or suspected to be contaminated, or which is likely to be affected by contamination in the vicinity, will only be permitted where it accords with the Development Plan and there will be no unacceptable impacts on human health, groundwater and surface water, or the wider environment.	ES Chapter 11 Land quality and ground conditions, Volume I (Document reference 6.1, DCO Volume 6) section 11.7 provides details of potential sources of contamination based on historical and current land uses. Additionally, ES Chapter 11 section 11.7, considers ground conditions, designated environmental sites, underlying geological and hydrogeological conditions and how these may interact or be impacted by potential sources of ground contamination. Chapter 11 section 11.7 also considers the effects arising from the ground conditions and how likely these are to have an effect on human health, controlled waters (surface waters and hydrogeology) and designated sites (ecological and geological). • ES Chapter 11 Land quality and ground conditions, Volume I (Document reference 6.1, DCO Volume 6)
Strategic Policy T1: Sustainable and Active Transport and Travel	Planning applications for development that would increase travel must be supported by a transport assessment to quantify the amount and type of travel and should prioritise: i. A genuine choice of sustainable and active transport modes of travel; v. The continued safe and efficient operation of the strategic and local road networks;	ES Chapter 18 Traffic and transport, Volume I (Document reference 6.1, DCO Volume 6) section 18.7 describes the baseline environment. Following this, the likely significant effects of the Proposed Development on traffic and transport are assessed taking account of embedded primary and tertiary mitigation within the design. Additionally, ES Chapter 18 section 18.5 provides an assessment of the Project's impact on accidents and safety. The Framework CTMP (including Framework Construction Worker Travel Plan) (Document reference 7.2, DCO Volume 7) sets out a series of measures that aims to increase the uptake of sustainable modes among construction workers and details the highway access proposals associated with the Project. • ES Chapter 18 Traffic and transport, Volume I (Document reference 6.1, DCO Volume 6)

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
		• Framework CTMP (including Framework Construction Worker Travel Plan) (Document reference 7.2, DCO Volume 7)
Strategic Policy NE1: Protecting and Enhancing Biodiversity and the Natural Environment in the district	Development will only be permitted where it demonstrates that it will protect and enhance the natural environment and biodiversity including the natural beauty of the landscape, all natural resources, habitats and species.	Biodiversity and nature conservation is set out within the ENG and Biodiversity and Nature Conservation section 4.2.25 of the PPS (Document reference 5.5, DCO Volume 5). Additionally, the Biodiversity Gain Plan (including Habitat Management and Monitoring Plan) (Document reference 7.11, DCO Volume 7) outlines the Applicant's approach to delivering biodiversity gains which involves a combination of on-site and off-site delivery. Further, this policy has informed the protected habitat and species mitigation embedded in the design, refer to section 8.4 of ES Chapter 8 and the DPD (Document reference 5.11, DCO Volume 5). They have also informed the practices set out in the Outline CEMP (Document reference 7.1, DCO Volume 7) and the Indicative Environmental Masterplan which is appended to the Design Approach Document (Document reference 5.12, DCO Volume 5) which has been produced to co-ordinate and integrate ENG opportunities across the Project. • PPS (Document reference 5.5, DCO Volume 5) • DPD (Document reference 5.11, DCO Volume 5) • Design Approach Document (Document reference 5.12, DCO Volume 5) • ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1, DCO Volume 6) • Biodiversity Gain Plan (including Habitat Management and Monitoring Plan) (Document reference 7.11, DCO Volume 7) • Outline CEMP (Document reference 7.1, DCO Volume 7)
Policy NE2: Major Commercial,	i. The local planning authority will support the retention and development	As set out in the PPS section 3.2 (Document reference 5.5, DCO Volume 5) and in the CftP (Document reference 5.6, DCO Volume 5) the Project

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
Educational and MOD Establishments in the Countryside	of existing major commercial, educational and MOD establishments that occupy rural locations in the district, where this will help them continue to contribute to the district's economic prosperity; ii. Any application for development should provide a comprehensive and evidence based site wide masterplan which demonstrates how high quality design will be delivered for the whole site which has involved and engaged with stakeholders and interested parties before it is agreed by the council.	is critical to maintaining essential water supplies to customers whilst protecting the environment, both during drought events and normal conditions. It has the resilience and adaptability to be flexible in the future to meet other sub-regional and regional needs, including for Southern Water's Central area. Failure to deliver the Project would place continued additional pressure on an already seriously water-stressed area. There is an overriding public need for the Project. The economic benefits of the Project are set out in section 3 of the PPS (Document reference 5.5, DCO Volume 5) in the CftP document (CftP) (Document reference 5.6, DCO Volume 5). • PPS (Document reference 5.5, DCO Volume 5) • CftP (Document reference 5.6, DCO Volume 5)
Policy NE5: Biodiversity	The Local Planning Authority will require, in accordance with the Environment Act 2021, development to deliver a minimum of 10% measurable net gain in biodiversity to be maintained for a period of 30 years in accordance with the Environment Act and to the latest Statutory Biodiversity Metric.	This policy has been used to inform the protected species and habitat mitigation embedded in the Project design as set out in section 4.4 of the PPS (Document reference 5.5, DCO Volume 5) and within the DPD (Document reference 5.11, DCO Volume 5). Biodiversity and nature conservation is set out within the ENG Statement (Document reference 7.12, DCO Volume 7) and Biodiversity and nature conservation (section 4.4.19) of the PPS (Document reference 5.5, DCO Volume 5) and within ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1, DCO Volume 6). This policy has also informed the practices set out in the Outline CEMP (Document reference 7.1, DCO Volume 7) and has fed into the Indicative Environmental Masterplan which has been appended to the Design Approach Document (Document reference 5.12, DCO Volume 5). • PPS (Document reference 5.5, DCO Volume 5) • DPD (Document reference 5.11, DCO Volume 5)

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
		• Design Approach Document (Document reference 5.12, DCO Volume 5) • ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1, DCO Volume 6) • Outline CEMP (Document reference 7.1, DCO Volume 7) • Biodiversity Gain Plan (including Habitat Management and Monitoring Plan) (Document reference 7.11, DCO Volume 7)
Policy NE6: Flooding, Flood Risk and the Water Environment	The local planning authority will permit development provided it avoids flood risk to people and property and complies with the following: i. Applies a Sequential Test to the location, and the Exception Test if required, and applying the sequential approach at the site level; ii. Manages flood risk from new development to ensure risk is not increased elsewhere and that opportunities to reduce the causes and impacts of flooding within the district through development are taken; iii. Manages flood risk from new development by ensuring drainage off site has enough capacity to service the new development; iv. Safeguards land and designated structures and features from development that is required for current and future flood management;	As set out in the Flood Risk section of the PPS (Document reference 5.5, DCO Volume 5), parts of the Project fall within flood zones 2 and 3. ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2 DCO Volume 6) has been prepared as part of the DCO application. The impacts of the Project on surface and groundwater flows and flood risk are assessed in section 19.8 of ES Chapter 19 Water environment, Volume I (Document reference 6.1 DCO Volume 6). The assessment concluded that, following the application of mitigation measures embedded into the scheme design and construction-stage strategy documents, there would be no significant effects on surface and groundwater flows and flood risk. The Project will secure a resilient water supply in the District: • PPS (Document reference 5.5, DCO Volume 5) of ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6) • ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2, DCO Volume 6) • Outline CEMP (Document reference 7.1 DCO Volume 7)

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
	v. Includes sustainable water management systems such as SuDS which must be considered at the outset and should be designed to meet the relevant standards and accompanied by a management plan for the lifetime of the development.	
Policy NE6: Flooding, Flood Risk and the Water Environment	The Local Planning Authority (LPA) will support the development or expansion of water supply, surface water drainage and wastewater treatment facilities including natural flood management schemes. There will be cases where they are needed to serve existing or new development or in the interests of securing long-term supply, provided that the need for such facilities is consistent with other policies such as the development strategy, flood risk, contamination and protection of the historic, natural and built environment and water supply.	As set out in section 3 of the PPS (Document reference 5.5, DCO Volume 5), there is an *"immediate need to build resilience in the water sector to address pressures on water supplies"* in an area which is classified by the EA as being *'seriously water stressed'*. The Project has progressed through a process which has considered alternative strategic water resource infrastructure solutions as well as different configurations of these solutions. The solutions progressed through a number of stages of detailed review considering a range of technical, environmental, planning, social and economic criteria to determine the location of the project and the pipeline route as set out in the ES Chapter 4 Consideration of alternatives, Volume I (Document reference 6.1, DCO Volume 6) and the SDR (Document reference 5.10, DCO Volume 5). • PPS (Document reference 5.5, DCO Volume 5) • SDR (Document reference 5.10, DCO Volume 5). • ES Chapter 4 Consideration of alternatives, Volume I (Document reference 6.1, DCO Volume 6)
Policy NE8: South Downs National Park	Development within the setting of the South Downs National Park will only be permitted where it would be in accordance with the statutory purposes and duty for National Parks as specified in the National Parks and Access to Countryside Act 1949, as amended by the Section 245 of	The route selection for the Project has ensured that no part of the route alignment is located within the South Downs National Park (SDNP), though elements of the Project are within the setting of the SDNP as it passes in close proximity. ES Appendix 13.3 Landscape baseline and effects, Volume II (Document reference 6.2, DCO Volume 6), explains where and to what extent each Local Landscape Character Areas contributes to the setting of the SDNP. This appendix also identifies

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
	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 in 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.	where there are likely to be effects on the setting as a consequence of the construction, operation and decommissioning of the Proposed Development. The Applicant has undertaken extensive engagement with the SDNP Authority (evidenced through the draft SoCG) (Document reference 5.8, DCO Volume 5). • ES Appendix 13.3 Landscape baseline and effects, Volume II (Document reference 6.2, DCO Volume 6) • Draft SOCG - SDNPA (Document reference 5.8, DCO Volume 5)
Policy NE9: Landscape Character	The Local Planning Authority will permit new development where it protects and enhances the district's distinctive landscape character as defined in the Landscape Character Assessment 2022. Development proposals may be permitted where they conserve and enhance landscape character.	Section 4 of the PPS provides a summary of out how the Project has considered the historic environment and accords with the provisions of the NPSWRI. ES Chapter 7 Archaeology and cultural heritage, Volume I (Document reference 6.1, DCO Volume 6) section 7.8 provides the assessment of the likely significant effects on archaeology and cultural heritage from the construction, operation and decommissioning of the Project. Areas within Winchester were identified as requiring priority (Phase 1) archaeological geophysical survey. These areas were targeted based on known locations of recorded heritage assets relating to buried archaeology within the Hampshire and Winchester HER. The result of this work is summarised within section 7.7 of ES Chapter 7 Archaeology and cultural heritage, Volume I (Document reference 6.1, DCO Volume 6). ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6), ES Appendix 13.2 Landscape and visual impact

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
		assessment methodology (Document reference 6.2, DCO Volume 6), ES Appendix 13.3 Landscape baseline and effects, Volume II (Document reference 6.2, DCO Volume 6) and ES Appendix 13.4 Visual baseline and effects, Volume II (Document reference 6.2, DCO Volume 6) demonstrate that consideration has been given to the of the character of the countryside within Winchester. ES Chapter 20 Cumulative and in-combination effects, Volume I (Document reference 6.1, DCO Volume 6) provides an assessment of the cumulative effects of the project. • PPS (Document reference 5.5, DCO Volume 5) • ES Chapter 7 Archaeology and cultural heritage, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6) • ES Appendix 13.2 Landscape and visual impact assessment methodology, Volume II (Document reference 6.2, DCO Volume 6) • ES Appendix 13.3 Landscape baseline and effects, Volume II (Document reference 6.2, Volume 6) • ES Appendix 13.4 Visual baseline and effects, Volume II (Document reference 6.2, DCO Volume 6) • ES Chapter 20 Cumulative and in-combination effects, Volume I (Document reference 6.1, DCO Volume 6)
Policy NE15: Special Trees, Important Hedgerows and Ancient Woodlands	Development which would result in the loss or deterioration of irreplaceable ancient woodlands, important hedgerows, special trees, (including Ancient & Veteran trees, trees located within a Conservation Area or protected by a Tree Preservation Order), distinctive ground flora and the	Details of the methodology, desk study and field survey results for habitats, ancient woodland and veteran and notable trees are detailed in ES Appendix 8.2, Habitats, Volume II (Document reference 6.2, DCO Volume 6) and are shown spatially in ES Figures:

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
	space required to support them in the long-term will only be permitted in exceptional circumstances and in accordance with the relevant legislation, policy and good practice recommendations.	ES Figure 8.5 Ancient Woodland and ancient, veteran and notable trees within the Order Limits plus a 200m buffer, Volume III (Document reference 6.3, DCO Volume 6) ES Figure 8.9 UK Habitat Classification for linear features including important hedgerows within the field survey area Volume III (Document reference 6.3, DCO Volume 6) ES Figure 8.10 National Vegetation Classification within the field survey area, Volume III (Document reference 6.3, DCO Volume 6) • PPS (Document reference 5.5, DCO Volume 5) • Biodiversity Gain Plan (including Habitat Management and Monitoring Plan) (Document reference 7.11, DCO Volume 7) • ES Figure 8.4 Habitats of principal importance for conserving biodiversity within the Order Limits plus a 200m buffer, Volume III (Document reference 6.3, DCO Volume 6) • ES Figure 8.5 Ancient Woodland and ancient, veteran and notable trees within the Order Limits plus a 200m buffer, Volume III (Document reference 6.3, DCO Volume 6) • ES Figure 8.9 UK Habitat Classification for linear features including important hedgerows within the field survey area, Volume III (Document reference 6.3, DCO Volume 6) • ES Figure 8.10 National Vegetation Classification within the field survey area, Volume III (Document reference 6.3, DCO Volume 6)
Strategic Policy HE1: Historic Environment	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 NPPF.	Refer to WCC Policy CP20: Heritage and Landscape Character.

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
Hampshire County Council		
Hampshire Minerals and Waste Plan (adopted 2013)		
Policy 15: Safeguarding Minerals	Hampshire's sand and gravel (sharp sand and gravel and soft sand), silica sand and brick-making clay resources are safeguarded against needless sterilisation by non-minerals development, unless 'prior extraction' takes place. Development without prior extraction of minerals resources within the safeguarding area may be permitted if the merits of the development outweigh the safeguarding of the mineral.	Mineral Safeguarding Assessment has been completed and is contained within ES Appendix 16.1 Mineral Safeguarding Assessment, Volume II (Document reference 6.2, DCO Volume 6). A summary of the impacts of the Project on minerals safeguarding is outlined in Table 16-18 in ES Chapter 16. PPS section 'Land use including open space, green infrastructure and Green Belt' sets out how the Project assesses the impacts that the Project may have on mineral safeguarded areas. • PPS (Document reference 5.5, DCO Volume 5) • ES Appendix 16.1 Mineral Safeguarding Assessment, Volume II (Document reference 6.2, DCO Volume 6)
Policy 16: Safeguarding - Minerals Infrastructure	The Hampshire Authorities will object to incompatible development unless it can be demonstrated that the merits of the development clearly outweigh the need for safeguarding.	The safeguarded sites form part of the baseline assessment that has been undertaken in section 16.7 of the ES Chapter 16 Resources and Waste Management, Volume I (Document reference 6.1, DCO Volume 6). Where possible, to satisfy this Policy, the location of the Project has avoided these designated sites. Sites which cannot be avoided are considered to be receptors and an assessment of likely significant effects has been undertaken. Additionally, refer to the '*mineral safeguarding areas'* section (4.3.231) of the PPS (Document reference 5.5, DCO Volume 5). • PPS (Document reference 5.5, DCO Volume 5) • ES Chapter 16 Resources and Waste Management, Volume I (Document reference 6.1, DCO Volume 6)
Policy 20: Local Land-won Aggregates	An adequate and steady supply of locally extracted sand and gravel will be provided by maintaining a landbank of permitted	The status of the sand and gravel landbank has influenced the magnitude of the effect on the sensitive receptors as outlined in section

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
	sand and gravel reserves sufficient for at least seven years.	16.7 of ES Chapter 16 Resources and Waste Management, Volume I (Document reference 6.1, DCO Volume 6). • ES Chapter 16 Resources and Waste Management, Volume I (Document reference 6.1, DCO Volume 6)
Policy 22: Brick-Making Clay	A supply of locally extracted brick-making clay for use in Hampshire's remaining brickworks that will enable the maintenance of a landbank of at least 25 years of brick-making clay.	The status of the brick-making clay landbank has influenced the magnitude of the effect on the sensitive receptors as outlined in section 16.7 of ES Chapter 16 Resources and Waste Management, Volume I (Document reference 6.1, DCO Volume 6) • ES Chapter 16 Resources and Waste Management, volume I (Document reference 6.1, DCO Volume 6)
Hampshire Minerals and Waste Plan: Partial Update (Regulation 19) (2024)		
Draft Policy 15: Safeguarding - Mineral Resources	Hampshire's sand and gravel (sharp sand and gravel and soft sand), silica sand and brick-making clay resources are safeguarded against needless sterilisation by non-minerals development, unless 'prior extraction' takes place.	Refer to HCC Policy 15: Safeguarding Minerals response.
Draft Policy 20: Local land-won Aggregates	An adequate and steady supply of locally extracted sand and gravel will be provided by maintaining a landbank of permitted sand and gravel reserves sufficient for at least seven years.	Refer to HCC Policy 22: Brick-Making Clay response.
Draft Policy 30: Construction, Demolition and Excavation Waste Development	The use of inert construction, demolition and excavation waste in developments will be supported where, as far as reasonably practicable, all materials capable of producing high quality recycled aggregates have been removed for recycling and there is a beneficial outcome.	Refer to HCC Policy 30: Construction, demolition and Excavation Waste Development response.

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
South Downs National Park Authority		
South Downs Local Plan 2014-2033 (Adopted 2 July 2019)		
Policy SD6: Safeguarding Views	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.	ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6), ES Appendix 13.2 Landscape and visual impact assessment methodology, Volume II (Document reference 6.2, DCO Volume 6), ES Appendix 13.3 Landscape baseline and effects, Volume II (Document reference 6.2, DCO Volume 6) and ES Appendix 13.4 Visual baseline and effects, Volume II (Document reference 6.2, DCO Volume 6). Impacts on viewpoints within the SDNPA have been considered within section 13. 8 of the ES Chapter 13 Landscape and visual, Volume I, (Document reference 6.1, DCO Volume 6). ES Chapter 20 Cumulative and in-combination effects, Volume I (Document reference 6.1, DCO Volume 6) provides an assessment of the cumulative effects of the project. • ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6) • ES Appendix 13.2 Landscape and visual impact assessment methodology, Volume II (Document reference 6.2, DCO Volume 6) • ES Appendix 13.3 Landscape baseline and effects, Volume II (Document reference 6.2, Volume 6) • ES Appendix 13.4 Visual baseline and effects, Volume II (Document reference 6.2, DCO Volume 6) • ES Chapter 20 Cumulative and in-combination effects, Volume I (Document reference 6.1, DCO Volume 6)
Policy SD7: Relative tranquillity	Development proposals will only be permitted where they conserve and enhance relative tranquillity and should consider the following impacts:	Landscape and visual topics considered within ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6) includes perceptual characteristics of the landscape, tranquillity. Section 13.7 of ES Chapter 13 Landscape and visual, Volume I

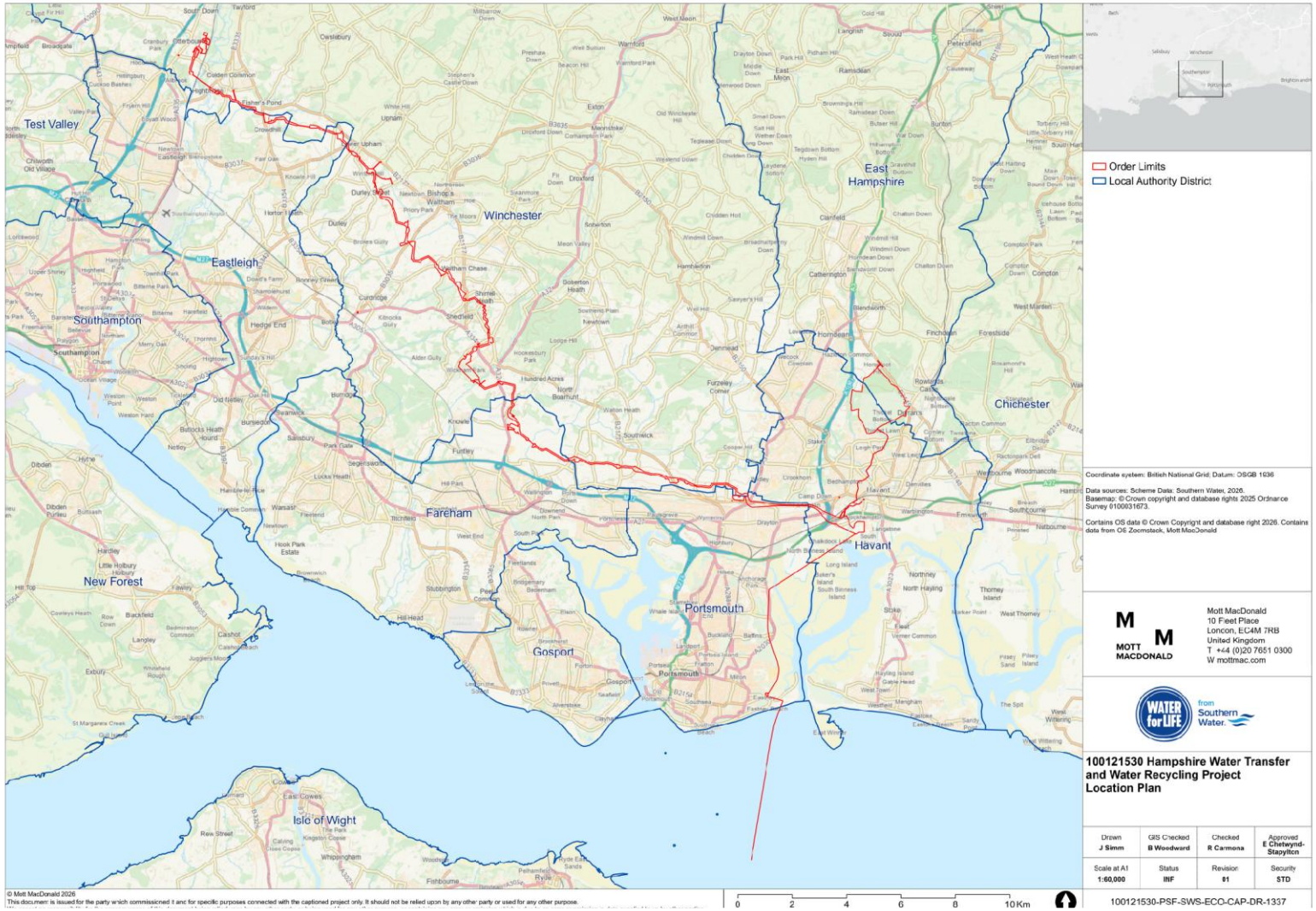
Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
	• Direct impacts that the proposals are likely to cause by changes in the visual and aural environment in the immediate vicinity of the proposals; • Indirect impacts that may be caused within the National Park that are remote from the location of the proposals themselves such as vehicular movements; and • Experience of users of the PRoW network and other publicly accessible locations.	(Document reference 6.1, DCO Volume 6), includes a summary of baseline tranquility, with reference to ES Figure 13.9 Tranquility baseline, Volume III (Document reference 6.3, DCO Volume 6). This includes the SDNPAs' own tranquility mapping. Tranquility has been considered in the assessment of landscape effects summarised in section 13.8 of Chapter 13 and set out in detail in ES Appendix 13.3 Landscape baseline and effects, Volume II (Document reference 6.2, DCO Volume 6). • ES Chapter 13 Landscape and visual, Volume I (Document reference 6.1, DCO Volume 6) • ES Figure 13.9 Tranquillity baseline, Volume III (Document reference 6.3, DCO Volume 6) • ES Appendix 13.3 Landscape baseline and effects, Volume II (Document reference 6.2, DCO Volume 6)
Policy SD8: Dark Night Skies	Development proposals will be permitted where they conserve and enhance the intrinsic quality of dark night skies	Lighting and lighting impacts is covered within section 4.4 of the PPS. Construction lighting design and operational lighting design will follow good practice and will be secured within section 4.7 of the Outline CEMP (Document reference 7.1, DCO Volume 7). • Outline CEMP (Document reference 7.1, DCO Volume 7)
Strategic Policy SD17: Protection of the Water Environment	Development proposals that affect groundwater, surface water features, and watercourse corridors will not be permitted unless they conserve and enhance the water quality and quantity, and help achieve requirements of the European Water Framework Directive, or its replacement and allow the ability of groundwater, surface water features and watercourse corridors to function by natural processes throughout seasonal variations, within the immediate vicinity,	ES Chapter 19 Water environment, Volume I (Document reference 6.1 DCO Volume 6) includes an assessment of the hydrology, geomorphology, quantity and quality of surface waters (including freshwater, coastal and transitional waters). ES Appendix 19.2 WER) Compliance Assessment, Volume II, (Document reference 6.2, DCO Volume 6) has been produced to confirm how the Project accords with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017, which implement the Water Framework Directive in England and aims to protect and enhance the quality of water resources.

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
	and both upstream and downstream of the site of the proposal.	• ES Chapter 19 Water environment, Volume I (Document reference 6.1 DCO Volume 6) • ES Appendix 19.2 WER Compliance Assessment, Volume II, (Document reference 6.2, DCO Volume 6)
Strategic Policy SD19: Transport and Accessibility	Development proposals will be permitted provided that they are located and designed to minimise the need to travel and promote the use of sustainable modes of transport. Development proposals must demonstrate the continued safe and efficient operation of the strategic and local road networks.	ES Chapter 18 Traffic and transport, Volume I (Document reference 6.1, DCO Volume 6) section 18.8 provides the assessment of the likely significant effects on traffic and transport from the construction, operation and decommissioning of the Project. ES Chapter 18 considers road safety, which includes safety from a pedestrian and cycle perspective. It also provides an assessment of the impact of a temporary increase in traffic associated with construction activities. The assessment of effects contained in section 18.8 within ES Chapter 18 are underpinned by a series of management plans, including the Framework CTMP (including Framework Construction Worker Travel Plan) (Framework CTMP) (Document reference 7.2, DCO Volume 7) which provide an overview of the signage strategy associated with the Project. The traffic and transport assessment includes an assessment of amenity, fear and intimidation. Construction impacts on PRoW and promoted recreational routes within the National Park have been considered in section 18.8 within ES Chapter 18 Traffic and transport, Volume I, (Document reference 6.1, DCO Volume 6). • ES Chapter 18 Traffic and transport, Volume I (Document reference 6.1, DCO Volume 6) • Framework CTMP (Document reference 7.2, DCO Volume 7)
South Downs National Park Authority New Local Plan - South Downs Local Plan Review (Regulation 18) (2025)		
Draft Strategic Policy SD6: Safeguarding Views	Development proposals will only be permitted where they preserve the visual integrity, identity and scenic quality of the National Park, in particular by conserving	Refer to SDNPA Policy SD6 - Safeguarding Views.

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
	and enhancing key views and views of key features within the National Park.	
Draft Strategic Policy SD7: Relative Tranquillity	Development proposals will only be permitted where they conserve and enhance relative tranquillity.	Refer to SDNPA Policy SD7: Relative Tranquillity.
Draft Policy SD17: Protection of the Water Environment	Development proposals affecting the water environment (existing features, or the creation of new features) must demonstrate a catchment and landscape-led approach, prioritising the delivery of nature-based solutions to mitigate or prevent adverse impacts to the water environment; both during and post development. Development proposals that affect groundwater, surface water features, and watercourse corridors will not be permitted unless they conserve, and enhance, and where possible, restore, the water quality and quantity, and help achieve requirements of the European Water Framework Directive and where relevant the Habitats Regulations, or it's their replacement.	Refer to SDNPA Policy SD17: Protection of the water environment response.
Draft Strategic Policy SD19: Transport and Accessibility	Development proposals will be permitted provided that they are located and minimise the need and/or distance to travel and promote facilitate the use of	Refer to SDNPA Strategic Policy SD19: Protection of the water environment response.

Relevant Policy	Summary of the Relevant Policy Text	Regard to the Local Policy and application documentation references
	sustainable modes of transport, including active travel.	

Appendix E Location plan showing local authority boundaries



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