Hampshire Water Transfer and Water Recycling Project

The Applicant's responses to Relevant Representations from local authorities, parish councils, and statutory consultees

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1 Introduction

1.1 Purpose of this document

5.1.1 This document contains Southern Water Services Limited's (hereafter referred to as 'the Applicant') responses to Relevant Representations (RRs) submitted by local authorities, parish councils and statutory consultees for the Hampshire Water Transfer and Water Recycling Project (hereafter referred to as 'the Project'). This is one of four documents submitted as part of the Applicant's responses to RRs. An explanation of the methodology used to collect, analyse and process the RRs, as well as a table containing all the RRs received by the Planning Inspectorate, can be found in the Applicant's guide to responses to Relevant Representations (Document reference 8.4, DCO Volume 8, Version 0).

5.1.2 A detailed description of the Project can be found in Environmental Statement (ES) Chapter 3 Description of the Proposed Development [APP-082]. The Application Glossary [APP-007] sets out the abbreviations and definitions used in the DCO application for the Project.

1.2 Structure of this document

5.2.1 The RRs and the Applicant's responses are presented in a tabular format, with one table per RR. Each table includes the RRs reference number, as described in the Planning Inspectorates Library, the theme assigned to that segment of the RR, the comment as submitted by the IP, and the Applicant's response.

2 The Applicant's responses to local authorities, parish councils, and statutory consultees

Table 2-1 The Applicant's response to RR-029 from Aquind Limited

Reference	Theme	Issue raised	The Applicant's response
RR-029-1	Greeting	HAMPSHIRE WATER TRANSFER AND WATER RECYCLING PROJECT Planning Inspectorate Reference: WA010002 RELEVANT REPRESENTATION OF AQUIND LIMITED 1. Aquind Limited (AQUIND) is the promoter of AQUIND Interconnector, a proposed 2,000 MW electricity interconnector between Great Britain and France. The application for development consent for the elements of AQUIND Interconnector situated in England and adjacent waters is currently awaiting redetermination by the Secretary of State for Energy Security and Net Zero. 2. This Relevant Representation is submitted in respect of the application by Southern Water Services Limited (the Applicant) for development consent for the Hampshire Water Transfer and Water Recycling Project (the Application).	The Applicant notes this comment.
RR-029-2	Construction impacts and effects	3. AQUIND does not object in principle to the Hampshire Water Transfer and Water Recycling Project. However, AQUIND requires appropriate safeguards to ensure that the construction, operation and maintenance of that project do not prejudice the consenting, construction, operation, maintenance or repair of AQUIND Interconnector, or interfere with land and rights required for AQUIND Interconnector.	The Applicant acknowledges AQUIND's request. The Applicant and the Contractor will continue to engage with AQUIND throughout the detailed design, development and operation of the Project to ensure that any interface between the two projects is appropriately managed and they can co-exist.
RR-029-3	Cumulative effects	4. AQUIND has engaged with the Applicant before submission of the Application and has reviewed the relevant Application documents. The principal interface between the two projects is at Portsdown Hill Road, near Farlington Avenue, as shown on Sheet 2 of 7 of APP-410.	The Applicant acknowledges AQUIND's response and pre-application engagement, noting the location of their project on Portsdown Hill Road, near Farlington Avenue, and the interface with the Project. The Cumulative Effects Assessment (CEA), set out in Environmental Statement (ES) Appendix 20.2 Cumulative effects assessment [APP-209], assessed the cumulative effects between the Project and the AQUIND development. No residual likely significant effects have been identified for cumulative effects with the AQUIND development. The Contractor will continue to liaise with AQUIND throughout the scheme development and following completion of the Applicant's detailed design to ensure that the two projects co-exist.
RR-029-4	Construction impacts and effects	5. AQUIND understands that the Applicant proposes to construct the water-transfer pipeline by tunnelling at this location, at a depth of at least approximately 40 metres below ground level. AQUIND Interconnector proposes two separate excavated cable trenches at an approximate depth of 1 metre within its Order Limit in the same area.	The Applicant notes AQUIND's previous correspondence dated 21 April 2026, in which AQUIND stated: *"Given the depths proposed by the HWTWRP project, AQUIND do not envisage any impacts."* The Applicant has provided AQUIND with a copy of the protective provisions included in Schedule 10, Part 1 for the protection of electricity, gas, water and

Reference	Theme	Issue raised	The Applicant's response
			sewerage undertakers of the draft Development Consent Order (DCO) [APP-023] for its review. The Applicant understands that AQUIND is still considering these protective provisions and whether it might require additional bespoke solutions, which could be negotiated.
RR-029-5	Construction impacts and effects	6. On the basis of the design information presently available, a direct physical clash between the permanent infrastructure of the two projects appears unlikely. However, the detailed design of the pipeline is not available at the present time.	The Project is currently at the indicative design stage. The Applicant will engage with AQUIND once the Contractor develops the detailed design at a later stage. The protective provisions included in Schedule 10, Part 1 for the protection of electricity, gas, water and sewerage undertakers of the draft DCO [APP-023] ensure continued engagement with AQUIND regarding any interactions between the Project and AQUIND's assets identified during detailed design.
RR-029-6	Landowner engagement	7. AQUIND therefore requests that the Applicant: a. continues engagement with AQUIND through the development of the scheme;	The Applicant confirms that it will continue to engage with the respondent throughout the scheme development to ensure that the two projects can co-exist.
RR-029-7	Landowner engagement	b. provides AQUIND with the relevant alignment drawings, levels, construction tolerances, ground-movement assessments, method statements and programme information sufficiently in advance of works affecting the interface area;	The Applicant confirms that if an interaction between the two projects is identified following completion of the Applicant's detailed design, then the information requested by the respondent will be provided. The Applicant has engaged with the respondent regarding the interaction between the Applicant's Project and the AQUIND Project, noting the location of their project on Portsdown Hill Road, near Farlington. The engagement has concluded that given the indicative depth of the Applicant's Project at Portsdown Hill Road, (Works No.4 as shown on the Works Plans [AS-008]) the Applicant does not envisage any impacts from the Applicant's Project on the AQUIND Project.
RR-029-8	Landowner engagement	c. demonstrates that the authorised development can be constructed, operated and maintained without damage to, obstruction of, or material prejudice to AQUIND Interconnector;	As detailed in RR-029-7, the Applicant considers that due to the indicative depth of Works No.4 (as shown on the Works Plans [AS-008] at Portsdown Hill Road, near Farlington) the Project can be constructed, operated and maintained without damage to, obstruction of, or material prejudice to AQUIND Interconnector. The Applicant confirms that it will continue to engage with the respondent throughout the scheme development to ensure that the two projects can co-exist.
RR-029-9	The draft DCO	d. does not exercise compulsory acquisition, temporary possession or other powers in a manner that would extinguish, override or materially interfere with land interests, rights or infrastructure required for AQUIND Interconnector; and	The Applicant is engaging, and will continue to engage, with AQUIND in relation to the protective provisions and has provided the protective provisions included at Schedule 10, Part 1 to the draft DCO [APP-023] for the protection of electricity, gas, water and sewerage undertakers for AQUIND's consideration.

Reference	Theme	Issue raised	The Applicant's response
RR-029-10	The draft DCO	e. agrees appropriate protective provisions, requirements or legally binding undertakings before the close of the Examination.	As above.
RR-029-11	The draft DCO	8. AQUIND reserves its position in relation to the draft Development Consent Order, compulsory acquisition and temporary possession powers, protective provisions, requirements and any proposed change to the Application. AQUIND may submit further evidence and representations as additional information becomes available.	The Applicant notes this comment.
RR-029-12	The process of developing the Project	9. AQUIND requests to be registered as an Interested Party and intends to participate in the Examination, including through written representations and hearings, where necessary, to protect its interests and ensure the safe delivery of the two respective nationally significant infrastructure projects.	The Applicant notes this comment

Table 2-2 The Applicant's response to RR-038 from Birdham Parish Council

Reference	Theme	Issue raised	The Applicant's response
RR-038-01	Consultation	Southern Water has not informed the residents of West Sussex of the future impact that is HWTWR scheme will have on them. W Sussex residents should be fully informed and given the opportunity to voice their views BEFORE planning permission is granted.	The Consultation Report [APP-029] sets out the pre-application consultation activities undertaken for the Project, comprising both non-statutory and statutory consultation. Statutory consultation was undertaken through multiple consultation stages (Summer 2024 Consultation, Spring 2025 Consultation, Autumn 2025 Consultation and Spring 2026 Consultations). Earlier non-statutory consultations (Public Consultation 2021 and Summer 2022 Consultation) were also carried out. The Applicant has communicated its proposals for water recycling and transfer over a considerable period throughout its public consultations which were undertaken in accordance with the statutory requirements and prescribed consultee categories applicable at the time. Consultation activities were open to all interested parties and included engagement across the areas potentially affected by the construction and operation of the Project. The Planning Act 2008 (PA 2008) consultation duties are framed around prescribed bodies, relevant local authorities, persons with an interest in land, and consultation with local communities. The consultation strategy was therefore focused on people living in the vicinity of the Project boundaries, host communities and those most likely to experience impacts from the construction and operation of the Project infrastructure. West Sussex residents were not generally consulted as they were not considered to be affected by the Project in this way. Notwithstanding this, the Summer 2024 Consultation included a Consultation Zone D (as set out in the 2024 Statement of Community Consultation (SoCC), please see Appendix E.9 of the Consultation Report Appendix E – 2024 SoCC [APP-041] which covered Hampshire and the wider area, including Birdham parish. Notices promoting the statutory consultations in 2024 and 2025 were placed in both local and national newspapers.

Reference	Theme	Issue raised	The Applicant's response
RR-038-02	Alternatives	Birdham Parish Council's view is that the government should endorse the much cheaper, more environmentally sustainable, safer and long-term solutions that will not destroy the chalk streams nor the integrity of the country's latest spring-fed reservoir. These alternative solutions that have been avoided by Southern Water should be enforced by the government.	The driver for the Project is to reduce unsustainable abstractions from the River Test and River Itchen. The Project is, at the same time as maintaining supply to customers, actively seeking to protect these sensitive chalk stream habitats. Government policy, in the National Policy Statement for Water Infrastructure (NPSWRI), is clear in paragraph 1.4.3 that additional water resources infrastructure is required to supplement demand management measures to meet future water needs. Broadening the types of water resources infrastructure available is an essential part of increasing the overall resilience of supplies to customers. The NPSWRI specifically recognises the benefits of water recycling which is also reflected in the recent policy paper from the Environment Agency '*Water recycling for public water supply: Environment Agency position statement'.* A detailed explanation of the selection of the Project, and alternatives considered, is provided in the Scheme Development Report [APP-073]. In relation to the concern about impacts on the water environment, the potential effects of the Project on Havant Thicket Reservoir, downstream watercourses and receiving water bodies have been assessed in ES Chapter 19 Water environment (Document reference 6.1, DCO Volume, Version 1). The supporting modelling indicates that, with the proposed treatment and operational controls, the Project would not result in significant adverse effects on the water environment, including deterioration in water quality or biological status in Havant Thicket Reservoir or downstream water bodies. Further detail is provided in ES Appendix 19.6 Havant Thicket Reservoir Compensatory Flows water quality modelling [APP-201] and ES Appendix 19.11 Havant Thicket Reservoir water quality modelling (Document reference 6.2, DCO Volume 6, Version 1).
RR-038-03	Wider water industry challenges	With the latest criminal charges against (redacted) for defrauding EA and OFWAT it is unacceptable that this same company should now be leading a plan to (redacted) the water environment.	The Applicant recognises the concerns about past incidents. The Applicant has implemented a Turnaround Plan (2023–2025) focused on improving operational performance, reducing pollution incidents, and enhancing customer service. Since 2020, pollution incidents have reduced by 38%, and leakage has reduced by almost 20% by 2024/25. The Applicant is committed to ongoing investment in its infrastructure and to maintaining high standards of monitoring and maintenance for both existing and new assets. In relation to the concern about impacts on the water environment, the potential effects of the Project on Havant Thicket Reservoir, downstream watercourses and receiving water bodies have been assessed in Environmental Statement (ES) Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1). The supporting modelling indicates that, with the proposed treatment and operational controls, the Project would not result in significant adverse effects on the water environment, including deterioration in water quality or biological status in Havant Thicket Reservoir or downstream water bodies. Further detail is provided in ES Appendix 19.6 Havant Thicket Reservoir Compensatory Flows water quality modelling [APP-

Reference	Theme	Issue raised	The Applicant's response
			201] and ES Appendix 19.11 Havant Thicket Reservoir water quality modelling (Document reference 6.2, DCO Volume 6, Version 1).
RR-038-04	Consultation	We would therefore ask the government to fully inform the residents of W Sussex of the effect this will have on them.	The Applicant notes the request that residents of West Sussex should be fully informed of the effects of the Project. As set out in the response to RR-038-01, consultation and publicity were not confined to Hampshire. The Summer 2024 Consultation included Consultation Zone D, which extended into western parts of West Sussex. Relevant authorities and organisations in West Sussex were also consulted directly, and notices promoting the statutory consultations were placed in local and national newspapers with circulation extending into West Sussex. These measures provided opportunities for residents and organisations in West Sussex to obtain information about, and respond to, the Project. Please see the Applicant's response to RR-038-01 for further details.
RR-038-05	Alternatives	Birdham's view is that cheaper more environmentally sustainable options should be supported by the government.	The Government and the Environment Agency recognise the benefits of water recycling as part of the package of future water resilience options. By reducing reliance on abstraction from the Rivers Test and Itchen, the Project enables compliance with environmental legislation and supports the long-term health of sensitive river ecosystems. Also see response to RR-038-002 above. Alternatives were considered through both WRMP19 and the subsequent options appraisal process, noting that whilst pursuing the preferred WRMP19 strategy for a desalination plant at Fawley, the Applicant continued to investigate strategic alternatives as a contingency in case desalination proved undeliverable. Those alternatives were thoroughly assessed though the options appraisal process and the Project was determined to be the best value solution of those considered, following which this became the preferred strategy over desalination. The preparation of the emerging WRMP24 did not subsequently identify any alternative solutions capable of providing the scale of water supply needed in the timescales required. The consideration of alternatives was therefore undertaken well in advance of the Project being selected as the new preferred strategy. This Project is a part of the Applicant's wider Water for Life Hampshire programme of work which includes cheaper options such as minimising leakage, saving water, NBS solutions to improve the catchment and health of rivers and seas.

Table 2-3 The Applicant's response to RR-052 from Chichester District Council

Reference	Theme	Issue raised	The Applicant's response
RR-052-1	Need Case	Havant Thicket Water recycling scheme Development Consent Order Representation from Chichester District Council 24/08/2026 1. Water Resources	This comment reflects the Applicant's position. The driver for the Project is to reduce abstractions impacting the River Test and River Itchen. The Project is, at the same time as maintaining supply to customers, actively seeking to protect these sensitive chalk stream habitats.

Reference	Theme	Issue raised	The Applicant's response
		The South East of England is a water scarce area at a time when demand is increasing due to housing and business growth and drought is becoming a frequent event, exacerbated by changing climate that society a whole is not yet adequately prepared for. Our water supplies are heavily dependent on the chalk aquifer. The impact of abstraction on chalk streams is very visible to our communities so in principle we are keen for alternatives to be explored.	
RR-052-2	Alternatives	It is however essential that demand reduction measures at the user level remain at the forefront of Water Resource Management plans and of building regulations. Water efficiency fixtures and fittings, greywater systems and rainwater harvesting are all vital measures in adapting to climate change.	The Applicant notes this comment. Demand reduction measures (reducing consumption / water efficiency initiatives, etc) remain a crucial part of the strategy. These can only be part of the solution which also requires new large scale supply options, given the scale of the projected water supply deficit. The Project would provide a new sustainable source of water, delivering up to 90Ml/d of water into the Hampshire supply network. The Applicant directs the Council to the Case for the Project (Document reference 5.6, DCO Volume 5, Version 1) for further details.
RR-052-3	The Applicant's wider operations and Project interfaces	2. Drinking water quality The physical works do not impact on Chichester District. We do not have any comments to make on this aspect of the works. The impacts for our community will come from where water supplies in the District are sourced. Our understanding is that water from Farlington WtW is not supplied to our district currently, but this will be possible in the future if and when a two-way transfer is implemented between Farlington WtW and the Racton reservoir (see below for proposed supply to Hardham). Information on which areas can / will / maybe supplied from this scheme (and when) has not been easy to find, despite the extensive documentation provided as part of the DCO. No maps of areas supplied are available for example, WtW are identified by code letters rather than by name.	In relation to which communities may receive water associated with the Project, the figure in the Consultation Brochure on pages 36 and 44 of the Consultation Report Appendix F – Statutory Summer 2024 Consultation - 1 of 7 documents [APP-042], demonstrated how the Project would operate by recycling water, storing it in the Havant Thicket Reservoir and transferring it to Otterbourne Water Supply Works (Otterbourne WSW) for further treatment and onward supply to the Applicant's customers. Water supplied to Portsmouth Water (PW) customers from Havant Thicket Reservoir is only anticipated through a bulk supply agreement established between the Applicant and PW. In the agreement, water supplied to the Applicant via PW's potable water network during drought conditions could be replaced into PW's network through abstraction from Havant Thicket Reservoir. Each water undertaker is responsible for notifying its customers of a change to the source of water. To ensure affected customers receive clear information, the Applicant recognises the importance of engaging with customers ahead of any change in water source. To date, the Applicant has engaged with customers on the need for the Project, focusing on current and future water scarcity and the reasons why new sources are required. This has included targeted customer research, such as a 2023 survey of over 1,900 customers across the Applicant's region, which showed that around 60% of customers supported water recycling as part of their future water supplies. Furthermore, customers living in proximity to the Project have been notified and had the opportunity to participate in the non-statutory and statutory public consultations undertaken to inform the development of the Project. The Applicant's future engagement regarding a change in source will be phased and targeted, providing clear information about water quality and safety. This engagement will occur closer to the implementation of the change

Reference	Theme	Issue raised	The Applicant's response
			in source. This approach is informed by industry research, including work by BritainThinks (2022), which found that most customers prefer to be notified of a change in water source 3-6 months in advance, with a single reminder closer to the time. Full details of the engagement that has been carried out and that will be carried out is set out in Appendix B of The Applicant's written summaries of oral submissions at OFH1 and ISH1 and post hearing actions (Document reference 8.9, DCO Volume 8, Version 0).
RR-052-4	The Applicant's wider operations and Project interfaces	The lack of transparency does not help address community concerns over where our water will be coming from. The EIA deals with this issue of safety of drinking water in one paragraph (ES Vol.6 chapter 17, page 111, para 17.8.134). Whilst we accept that all water supplied will comply with the DWI safety standards, there remains considerable concern within communities, some of this based on misunderstandings about the area to be supplied from Havant Thicket as against other abstraction points.	The areas that may receive water associated with the Project, together with the Applicant's approach to transparency, customer engagement and the provision of information about water quality and safety before any change in water source, are addressed in the Applicant's response to RR-052-3.
RR-052-5	Consultation	3. Future water infrastructure - planning and consultation Although not part of the current DCO, we are aware of the proposal by Southern Water to supply water in future from Havant Thicket to Hardham WtW. By default, the granting of the DCO will mean that any water supplied from Havant Thicket will contain treated effluent. Residents and organisation in the Sussex North WRZ have not been consulted on this DCO, yet it underpins their future water supply and the two-stage approach means that the water recycling scheme will be consented without all areas that are to be supplied from it having been consulted on it. Although not part of the physical works for this DCO we ask that the inspectorate look ahead to the knock-on effects of this new infrastructure and take comments from water customers in the Sussex North WRZ fully into account.	Pre-application consultation under the Planning Act 2008 concerns the Project and its likely effects. It was not the statutory mechanism for consulting all end users of water. Whilst customers in the Sussex North WRZ are not in line to be receiving water from Havant Thicket Reservoir at this stage, future supply arrangements could evolve over time. A separate change-of-source engagement phase is planned before purified recycled water is introduced as a source of raw water for public supply. The RAPID Gate Three PA7 change-of-source engagement plan explains that this phase is part of the wider Project engagement programme but is intended to begin in full approximately two years before switch-on of the new water source, with engagement before that building up a foundational knowledge of the need for the Project, the need for water recycling more broadly, and water scarcity. That timing, which was agreed in discussion with the Drinking Water Inspectorate (DWI), reflects the need for customer communication to be close enough to implementation to use mature and accurate operational information, while still allowing sufficient time to explain the change, respond to questions and maintain confidence in the safety and wholesomeness of supply. This approach is consistent with wider customer research on communicating changes of water source. The BritainThinks research undertaken in 2022 found that customers generally expect advance notice of a source change, but that communicating too far in advance can create unnecessary alarm, reduce engagement, and cause confusion if the change is subsequently amended or does not proceed. Most household customers wanted to be notified three to six months before a change, with a reminder closer to the time; for changes that may be temporary or seasonal, around half wanted to be notified each time the supply could change.

Table 2-4 The Applicant's response to RR-089 from East Hampshire District Council

Reference	Theme	Issue raised	The Applicant's response
RR-089-1	The process of developing the Project	See Written Representation on behalf of East Hampshire District Council APPLICATION BY SOUTHERN WATER SERVICES LIMITED FOR THE HAMPSHIRE WATER TRANSFER AND WATER RECYCLING PROJECT DEVELOPMENT CONSENT ORDER SUBMISSION OF EAST HAMPSHIRE DISTRICT COUNCIL'S RELEVANT REPRESENTATION East Hampshire District Council submits the attached Relevant Representation in respect of the above Development Consent Order application. The Council has reviewed the application documents and has prepared the enclosed representation to set out its interests, observations and matters of concern relevant to the proposed development and its potential effects on the district. The Council requests that the Examining Authority has regard to the matters raised within the attached Relevant Representation during its consideration of the application. The Council looks forward to engaging constructively throughout the examination process and will continue to work with the Applicant, neighbouring authorities and other relevant stakeholders as appropriate. Should the Examining Authority require any clarification on the matters raised, please do not hesitate to contact the Council. Yours faithfully, [REDACTED] Executive Director of Operations for East Hampshire District Council	The Applicant notes this comment and looks forward to continuing to engage with the Council throughout Examination. The Applicant will update the draft Statement of Common Ground (Document reference 5.8, DCO Volume 5, Version 1) as appropriate.
RR-089-2	The process of developing the Project	1.0 Introduction 1.1 Following the Planning Inspectorate's decision on 21 May 2026 to accept the Development Consent Order (DCO) application for the Hampshire Water Transfer and Water Recycling Project (HWTWRP). East Hampshire District Council submits the following Relevant Representation and provides a summary of the main aspects of the proposal and key considerations with regards to how these may impact the authority area, as appropriate in accordance with published guidance. The scheme crosses multiple administrative boundaries, straddling multiple Local Authority areas. For clarity, this response solely relates to the areas of land within the Council's administrative area and the potential for impacts within the district. 1.2 EHDC is aware of community and public concerns regarding the potential impacts of the development, as well as those addressed by other statutory bodies or falling beyond the Council's scope. Interested parties have been advised to submit comments directly to the Examining Authority.	The Applicant notes this comment.

Reference	Theme	Issue raised	The Applicant's response
RR-089-3	Consultation	1.3 The Council is similarly aware of community concerns with regards to the extent of public engagement. While we have responded separately on the adequacy of consultation (having regard to s41) a number of concerns have been raised to us on the extent of community engagement. These have been raised independently and we note the Examining Authority will have regard to these and the relevant requirements.	Pre-application consultation under the Planning Act 2008 (PA 2008) concerns the Project and its likely effects. The pre-application consultation for the Project was therefore designed around the statutory requirements of the PA 2008 and having regard to relevant guidance, which emphasises that pre-application consultation should be effective, proportionate to the nature, scale and effects of the proposed project, and not unnecessarily burdensome. The consultation was therefore directed to the relevant statutory and affected audiences, including prescribed bodies, relevant local authorities, persons with land interests and the Marine Management Organisation, where relevant under section 42, local communities living in the vicinity of the land under section 47, and wider publicity under section 48. The Applicant is aware of community concerns regarding the extent of consultation and would emphasise that the PA 2008 does not require direct consultation with every potential end user of water supplied through the wider network. Targeted engagement with customers affected by a change of source will be undertaken closer to switch-on, when supply areas and operational information are sufficiently mature to support effective communication. This approach has been communicated through the RAPID gated process and supported by RAPID as the most appropriate means of ensuring customer engagement is undertaken when information is sufficiently developed to be accurate, proportionate, and meaningful.
RR-089-4	The process of developing the Project	2.0 Scope and Context of Relevant Representation 2.1 This representation is made without prejudice to any future views expressed by the Council during the Examination. It follows an initial review of application documents, including the Environmental Statement, and identifies the main matters of interest to the Council that may require further consideration. 2.2 Issues and effects are identified where practicable, although further submissions will be made via the Local Impact Report (LIR) in due course. The Council has engaged with the Statement of Common Ground (SoCG) process although at present, this is yet to be agreed with the applicant.	The Applicant notes this comment.
RR-089-5	Legislation, policy and permits	2.3 The Council has had regard to paragraphs 3.8.1-3.8.9 of the National Policy Statement for Water Resources Infrastructure (July 2025) (NPS WRI), which explain the relationship between the DCO process and the Environment Agency's separate pollution-control functions. The potential effects of the Project on water quality, including within Havant Thicket Reservoir and connected water bodies, remain matters that must be properly assessed through the DCO process. However, it is acknowledged that the detailed regulation of the treatment process and any operational discharges, including the setting, monitoring and enforcement of permit limits, falls principally to the Environment Agency through the environmental permitting and licensing regimes.	The Applicant agrees that the potential effects of the Project on water quality require careful assessment. These matters have been assessed through the Development Consent Order (DCO) application, including within Environmental Statement (ES) Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1) and supporting technical appendices. The assessment considers the hydrology, geomorphology, quantity and quality of surface waters, groundwater and connected water bodies, including Havant Thicket Reservoir. Specific assessment work has been undertaken in relation to Havant Thicket Reservoir, including water quality modelling, to assess the effects of introducing recycled water to the reservoir and the implications for connected water bodies. The Project has also been assessed against the requirements of

Reference	Theme	Issue raised	The Applicant's response
			the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 through the WER Compliance Assessment [APP-197]. ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1) concludes that, following implementation of embedded mitigation measures and the controls secured through the Project design and management plans, there would be no significant effects on water quality, surface water resources or groundwater resources.
RR-089-6	Legislation, policy and permits	2.4 The Examination should therefore consider whether the potential pollution and water-quality effects have been adequately assessed and whether the Project is capable of operating acceptably within that regulatory framework, while avoiding duplication of controls that properly fall within the Environment Agency's remit. In accordance with the NPS, the Secretary of State should be satisfied, through close cooperation with the Environment Agency, that potential releases can be adequately regulated and that there is no good reason to believe that the necessary permits or licences would not subsequently be granted.	The Applicant acknowledges East Hampshire District Council's comment. Assessments undertaken for the Project indicate that there will not be adverse effects on the water environment as provided in ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1). The Applicant will continue to work closely with the Environment Agency as the regulator for discharges into the environment. The Environment Agency has stated within both its Relevant Representation [RR-102] and its Statement of Common Ground - Environment Agency (Document reference 5.8, DCO Volume 5, Version 2) that it has not identified any issues that would indicate that these permits cannot be granted.
RR-089-7	Legislation, policy and permits	2.5 EHDC does not seek to duplicate the Environment Agency's technical assessment or permitting role. The Council's interest is whether the potential effects on East Hampshire have been properly assessed whether there is sufficient assurance that they can be effectively regulated, and whether any controls that properly fall within the DCO are adequately secured.	Please refer to the Applicant's response to RR-089-6. The output of the Water Recycling Plant and its release into Havant Thicket Reservoir will be controlled by an Environmental Permit. Paragraph 3.8.3 of the National Policy Statement for Water Resources Infrastructure (NPSWRI) confirms that the Secretary of State "should work on the assumption that, in terms of the control and enforcement, the relevant pollution control or other consenting regime will be properly applied and enforced. Decisions under the Planning Act should complement but not duplicate those taken under the relevant pollution control regime" [emphasis added]. Accordingly, it would not be appropriate for Schedule 2 to include any Requirement relating to the quality of the water to be discharged into the reservoir. As stated in response to RR-089-6, the Environment Agency has not identified any issues that would indicate this permit cannot be granted.
RR-089-8	Legislation, policy and permits	3.0 Planning Policies and Local Context 3.1 Whilst not determinative under the Planning Act 2008, the Examining Authority can consider other important and relevant matters, including national and local planning policy. The local policies that the Council considers of relevance to this application are highlighted below and should be considered as important and relevant to the determination of the application.	The Applicant notes and agrees that local development plan policy may be relevant under Section 104 of the Planning Act 2008, as stated within the Planning Policy Statement (Document reference 5.5, DCO Volume 5, Version 2) Section 1.
RR-089-9	Legislation, policy and permits	3.2 The Council's Development Plan consists of: • East Hampshire District Local Plan: Joint Core Strategy Part 1 Local Plan (Adopted June 2014)	This accords with the Applicant's understanding of the development plan as noted at paragraph 6.5.3 of the Planning Policy Statement (Document reference 5.5, DCO Volume 5, Version 2).

Reference	Theme	Issue raised	The Applicant's response
		• Housing and Employment Allocations (Part 2 Local Plan) adopted April 2016 and • 'Saved' policies of the East Hampshire District Local Plan: Second Review (Adopted March 2006)	
RR-089-10	Legislation, policy and permits	3.3 The extent of the DCO area falls within the Rowlands Castle Neighbourhood Plan Area. The Rowlands Castle Neighbourhood Development Plan was made in September 2023. Relevant Neighbourhood Plan policies are as follows: • Policy 2 - Landscape Character and Views • Policy 5 - Design and Local Character • Policy 9 - Flood Risk and Ground Water Management	The Applicant notes the Rowlands Castle Neighbourhood Plan Area. The relevance of local policy to the Project should be considered in the context that the only component of the Project located within East Hampshire would be part of Havant Thicket Reservoir used for storage of recycled water. No physical development is proposed within East Hampshire District Council.
RR-089-11	Legislation, policy and permits	3.4 The East Hampshire District Local Plan: Joint Core Strategy sets out the long-term spatial vision and strategic planning policies for the district. It was adopted by East Hampshire District Council on 8 May 2014. The key Joint Core Strategy policy relevant to this project is: • CP26: Water Resources/Water Quality Policy CP26 seeks to protect and enhance the quality and quantity of groundwater and surface water and to ensure that adequate water and wastewater infrastructure is provided. It supports proposals by service providers for the delivery of water and wastewater infrastructure, subject to compliance with the other policies of the Local Plan. The policy also specifically safeguards the Havant Thicket Reservoir site from development that would prejudice its delivery.	The Applicant agrees that policy CP26 is relevant and provides due consideration within Appendix D of the Planning Policy Statement (Document reference 5.5, DCO Volume 5, Version 2) at page 257.
RR-089-12	Legislation, policy and permits	3.5 Other Joint Core Strategy policies potentially relevant to the proposals in so far as they relate to East Hampshire include: • CP1: Presumption in Favour of Sustainable Development • CP19: Development in the Countryside • CP20: Landscape • CP21: Biodiversity • CP22: Internationally Designated Sites • CP25: Flood Risk • CP27: Pollution • CP28: Green Infrastructure • CP30: Historic Environment • CP31: Transport	The Applicant agrees that CP21, CP27, CP31 and CP 32 are relevant as reflected within Appendix D of the Planning Policy Statement (Document reference 5.5, DCO Volume 5, Version 2). As no physical development is proposed within EHDC other policies such as CP1, CP19, CP20, CP22, CP25, CP28 and CP30 are not directly relevant.

Reference	Theme	Issue raised	The Applicant's response
		• CP32: Infrastructure	
RR-089-13	Legislation, policy and permits	3.6 A number of policies from the East Hampshire District Local Plan: Second Review, adopted in March 2006, remain part of the Development Plan. Most of the strategic policies in the Second Review have been replaced by the Joint Core Strategy. However, the remaining policies continue to apply alongside the Joint Core Strategy where relevant. The principal remaining policy relevant to the proposed works is: • UI1: New Utility Infrastructure in the Countryside Policy UI1 permits new utility infrastructure, including extensions to existing facilities or works, where: - the proposal represents an environmentally acceptable means of achieving its purpose; - the amenity of nearby occupiers would not be harmed; - measures to mitigate the environmental effects of the development are incorporated into the proposal; and - the traffic generated would be appropriate to the rural road network and would not require improvements that would harm the character of rural roads. Where a countryside location is necessary or preferable, the policy encourages the use of existing buildings and previously developed land wherever possible. It also provides for the removal of plant and equipment and the restoration of land where infrastructure becomes surplus to requirements.	Again, the relevance of local policy to the Project should be considered in the context that the only component of the Project located within East Hampshire would be part of Havant Thicket Reservoir used for storage of recycled water. No physical development is proposed within East Hampshire District Council. The topics the policy covers are relevant to the Project though all adequately covered by more recent significant infrastructure specific policy in the NPSWRI. Notwithstanding, taking the points in turn: • The Project is required to address an identified water supply deficit within the Applicant's Western Area and to provide long-term resilience in an area classified as seriously water stressed. The Project represents an environmentally acceptable means of achieving this need. • The ES assesses the likely effects of the Project on environmental receptors, including landscape and visual effects, biodiversity, heritage, noise, air quality, traffic and the water environment. Embedded mitigation and additional mitigation measures have been incorporated into the Project design and are secured through documents including the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1), Outline Construction Environmental Management Plan (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), Operational Environmental Management Plan [APP-422] and Outline Landscape and Ecology Management Plan (Document reference 7.5, DCO Volume 7, Version 1). • Potential effects on residential amenity have been assessed through ES Chapters 6 Air quality and odour [APP-085], 13 Landscape and visual [APP-092], 15 Noise and vibration [APP-094] and 17 Socio-economics tourism and health [APP-096], and the Statutory Nuisance Statement [APP-054] concludes that, with the proposed mitigation in place, statutory nuisances are not anticipated during construction, operation or maintenance of the Project. • Traffic and transport impacts have been assessed in ES Chapter 18 and managed through the Framework Construction Traffic Management Plan [APP-415] and associated management plans. The assessment concludes that there would be no likely significant adverse transport effects and that construction traffic can be appropriately accommodated and managed.
RR-089-14	Legislation, policy and permits	3.7 Other remaining Second Review policies potentially relevant to the limited works within East Hampshire include: • C6: Tree Preservation • HE12: Development Affecting the Setting of a Listed Building • HE17: Archaeology and Ancient Monuments	Given the Project does not promote any physical development within East Hampshire, the relevance of the noted policies is not clear. The Applicant has considered policies within the emerging local plan at Appendix D of the Planning Policy Statement (Document reference 5.5, DCO Volume 5, Version 2) at page 260.

Reference	Theme	Issue raised	The Applicant's response
		• HE19: Ancient Tracks and Lanes • T3 and T4: Pedestrians and Cyclists • P7: Contaminated Land Emerging Local Plan 3.8 East Hampshire District Council consulted on the Draft Local Plan 2021-2040 under Regulation 18 between January and March 2024. Paragraph 49 of the National Planning Policy Framework confirms that weight may be given to relevant policies in emerging plans according to their stage of preparation, the extent of unresolved objections and their consistency with national policy.	
RR-089-15	Legislation, policy and permits	3.9 In May 2026, the Council confirmed a revised approach to plan-making and that it would no longer seek to submit the emerging Local Plan by the end of 2026. The previous emerging plan is no longer being progressed and the Council is now preparing a new Local Plan under the new planning system. As the former emerging plan did not progress to Regulation 19 consultation or submission and remained at an early stage of preparation, little weight can be afforded to the policies contained within it.	The Applicant notes this comment.
RR-089-16	Legislation, policy and permits	4.0 Principal Matters of Relevance to EHDC 4.1 This representation focuses on those planning matters that are of particular relevance to East Hampshire District Council. Where matters fall principally within the remit of other statutory bodies, the Council will have regard to their representations and does not seek to duplicate their specialist assessment. The Council further notes that approximately 57% of the district lies within the South Downs National Park. The South Downs National Park Authority is the statutory local planning authority for those areas and maintains its own development plan and planning policy framework. Matters relating specifically to land and planning interests within the National Park therefore fall primarily within the remit of the National Park Authority, the Council acknowledges that it may be making its own representations to the Examination.	The Applicant notes this comment.
RR-089-17	The process of developing the Project	4.2 The comments below identify the principal issues that the Council considers should be examined further. They are based on a review of the application documents and may be supplemented through the Local Impact Report and the Council's participation in the Examination. 4.3 Where helpful, the headings used in the Environmental Statement have been adopted for consistency. 4.4 The examination will need to be satisfied that the applicant has undertaken a sufficient assessment of alternatives in accordance with paragraph 3.5.1 of the NPS WRI 2025 which the Council notes includes consideration of other specific legal obligations under other (non-planning) regulations.	The Applicant's demonstration of compliance with paragraph 3.5.1 of the NPSWRI is provided at paragraphs 4.3.30 - 4.3.40 of the Planning Policy Statement (Document reference 5.5, DCO Volume 5, Version 2). The assessment of alternatives has been fully considered through the Applicant's WRMP and options appraisal processes in order to determine the Project as the preferred solution to meet the need identified.

Reference	Theme	Issue raised	The Applicant's response
RR-089-18	Principle of development	Principle of Development 4.5 The Council recognises the significant pressure on water resources in Hampshire and the wider South East, together with the need to maintain a secure and reliable public water supply, particularly during periods of drought, whilst reducing abstraction from the sensitive chalk stream catchments of the River Test and River Itchen. 4.6 The Council is aware of potential development constraints associated with water resource availability across parts of the district. The provision of resilient water resource infrastructure is therefore an important strategic consideration in supporting sustainable growth, housing delivery and economic development. In this context, the Council recognises the need for additional water resource infrastructure to improve the resilience and sustainability of the regional water supply and acknowledges the potential role of water recycling in meeting future demand. 4.7 Subject to the Examination satisfactorily addressing the matters raised within this representation, the Council supports the principle of the Project. As set out in the draft Statement of Common Ground, the Council supports the Project overall, although concerns remain regarding public confidence in Southern Water and the proposed use of Havant Thicket Reservoir for the storage of recycled water.	The Applicant notes and welcomes the recognition of the need for new water resource infrastructure and support for the principle of the Project. A detailed assessment of the potential impacts of the Project on water quality in Havant Thicket Reservoir is presented in ES Appendix 19.11 Havant Thicket Reservoir water quality modelling (Document reference 6.2, DCO Volume 6, Version 1), and potential impacts on water quality in water bodies that would receive compensatory flows from the reservoir is presented in ES Appendix 19.6 Havant Thicket Reservoir compensatory flows water quality modelling [APP-201]. These assessments demonstrate that the Project would not result in significant adverse effects on water quality in Havant Thicket Reservoir. Further discussion of the results of these assessments is provided in ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1) and ES Appendix 19.2 Water Environment Regulations Compliance Assessment (Document reference 6.2, DCO Volume 6, Version 1).
RR-089-19	Legislation, policy and permits	4.8 Joint Core Strategy Policy CP26 seeks to protect the quality and quantity of groundwater and surface water, supports the provision of necessary water and wastewater infrastructure and safeguards the Havant Thicket Reservoir site. Saved Policy UI1 of the East Hampshire District Local Plan: Second Review also supports necessary utility infrastructure, subject to the proposal being environmentally acceptable and appropriate mitigation being provided.	The Applicant acknowledges East Hampshire District Council's policies to protect the quality and quantity of surface and groundwater, and safeguard the Havant Thicket Reservoir site. The Applicant confirms that Joint Core Strategy Policy CP26 is relevant and referenced in ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1). Saved Policy UI1 is not specifically referenced in Table 19-3 of ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1) but the Applicant acknowledges that, although of some age, is relevant in supporting utility infrastructure. An assessment of relevant local policy is provided at Appendix D of the Planning Policy Statement (Document reference 5.5, DCO Volume 5, Version 2). This provides an assessment of the development plan policies that the Applicant considers to be of most potential relevance under s104 of the Planning Act 2008 but notes that this is not necessarily an exhaustive list.
RR-089-20	Use of Havant Thicket Reservoir for the storage of recycled water	4.9 Following the approval of Portsmouth Water's pipeline between Bedhampton Springs and Havant Thicket Reservoir, the Applicant has confirmed that no works or development are now proposed in or around the reservoir. The Project instead seeks to use Havant Thicket Reservoir for the storage and mixing of recycled water. The main issue for the Council is therefore the potential operational effect of the Project on Havant Thicket Reservoir and downstream water bodies, rather than the impact of new physical development within the District.	The Council's position is acknowledged. The DCO application submitted by the Applicant seeks to authorise the use of Havant Thicket Reservoir to allow the storage of recycled water in the reservoir. The Applicant has undertaken assessments to understand the impact of storing recycled water in Havant Thicket Reservoir and of compensation flows on relevant downstream watercourses. Overall, with the implementation of mitigation measures, the predicted changes in water quality parameters are

Reference	Theme	Issue raised	The Applicant's response
			not expected to result in any adverse water quality impacts or affect the ability to deliver ecological enhancements and benefits within Havant Thicket Reservoir or downstream watercourses. ES Chapter 19 Water environment, (Document reference 6.1, DCO Volume 6, Version 1) provides an assessment of the likely significant effects on the water environment from the Project, including releases from the WRP into Havant Thicket Reservoir. It also reports on the water quality modelling exercise undertaken to assess the sensitivity of reservoir water quality to the introduction of recycled water. The output from the water recycling plant into the reservoir will be subject to an environmental permit, issued by the Environment Agency, which will require the quality of the recycled water to meet the standard specified to ensure there are no unacceptable impacts to the environment, including in downstream waterbodies.
RR-089-21	Water quality at Havant Thicket Reservoir	4.10 The Applicant's assessments conclude that the Project would not result in significant adverse effects on water quality within Havant Thicket Reservoir or downstream water bodies, including the Hermitage Stream, Langstone Harbour and the Solent. The assessments also conclude that the Project would not cause deterioration in the status of relevant water bodies under the Water Environment Regulations.	The Applicant acknowledges East Hampshire District Council's comment reaffirming the conclusions set out in ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1) and ES Appendix 19.2 Water Environment Regulations compliance assessment (Document reference 6.2, DCO Volume 6, Version 1).
RR-089-22	The water recycling process	4.11 The Council considers that the applicant should demonstrate that the treatment process will consistently achieve the water quality standards relied upon in the Environmental Statement and that appropriate monitoring, intervention and regulatory controls are secured.	Further to the Applicant's responses to RR-089-21 and RR-089-7, the multi-stage water recycling process will feature numerous safeguards, including continuous monitoring, to ensure that deviations in expected water quality can be quickly identified and rectified through partial or full system shutdowns. These safeguards will be implemented by the Contractor once appointed to construct and operate the Water Recycling Plant (WRP) and will be a key specification for the plant to ensure water quality requirements are met. Paragraph 3.8.3 of the NPSWRI confirms that the Secretary of State *"should work on the assumption that, in terms of the control and enforcement, the relevant pollution control or other consenting regime will be properly applied and enforced. Decisions under the Planning Act should complement but not duplicate those taken under the relevant pollution control regime" [emphasis added]*. Post-construction monitoring of surface and groundwater receptors is described in section 4.4 of ES Appendix 19.9 Outline Water Monitoring Plan [APP-204]. The output from the water recycling plant into the reservoir will be subject to an environmental permit, issued by the Environment Agency, which will require the quality of the recycled water to meet the standard specified to ensure there are no unacceptable impacts to the environment, including in downstream waterbodies. For further information about the relationship between the DCO and these regulatory regimes, please refer to Action Point ISH1-06 and to Appendix F of The Applicant's written summaries of oral submissions at OFH1 and ISH1 and post hearing actions (Document reference 8.9, DCO Volume 8, Version 0).

Reference	Theme	Issue raised	The Applicant's response
RR-089-23	Principle of development	4.12 On this basis, the Council supports the principle of the Project. This reflects the need for a more resilient water supply, the benefit of reducing abstraction from sensitive chalk streams and the broad support provided by Policy CP26 and saved Policy UI1.	The Applicant notes and welcomes this comment.
RR-089-24	Terrestrial and freshwater biodiversity	Terrestrial and Freshwater Biodiversity 4.13 Terrestrial and freshwater biodiversity matters are considered in ES Chapter 8. The assessment considers designated sites, terrestrial and freshwater habitats, protected and notable species, aquatic ecology and the potential introduction or spread of invasive non-native species and pathogens.	The Applicant notes East Hampshire District Council's acknowledgement of the ecological features and potential impacts included in ES Chapter 8 Terrestrial and freshwater biodiversity (Document reference 6.1, DCO Volume 6, Version 1).
RR-089-25	Legislation, policy and permits	4.14 Joint Core Strategy Policy CP21 requires development to protect and enhance biodiversity, including rivers, river corridors, trees and hedgerows, and to maintain and enhance green infrastructure networks. This policy is particularly relevant to the operational use of Havant Thicket Reservoir and the potential effects on the reservoir ecosystem and hydrologically connected watercourses.	The Applicant notes East Hampshire District Council's reference to Joint Core Strategy Policy CP21 that requires development to protect and enhance biodiversity, including rivers, river corridors, trees and hedgerows, and to maintain and enhance green infrastructure networks. The Applicant notes that CP21 is listed in Table 8-3 of ES Chapter 8 Terrestrial and freshwater biodiversity (Document reference 6.1, DCO Volume 6, Version 1) and acknowledges its relevance to operational use of Havant Thicket Reservoir and the potential effects on the reservoir ecosystem and hydrologically connected watercourses.
RR-089-26	Terrestrial and freshwater biodiversity	4.15 No physical works are proposed within Havant Thicket Reservoir as part of the Project. The terrestrial and freshwater biodiversity assessment therefore treats the reservoir and the Portsmouth Water pipelines between Bedhampton Springs and the reservoir as existing or separately consented infrastructure and considers only the effects arising from their operational use by the Project.	The Applicant notes East Hampshire District Council's reference to Havant Thicket Reservoir as being consented separately to the Project.
RR-089-27	Water quality at Havant Thicket Reservoir	4.16 Notwithstanding the absence of physical works, the use of the reservoir for the storage and mixing of recycled water is an important consideration. The principal potential effect identified in the ES is a change in reservoir water quality, particularly the risk that increased phosphorus concentrations could result in greater phytoplankton growth and move the reservoir towards a more eutrophic condition. This could affect the reservoir's ability to support aquatic plants, invertebrates and fish and could also have consequential effects on downstream watercourses receiving compensatory flows.	The Applicant confirms that water quality impacts on Havant Thicket Reservoir have been considered in ES Chapter 8 Terrestrial and freshwater biodiversity (Document reference 6.1, DCO Volume 6, Version 1) and ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1). These assessments, supported by detailed water quality modelling (ES Appendix 19.11 Havant Thicket Reservoir water quality modelling (Document reference 6.2, DCO Volume 6, Version 1)), demonstrate that the release of recycled water would not result in any significant adverse effects on the reservoir.
RR-089-28	Water quality at Havant Thicket Reservoir	4.17 The Applicant relies on the treatment process at the Water Recycling Plant, including phosphorus removal, to ensure that recycled water discharged to Havant Thicket Reservoir meets the required water quality standards. The ES concludes that the reservoir would remain within the water quality range assessed as acceptable and that there would be no significant adverse effect on its ecological potential or on downstream aquatic receptors.	The Applicant acknowledges East Hampshire District Council's comment. The assessments presented in ES Chapter 8 Terrestrial and freshwater biodiversity (Document reference 6.1, DCO Volume 6, Version 1) and ES Chapter 19 Water environment [APP-098], supported by detailed water quality modelling (ES Appendix 19.11 Havant Thicket Reservoir water quality modelling (Document reference 6.2, DCO Volume 6, Version 1) and ES Appendix 19.6 Havant Thicket Reservoir compensatory flows water quality modelling [APP-201]), demonstrate that the release of recycled water in Havant Thicket

Reference	Theme	Issue raised	The Applicant's response
			reservoir would not result in any significant adverse effects on the ecology of the reservoir or downstream water bodies.
RR-089-29	Terrestrial and freshwater biodiversity	4.18 The assessment also considers compensatory flows from the reservoir to Riders Lane Stream and the Hermitage Stream, together with the risk of introducing or spreading invasive non-native species and pathogens between catchments. The Project includes an Invasive Non-Native Species Biosecurity Plan and treatment at Otterbourne Water Supply Works to reduce these risks. Continued coordination with Portsmouth Water is also identified as necessary to ensure that mitigation and monitoring measures for the two projects are complementary.	The Applicant acknowledges East Hampshire District Council's comment. The assessment of compensatory flows is provided in ES Appendix 19.6 Havant Thicket Reservoir compensatory flows water quality modelling [APP-201]. The Invasive Non-Native Species Biosecurity Plan (INNS) [APP-425] sets out an outline approach to the management of INNS for the Project and provides the measures required to reduce or remove the risk of introducing or spreading INNS during construction and operation phases. It is secured by Requirement 14 of Schedule 2 of the draft DCO [APP-023]. Treatment of source water at Otterbourne WSW is secured via the Operational Environmental Management Plan [APP-422].
RR-089-30	Water environment	4.19 The Environment Agency and Natural England have been consulted through the pre-application process, EIA scoping and ongoing technical meetings and working groups. Their Statements of Common Ground record agreement on the scope, baseline and methodology of the relevant biodiversity and water-environment assessments, together with agreement on several mitigation measures. Natural England is satisfied that downstream water bodies would not be adversely affected by potential chemistry changes but this is, notably, subject to detailed consideration of the water-quality modelling by the Environment Agency. Some assessment findings and technical documents also remain subject to review or further discussion. The Council therefore asks the Examining Authority to have particular regard to the submissions of both organisations during the Examination.	The Applicant acknowledges East Hampshire District Council's comments, and notes that further consultation with the Environment Agency and Natural England on water quality modelling has been undertaken. The Applicant confirms that updated water quality modelling, which reflects changes to the design of Havant Thicket Reservoir, has been undertaken. The Applicant has updated ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1), ES Appendix 19.2 Water Environment Regulations compliance assessment (Document reference 6.2, DCO Volume 6, Version 1), and ES Appendix 19.11 Havant Thicket Reservoir water quality modelling (Document reference 6.2, DCO Volume 6, Version 1) for submission at Procedural Deadline 1.
RR-089-31	EIA approach and methodology	4.20 The Council recognises that water quality is principally regulated through other regimes. However, the Examination should still consider the potential environmental effects of the Project, including any cumulative impacts over time.	The Applicant acknowledges the Council's comment that potential environmental effects on water quality, including cumulative effects, should be considered as part of the Examination. Potential effects on water quality are assessed within ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1), which considers the likely significant effects of the Project on surface water and groundwater receptors. In addition, ES Appendix 19.2 Water Environment Regulations compliance assessment (Document reference 6.2, DCO Volume 6, Version 1) assesses potential effects on the water environment, including water quality. Cumulative effects are assessed within ES Chapter 20 Cumulative and in-combination effects [APP-099], which considers the potential for cumulative effects arising from the Project in combination with other relevant developments. These assessments are supported by a range of technical studies and modelling reported within the ES appendices, including ES Appendix 19.6 Havant Thicket Reservoir Compensatory Flows water quality modelling [APP-201], ES Appendix 19.11 Havant Thicket Reservoir water quality modelling

Reference	Theme	Issue raised	The Applicant's response
			(Document reference 6.2, DCO Volume 6, Version 1), ES Appendix 19.5 Eastney Long Sea Outfall Solent dispersion modelling [APP-200] and ES Appendix 19.12 Water Recycling Plant site Sustainable Drainage System dispersion modelling [APP-207]. The Applicant therefore considers that the likely significant effects of the Project on water quality, including cumulative effects, have been appropriately assessed through the EIA and reported within ES Chapter 19 Water Environment (Document reference 6.1, DCO Volume 6, Version 1), ES Chapter 20 Cumulative and in-combination effects [APP-099] and the associated technical appendices. These assessments have demonstrated that there are no likely significant effects on water quality as a result of the Project.
RR-089-32	The water recycling process	4.21 Although other regulatory regimes are in place to protect water quality, the possible magnitude and the complexity of effects are such that the Council considers that further assurance is needed that recycled water will meet the necessary standards assumed in the ES.	The Applicant has undertaken robust and comprehensive modelling and assessments to demonstrate that the water recycling aspect of the Project can achieve necessary regulatory requirements for releases into the environment. The approach to this work, the outcomes and the mitigation are supported by environmental regulators as demonstrated through draft Statements of Common Ground (SoCGs) with both the Environment Agency (Document reference 5.8, DCO Volume 5, Version 2) and Natural England (Document reference 5.8, DCO Volume 5, Version 1) and through their respective Relevant Representations [RR-102] and [RR-222]. The Applicant has undertaken a detailed investigation on the likely performance of the Water Recycling Plant (WRP) using pilot plant trials. The results of the investigation are described in an independent review produced by the University of Brighton (Mayor-Smith (2024), as referenced in ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1)~~,~~ providing further assurance on the efficacy of the water recycling process~~.~~ The release of water from the WRP will be permitted by the Environment Agency. The Environment Agency has stated in its Draft SoCG (Document reference 5.8, DCO Volume 5, Version 2) that it has not identified any issue that would indicate that the relevant permits cannot be granted. The permit will require the quality of the recycled water to meet the standard specified to ensure there are no unacceptable impacts to the environment, including in downstream waterbodies. Drinking water quality is overseen by the Drinking Water Inspectorate (DWI) and the Project will be required to comply with The Water Supply (Water Quality) Regulations 2016. In its Relevant Representation to the DCO application [PDA-038], the DWI acknowledges that evidential requirements placed on the Applicant through the Regulators' Alliance for Progressing Infrastructure Development (RAPID) gated process have been adequately addressed, it notes that regulatory assurance will continue through the drinking water safety planning and compliance monitoring processes when the scheme is operational, and that protection of public health and the quality of water

Reference	Theme	Issue raised	The Applicant's response
			supplied to consumers will remain the basis of the Inspectorate's regulatory oversight. For further information about the relationship between the DCO and these regulatory regimes, please refer to Action Point ISH1-06 and to Appendix F of The Applicant's written summaries of oral submissions at OFH1 and ISH1 and post hearing actions (Document reference 8.9, DCO Volume 8, Version 0).
RR-089-33	The water recycling process	4.22 A key consideration is whether the treatment facility will continue to deliver those standards throughout its operational life. The ecological conclusions depend on the effective operation, maintenance and renewal of the treatment processes, including phosphorus removal and controls relating to pollutants, pathogens and invasive non-native species.	The Water Recycling Plant (WRP) components and treatment process capability will be continually monitored, maintained and replaced throughout its lifecycle to ensure regulatory Environmental Permit compliance and efficiency. The Environmental Permit would specify the strict requirements necessary to prevent unacceptable impacts on the environment from pollutants, including phosphorous and pathogens, and also achieve water quality standards. The WRP includes numerous safeguards so that significant deviations in water quality are quickly identified and rectified through partial or full system shutdowns, and in the unlikely event that the required standards for recycled water are not met, water will be automatically diverted to the Eastney Long Sea Outfall (LSO). Please refer to ES Chapter 3 Description of the Proposed Develpoment [APP-082] for further information. ES Chapter 14 Major accidents and disasters [APP-093] identifies a range of measures, including remote monitoring and control systems, emergency power provision, continuous staffing of the WRP and emergency response procedures, which are intended to reduce risks to as low as reasonably practicable. These measures are secured through the Operational Environmental Management Plan [APP-422], which is secured by Requirement 13 in Schedule 2 to the draft DCO (DCO) [APP-023]. The Applicant therefore considers that the residual risks associated with the operation of the Project, including its interaction with Havant Thicket Reservoir, have been appropriately assessed and mitigated. The Environment Agency provided feedback on the Applicant's draft Invasive Non-Native Species (INNS) Biosecurity Plan [APP-425] and was satisfied with the Applicant's proposed approach to INNS control. Please refer to EA-ES-052 in the Statement of Common Ground with the Environment Agency (Document reference 5.8, DCO Volume 5, Version 2). For further information about the relationship between the DCO and these regulatory regimes, please refer to Action Point ISH1-06 and to Appendix F of The Applicant's written summaries of oral submissions at OFH1 and ISH1 and post hearing actions (Document reference 8.9, DCO Volume 8, Version 0).
RR-089-34	Legislation, policy and permits	4.23 The Examination should consider what would happen if the standards relied upon in the assessment were not achieved. The DCO and supporting documents should secure those monitoring, response and remediation measures that properly fall within the planning regime, while complementing the applicable permitting arrangements (per NPS WRI 3.8.3).	The Applicant notes these comments. The DCO application includes a comprehensive framework of monitoring, management and mitigation measures secured through the draft DCO [APP-023] and associated control documents. These include the Outline Construction Environmental Management Plan [APP-412, APP-413 and APP-414], Outline Water Monitoring Plan [APP-204], Operational Environmental Management Plan

Reference	Theme	Issue raised	The Applicant's response
			[APP-422], proposed sustainable drainage systems strategy within the Flood Risk Assessment [APP-196] and other topic-specific management plans submitted with the application. The output from the water recycling plant into the reservoir will be subject to an environmental permit, issued by the Environment Agency, which will require the quality of the recycled water to meet the standard specified to ensure there are no unacceptable impacts to the environment, including in downstream waterbodies. The Environment Agency, as expert regulator, will establish the exact parameters to be secured in the environmental permit. For further information about the relationship between the DCO and these regulatory regimes, please refer to Action Point ISH1-06 and to Appendix F of The Applicant's written summaries of oral submissions at OFH1 and ISH1 and post hearing actions (Document reference 8.9, DCO Volume 8, Version 0).
RR-089-35	Terrestrial and freshwater biodiversity	4.24 Subject to robust and enforceable controls being secured, and the Environment Agency and Natural England being satisfied that the identified effects have been adequately assessed and mitigated, the Council has no objection in principle on terrestrial and freshwater biodiversity grounds.	The Applicant acknowledges the Council's comments.
RR-089-36	Major accidents and disasters	Major Accidents and Disasters 4.25 Major accidents and disasters are considered in ES Chapter 14. As no physical works are proposed within East Hampshire, most of the construction-related risks assessed, including fire, unexploded ordnance and construction accidents, are not directly relevant to the District.	The Applicant notes the Council's feedback that most of the construction-related risks are not directly relevant to the District.
RR-089-37	Major accidents and disasters	4.26 The principal matter of relevance to East Hampshire is the operational interaction with Havant Thicket Reservoir, including the potential consequences of system failure, water quality failure, emergency discharges or other incidents affecting the transfer and storage of recycled water. The ES identifies remote monitoring and control, continuous staffing of the Water Recycling Plant, emergency power provision and the preparation of emergency response and incident management procedures as mitigation. It concludes that the residual risks would be reduced to as low as reasonably practicable and would not result in significant adverse effects.	The Applicant notes the Council's summary of the interaction between the Project and Havant Thicket Reservoir, including the mitigation measures identified within ES Chapter 14 Major accidents and disasters [APP-093]. The Applicant agrees that ES Chapter 14 Major accidents and disasters [APP-093] identifies a range of measures, including remote monitoring and control systems, emergency power provision, continuous staffing of the WRP and emergency response procedures, which are intended to reduce risks to as low as reasonably practicable. These measures are secured through the Operational Environmental Management Plan [APP-422], which is secured by a corresponding requirement in Schedule 2 to the draft Development Consent Order [APP-023]. The Applicant therefore considers that the residual risks associated with the operation of the Project, including its interaction with Havant Thicket Reservoir, have been appropriately assessed and mitigated.
RR-089-38	Major accidents and disasters	4.27 The Council's main concerns regarding monitoring, intervention and the allocation of responsibilities are set out in the Water Environment section below. In relation to major accidents and disasters, satisfactory emergency arrangements should be put in place and enforced if necessary.	The Applicant notes the Council's summary that satisfactory emergency arrangements should be put in place and enforced if necessary. The Applicant considers that appropriate emergency arrangements are secured through the mitigation and management measures identified within ES Chapter 14 Major accidents and disasters [APP-093], including emergency response procedures, monitoring and control systems, incident management procedures

Reference	Theme	Issue raised	The Applicant's response
			and emergency planning measures. These measures are secured through the Operational Environmental Management Plan [APP-422], which is secured by a corresponding requirement in Schedule 2 to the draft DCO [APP-023]. The Applicant therefore considers that an appropriate framework is in place to ensure that emergency arrangements can be implemented effectively if required.
RR-089-39	Socio-economic, tourism and health	Socio-economic, Tourism and Health 4.28 Socio-economic, tourism and health matters are considered in ES Chapter 17. The relevance to East Hampshire is principally associated with the operational use of Havant Thicket Reservoir, as no construction works are proposed within the District. The Council supports the wider socio economic and public health benefits associated with improving the security and resilience of the regional drinking water supply.	The Applicant welcomes this comment from East Hampshire District Council on the wider benefits associated with improving the resilience of regional drinking water. Section 17.8 of ES Chapter 17 Socio-economics, tourism and health (Document reference 6.1, DCO Volume 6, Version 1) outlines the wider societal infrastructure and resource benefits associated with the Project. The Project would contribute to regional water resilience by purifying treated wastewater from Budds Farm WTW to drinking water standards and using it to help maintain water levels and water supplies within Havant Thicket Reservoir.
RR-089-40	Socio-economic, tourism and health	4.29 The health assessment includes water quality as a determinant of neighbourhood amenity and considers the provision of drinking water as part of wider societal infrastructure and resources. The Council notes the Applicant's conclusion that the Project would provide a beneficial effect through the increased availability and resilience of drinking water supplies.	The Applicant welcomes the Council's acknowledgement of the beneficial effects of the Project in relation to the increased availability and resilience of drinking water supplies. As set out in section 17.8 of ES Chapter 17 Socio-economics, tourism and health (Document reference 6.1, DCO Volume 6, Version 1), the Project forms part of wider societal infrastructure and resources and would contribute to the resilience of regional water supplies through the provision of an additional sustainable water resource.
RR-089-41	The water recycling process	4.30 These benefits depend on the recycled water consistently meeting the standards relied upon in the assessment. The Project includes advanced treatment, remote monitoring and control, emergency power and a run-to-waste arrangement intended to prevent non-compliant water from being transferred to Havant Thicket Reservoir. The Examination should confirm that these safeguards are capable of operating effectively in practice. Conversely, we consider the identified benefits may not be realised if public confidence in the perceived quality of drinking water reduces.	The WRP components would be maintained and replaced throughout the Project life to ensure regulatory compliance and efficiency. The Operational Environmental Management Plan [APP-422] secures the maintenance requirements associated with the environmental mitigation. The water quality from the WRP will be continuously monitored so that deviations in water quality will be quickly identified, investigated and rectified. The output from the water recycling plant into the reservoir will be subject to an environmental permit, issued by the Environment Agency, which will require the quality of the recycled water to meet the standard specified to ensure there are no unacceptable impacts to the environment, including in downstream waterbodies. Full details of the engagement that has been carried out and that will be carried out in relation to the change of water supply is set out in Appendix B of The Applicant's written summaries of oral submissions at OFH1 and ISH1 and post hearing actions (Document reference 8.9, DCO Volume 8, Version 0). Future engagement will include timely and accessible communication with customers about matters relevant to them, using appropriate channels and taking account of the needs of different customer groups. Change of source engagement with customers likely to receive drinking water containing recycled water as part of its source is planned to occur much closer to switch on of the new source. The messages customers receive will be timely and use

Reference	Theme	Issue raised	The Applicant's response
			the most matured and accurate information available in order to maintain confidence that drinking water quality will be maintained.
RR-089-42	Water quality at Havant Thicket Reservoir	4.31 The final arrangements should provide for regular liaison with public-health bodies, relevant authorities and local communities regarding the maintenance of water quality, as well as communication following any incident or exceedance. The respective responsibilities of Southern Water and Portsmouth Water should also be clearly defined.	The Applicant confirms that appropriate liaison with the relevant regulators, the Drinking Water Inspectorate and the Environment Agency, will be undertaken during the operational life of the Project. Future engagement will also include timely and accessible communication with customers about matters relevant to them, using appropriate channels and taking account of the needs of different customer groups. Full details of the engagement that has been carried out and that will be carried out is set out in Appendix B of The Applicant's written summaries of oral submissions at OFH1 and ISH1 and post hearing actions (Document reference 8.9, DCO Volume 8, Version 0). ES Chapter 14 Major accidents and disasters [APP-093] identifies a range of measures, for the pipeline including remote monitoring and control systems, emergency power provision, continuous staffing of the Water Recycling Plant and emergency response procedures and communication strategy. These measures are secured through the Operational Environmental Management Plan [APP-422], which is secured by a corresponding requirement in Schedule 2 to the draft Development Consent Order [APP-023]. The Applicant will be responsible for the water quality of the recycled water supply to Havant Thicket Reservoir. Portsmouth Water will be responsible for the water quality of the Bedhampton Springs water source to Havant Thicket Reservoir. The output from the water recycling plant into the reservoir will be subject to an environmental permit, issued by the Environment Agency, which will require the quality of the recycled water to meet the standard specified to ensure there are no unacceptable impacts to the environment, including in downstream waterbodies.
RR-089-43	Legislation, policy and permits	Water Environment 4.32 Water environment matters are considered in ES Chapter 19. This is of particular importance to East Hampshire because the Proposed Development would introduce recycled water into Havant Thicket Reservoir, with potential consequences for the reservoir and downstream watercourses, including Riders Lane Stream and Hermitage Stream. Joint Core Strategy Policy CP26 seeks to protect water resources and water quality.	The Applicant acknowledges East Hampshire District Council's comment and notes that the relevant policies (including CP26) have been considered in the assessment presented in Environmental Statement Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1). Policy CP26 is also considered within the assessment of local policy at Appendix D of the Planning Policy Statement (Document reference 5.5, DCO Volume 5, Version 2).
RR-089-44	The water recycling process	4.33 The Council notes that the Environmental Statement states that most contaminants of emerging concern have not been assessed quantitatively because agreed environmental quality standards are not currently available, and that the Applicant has instead assessed the likely risks using the available monitoring and pilot-treatment data (as set out in ES Chapter 19, paragraphs 19.6.8 and 19.8.104-19.8.108) (1.Environmental Statement, Chapter 19: Water Environment, paragraph 19.6.8: "Due to the current absence of agreed water quality standards for the majority of CECs, these substances have not been considered quantitatively." See also paragraphs 19.8.104-19.8.108 regarding	As stated in section 19.8 of ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1), the Applicant has undertaken an extensive programme of monitoring of a wide range of Contaminants of Emerging Concern (CECs) in the treated wastewater from Budds Farm Wastewater Treatment Works (Budds Farm WTW) (e.g. a representation of influent water quality to the Water Recycling Plant (WRP)) and water treated in its pilot treatment plant at Budds Farm WTW. This considered a wide range of substances, including:

Reference	Theme	Issue raised	The Applicant's response
		the definition of CECs and the Applicant's monitoring and pilot treatment programme.). Given that the relevant scientific evidence, regulatory standards and understanding of contaminants of emerging concern may continue to develop, the Council considers that the monitoring regime should incorporate adaptive monitoring arrangements, periodic review mechanisms and publication of monitoring information. These measures should be capable of being reviewed and updated over time to reflect emerging evidence, changes in legislation and evolving best practice.	• Pharmaceuticals and personal care products (PPCPs): Organic contaminants sourced from pharmaceutical products and their metabolites, cosmetics, soaps and shampoos, which can be found in trace levels in wastewater. • Industrial chemicals: Substances such as per- and poly-fluoroalkyl substances (PFAS), polycyclic aromatic hydrocarbons (PAHs), volatile organic compounds (VOCs) and inorganic contaminants (including some trace metals). Although some specific compounds within these broad categories of chemicals have an established Environmental Quality Standard (EQS) (including some metals, PAHs and several PFAS compounds), this is not the case for the majority of these substances. • Agricultural chemicals: Substances such as pesticides and fertilisers that can be found in surface water runoff. The pilot plant included a Full Advanced Treatment (FAT) process, comprising integrated membranes followed by an ultraviolet and advanced oxidation process. Although this does not include the Granular Activated Carbon (GAC) and remineralisation processes that will be present within the WRP, the pilot plant included the multi-barrier treatment process that will be primarily responsible for the effective removal of contaminants from the treated wastewater. As some contaminants would also be removed by the GAC process, the results from the pilot plant therefore represent an underestimate of the performance of the full WRP and are therefore considered to be the worst case. The results of the pilot plant trials are described in an independent review produced by the University of Brighton (Mayor-Smith, 2024) [1], as referenced in ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1). The results of the investigation into pilot plant performance indicate that the FAT process resulted in a considerable increase in water quality, with the concentration of CECs decreasing after passing through the pilot plant. Over 60% of the CECs measured in the WRP influent decreased to below the limits of detection in the water that had passed through the WRP, with the largest reductions identified for a range of pharmaceuticals, personal care products and pesticides. The results of the pilot study clearly demonstrate that CEC concentrations in the recycled water are considerably lower than those in the treated wastewater from Budds Farm WTW that is currently released under a permitted discharge into the Solent via Eastney Long Sea Outfall. This suggests that releases from the WRP into Havant Thicket Reservoir and downstream water bodies (Riders Lane Stream, Hermitage Stream, Langstone Harbour) are unlikely to contain the full suite of CECs measured by the Applicant or independently recorded in Langstone Harbour [A. T. Ford and F. Ginley, 2024] [H. Uhlhorn, K. T. Ng, L. P. Barron and A. T. Ford, 2025] and that any CECs remaining in the WRP output would be present in extremely low concentrations. Significant adverse effects on water quality and biota from CECs are considered unlikely, particularly given that the pilot plant data does not

Reference	Theme	Issue raised	The Applicant's response
			represent the full treatment process that would be in place at the WRP (which would also include a GAC treatment stage that would also remove contaminants from the recycled water). For further information about the relationship between the DCO and the applicable regulatory regimes, please refer to Action Point ISH1-06 and to Appendix F of The Applicant's written summaries of oral submissions at OFH1 and ISH1 and post hearing actions (Document reference 8.9, DCO Volume 8, Version 0).
RR-089-45	Water quality at Havant Thicket Reservoir	4.34 The Applicant concludes that the operational effects on the water environment would not be significant once the proposed treatment, monitoring and mitigation are taken into account. These matters fall principally within the Environment Agency's remit, with Natural England advising on protected sites and ecological receptors. Their draft Statements of Common Ground record areas of agreement, although parts of the water-quality modelling, the Water Environment Regulations compliance assessment and the overall findings remain under review.	Extensive engagement with the Environment Agency and Natural England has ensured broad agreement on the scope of the modelling and assessments relating to the water environment. The outputs of the engagement process are reflected in the updated draft Statements of Common Ground (SoCGs) with the Environment Agency (Document reference 5.8, DCO Volume 5, Version 2) and Natural England (Document reference 5.8, DCO Volume 5, Version 1). Whilst a number of positions were recorded as provisional in SoCGs when the DCO application was submitted, agreement on these matters has now largely been confirmed through further engagement and full review of the DCO application documents. The Applicant has updated ES Appendix 19.11 Havant Thicket Reservoir water quality modelling (Document reference 6.2, DCO Volume 6, Version 1), for submission at Examination Deadline 1.
RR-089-46	EIA approach and methodology	4.35 The final Water Monitoring Plan and Operational Environmental Management Plan should clearly set out what will be monitored, the relevant trigger levels, reporting arrangements and the action to be taken where those levels are exceeded.	The Applicant notes the Council's position that the detailed Water Monitoring Plan and the Operational Environmental Management Plan (OEMP) [APP-422] should clearly set out monitoring requirements, trigger levels, reporting arrangements and actions to be taken where thresholds are exceeded. The ES Appendix 19.9 Outline Water Monitoring Plan [APP-204] provides the framework for the preparation of the detailed Water Monitoring Plans, including the approach to monitoring water receptors during construction and operation of the Project. The detailed Water Monitoring Plan will be prepared at the detailed design stage and will identify monitoring locations, parameters to be monitored, trigger levels, reporting arrangements and the actions to be taken where thresholds are exceeded. The detailed Water Monitoring Plan and associated operational management plans will be submitted for approval in accordance with the corresponding requirement in Schedule 2 to the draft DCO [APP-023]. The OEMP [APP-422] provides the framework for environmental management during operation of the Project and includes requirements for pollution management, incident response, escalation procedures and environmental mitigation measures. The OEMP [APP-422] also requires a Pollution Management Plan to be prepared which will identify escalation trigger points and procedures and actions to be taken in response to specific pollution events.

Reference	Theme	Issue raised	The Applicant's response
			The Applicant therefore considers that sufficient information has been provided at the application stage regarding the proposed monitoring and environmental management framework, with the detailed monitoring, reporting and response procedures to be developed through the detailed Water Monitoring Plan and operational management plans as secured by the corresponding requirement in Schedule 2 to the draft DCO [APP-023].
RR-089-47	The draft DCO	4.36 As previously referenced (in respect of NPS WRI paragraph 3.8.3) the DCO and supporting documents should secure the measures that need to be controlled through the planning process, without duplicating the environmental permitting and drinking-water regimes.	The Applicant acknowledges the Council's comment and agrees with the principle.
RR-089-48	Cumulative effects	Cumulative and In-Combination Effects 4.37 Cumulative and in-combination effects are considered in ES Chapter 20. Of particular relevance to East Hampshire is the relationship between the Proposed Development and the separately consented Havant Thicket Reservoir Project. While the reservoir and associated pipelines are treated as existing or future baseline infrastructure, the Proposed Development would materially change how that infrastructure is used through the introduction, storage and mixing of recycled water.	ES Chapter 5 EIA approach and methodology [APP-084] sets out the approach to assessing the effects of the relationship between the Project and Havant Thicket Reservoir, noting Havant Thicket Reservoir is a project which has been consented separately by Portsmouth Water and is currently under construction. The construction of Havant Thicket Reservoir is considered as both baseline (existing when the Project commences construction) and future baseline. There would be an overlap in the construction periods of the Project with Havant Thicket Reservoir and therefore there is also an interaction assessed in the cumulative effects assessment and presented in ES Chapter 20 Cumulative and in-combination effects [APP-099] and ES Appendix 20.2 Cumulative effects assessment [APP-209]. The assessment presented in ES Appendix 20.2 Cumulative effects assessment (CEA) [APP-209] demonstrates there would not be any residual likely significant cumulative effects between the Project and Havant Thicket Reservoir. The assessment of effects on the introduction, storage and mixing of recycled water is presented in ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1), ES Appendix 19.2 Water Environment Regulations (WER) compliance assessment (Document reference 6.2, DCO Volume 6, Version 1) and ES Appendix 19. ES Appendix 19.11 Havant Thicket Reservoir water quality modelling (Document reference 6.2, DCO Volume 6, Version 1). The assessments demonstrate that the treatment process at the WRP site would mean that very limited changes to water quality in Havant Thicket Reservoir would occur once water is released from the WRP. These changes would not result in significant adverse impacts on water quality in the reservoir or a deterioration in water body status.
RR-089-49	The process of developing the Project	4.38 The Examination should consider whether the Proposed Development would affect the implementation or operation of the separately consented Havant Thicket Reservoir Project, including compliance with its planning conditions, requirements, environmental mitigation and monitoring	The DCO application seeks consent for the use of Havant Thicket Reservoir for the storage of recycled water, therefore the only anticipated effect will be the discharge of water into the reservoir and the abstraction of water from it, both of which will be governed by the relevant regulatory regimes.

Reference	Theme	Issue raised	The Applicant's response
		arrangements. The respective controls applying to the two projects should be clear, compatible and capable of operating together effectively.	
RR-089-50	Air quality and odour	5.0 Other Environmental Topics 5.1 The Council has also considered the remaining environmental topics addressed in the Environmental Statement. Air Quality and Odour 5.2 Air quality and odour matters are considered in ES Chapter 6. The assessment considers potential effects from construction dust and particulate matter, emissions from construction plant and road traffic, and odour. Operational effects from these sources were scoped out following consultation, with the assessment focused principally on the construction and decommissioning phases.	The Applicant acknowledges East Hampshire District Council's comment regarding the consideration of air quality and odour matters in ES Chapter 6 Air quality and odour (Document reference 6.1, DCO Volume 6, Version 1).
RR-089-51	Air quality and odour	5.3 Joint Core Strategy Policy CP27 requires development to avoid pollution that would prejudice the health and safety of communities or the environment. The ES identifies this policy as relevant and assesses effects on both human and ecological receptors, with mitigation incorporated into the design and secured through the Outline Construction Environmental Management Plan (CEMP).	The Applicant acknowledges East Hampshire District Council's comment regarding the consideration of air pollution on human and ecological receptors in ES Chapter 6 Air quality and odour (Document reference 6.1, DCO Volume 6, Version 1), with relevant mitigation measures secured through the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3).
RR-089-52	Air quality and odour	5.4 No junctions, construction compounds or storage areas are proposed within East Hampshire and the Project no longer proposes any works or development in or around Havant Thicket Reservoir. The potential for direct air quality or odour effects within the District is therefore limited.	The Applicant acknowledges East Hampshire District Council's comment regarding the limited potential for direct air quality or odour effects within the District.
RR-089-53	Air quality and odour	5.5 The ES concludes that residual effects on human receptors from construction dust, particulate matter, construction plant, odour and road traffic emissions would not be significant, subject to the mitigation secured through the Outline CEMP. Operational effects are scoped out. Effects on designated ecological sites arising from road traffic emissions are considered further in ES Chapter 8.	The Applicant acknowledges East Hampshire District Council's comment regarding the conclusions of the assessment of air quality and odour as outlined in ES Chapter 6 Air quality and odour (Document reference 6.1, DCO Volume 6, Version 1) and the securing of mitigation through the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3).
RR-089-54	Air quality and odour	5.6 On the basis of the information submitted, the Council has no specific concerns in relation to air quality or odour. The Council expects the mitigation and monitoring identified in the ES and Outline CEMP to be appropriately secured.	The Applicant acknowledges East Hampshire District Council's comment regarding the conclusions of the assessment of air quality and odour as outlined in ES Chapter 6 Air quality and odour (Document reference 6.1, DCO Volume 6, Version 1). In addition, the Applicant can confirm that mitigation measures detailed within the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3) are appropriately secured by the corresponding requirement in Schedule 2 to the draft Development Consent Order [APP-023].
RR-089-55	Archaeology and cultural heritage	Archaeology and Cultural Heritage	The Applicant notes and welcomes the Council's confirmation that no effects on archaeological or cultural heritage assets within the district have been

Reference	Theme	Issue raised	The Applicant's response
		5.7 Archaeology and cultural heritage matters are considered in ES Chapter 7. As no physical works are proposed within East Hampshire, the Council does not identify any effects within the District in relation to these matters.	identified, as set out in ES Chapter 7 Archaeology and cultural heritage [APP-086].
RR-089-56	Marine biodiversity	Marine Biodiversity 5.8 Marine biodiversity matters are considered in ES Chapter 9. The relevance to East Hampshire is limited, as no marine works are proposed within the District. The principal matter of relevance is the potential indirect effect of changes in compensatory flows from Havant Thicket Reservoir on the Hermitage Stream and Langstone Harbour.	The Applicant notes this comment.
RR-089-57	Marine biodiversity	5.9 The Council notes the Applicant's conclusion that these changes would not result in significant effects on marine biodiversity. The Council considers that the detailed water quality and marine ecological implications are more appropriately addressed by the Environment Agency, Natural England, the Marine Management Organisation and the neighbouring authorities directly affected.	The Applicant notes this comment.
RR-089-58	Marine biodiversity	5.10 Subject to the relevant statutory bodies and neighbouring authorities being satisfied that the potential effects have been adequately assessed and appropriately controlled, the Council has no objection in relation to marine biodiversity.	The Applicant welcomes that East Hampshire District Council raises no objection in relation to marine biodiversity subject to the relevant statutory bodies and neighbouring authorities being satisfied that the potential effects have been adequately assessed and appropriately controlled.
RR-089-59	Carbon and climate change	Carbon and Climate Change 5.11 Carbon and climate change matters are considered in ES Chapter 10. The assessment considers whole-life emissions and the resilience of the Project to future climate change.	The Applicant acknowledges East Hampshire District Council's comment regarding the assessment of carbon and climate change.
RR-089-60	Principle of development	5.12 As set out in the Principle of Development section, the Council supports the principle of improving the resilience and sustainability of the regional water supply.	The Applicant notes and welcomes this comment.
RR-089-61	Carbon and climate change	5.13 Subject to the carbon reduction and climate resilience measures identified in the ES being secured, the Council supports the Project's contribution to a more resilient regional water supply and has no specific objection in relation to carbon and climate change.	The Applicant acknowledges East Hampshire District Council's support for the Project's contribution to a more resilient regional water supply and its position of no specific objection in relation to carbon and climate change, subject to the carbon reduction and climate resilience measures identified in the ES being secured.
RR-089-62	Land quality and ground conditions	Land Quality and Ground Conditions 5.14 Land quality and ground conditions are considered in ES Chapter 11. The Council does not identify any significant effects within the district in relation to these matters.	The Applicant notes that East Hampshire District Council does not identify any significant effects in relation to land quality and ground conditions within its district. The Applicant acknowledges East Hampshire District Council's support for the Project's contribution to a more resilient regional water supply and its position of no specific objection in relation to land quality and ground conditions.

Reference	Theme	Issue raised	The Applicant's response
RR-089-63	Land use and agriculture	Land Use and Agriculture 5.15 Land use and agriculture are considered in ES Chapter 12. The Council does not identify any significant effects within the District in relation to these matters.	The Applicant notes that East Hampshire District Council does not identify any significant effects in relation to land use and agriculture within its district.
RR-089-64	Landscape and visual	Landscape and Visual 5.16 Landscape and visual matters are considered in ES Chapter 13. The Council does not identify any significant effects within the District in relation to these matters.	The Applicant notes that East Hampshire District Council does not identify any significant effects in relation to landscape and visual matters within its district.
RR-089-65	Noise and vibration	Noise and Vibration 5.17 Noise and vibration matters are considered in ES Chapter 15. The Council does not identify any significant effects within the District in relation to these matters.	The Applicant notes that East Hampshire District Council does not identify any significant effects in relation to noise and vibration within its district.
RR-089-66	Resources and waste management	Resources and Waste Management 5.18 Resources and waste management are considered in ES Chapter 16. This chapter concerns the use and management of material resources, construction, demolition and excavation waste, landfill capacity and mineral safeguarding. Assessment of wastewater and water quality are considered elsewhere in the ES. 5.19 The Council does not identify any significant effects within the District in relation to these matters.	The Applicant acknowledges East Hampshire District Council's comments, and confirmation that the Council does not identify any significant effects in relation to resources and waste management within its district.
RR-089-67	Traffic and transport	Traffic and Transport 5.20 Traffic and transport matters are considered in ES Chapter 18. Joint Core Strategy Policy CP31 and saved Policy T4 seek to protect highway safety, walking and cycling routes, rural lanes and the amenity of users of footpaths, bridleways and cycleways.	The Applicant acknowledges the Council's comment regarding the key policies with regards to traffic and transport, including Joint Core Strategy Policy CP31 and saved Policy T4. These have been identified and considered in ES Chapter 18 Traffic and transport [APP-097] and ES Appendix 18.1 Transport Assessment [APP-186 to APP-188 – 3 documents].
RR-089-68	Traffic and transport	5.21 No physical works are proposed within East Hampshire, and the construction traffic routes, temporary compounds, road closures and Public Rights of Way diversions assessed in the ES are associated with works outside the District. The Council therefore does not identify any significant effects within East Hampshire requiring further consideration.	The Applicant acknowledges the Council's comment with regards to there being no physical highway works proposed within East Hampshire, and there being no significant effects with regards to traffic and transport being identified in ES Chapter 18 Traffic and transport [APP-097].
RR-089-69	Traffic and transport	5.22 The Council notes that the application includes an Outline Construction Environmental Management Plan, Framework Construction Traffic Management Plan, Construction Worker Travel Plan, Rights of Way Management Plan and Traffic Management Strategy. The Framework Construction Traffic Management Plan is to be secured through Schedule 2 of the draft DCO, with detailed plans prepared post-consent. The Council supports the securing and implementation of these documents to ensure that	The Applicant welcomes the Council's support for the management plans prepared to manage construction traffic, highway safety, road closures, Public Rights of Way and effects on vulnerable road users during construction. As noted, these Framework Management Plans are secured by the corresponding requirement in Schedule 2 to the draft DCO [APP-023].

Reference	Theme	Issue raised	The Applicant's response
		construction traffic, highway safety, road closures, Public Rights of Way and effects on vulnerable road users are appropriately managed.	
RR-089-70	Traffic and transport	5.23 Operational vehicle movements are expected to be limited and the ES scopes out operational effects on driver delay, bus passenger delay, severance and highway safety. The Council also notes that an Operational Environmental Management Plan is submitted and secured through the draft DCO. The Council supports this approach and considers that the final operational arrangements should continue to ensure that maintenance and other operational movements associated with Havant Thicket Reservoir do not adversely affect local roads, Public Rights of Way or the safety and amenity of road users.	The Applicant welcomes the Council's support of the approach to scope out operational effects on driver delay, bus passenger delay, severance and highway safety. The OEMP [APP-422] is secured by the corresponding requirement in Schedule 2 to the draft DCO [APP-023] and extends to authorised development as set out in the draft DCO. Operational movements associated with Havant Thicket Reservoir are outside the scope of this Project.
RR-089-71	The process of developing the Project	6.0 Other Matters 6.1 The Council is aware of public concerns regarding the maintenance of water quality, contaminants of emerging concern, the reliability of the treatment process and the adequacy of regulatory controls. The Council does not seek to reach technical conclusions on matters falling principally within other consenting regimes and has had particular regard to section 3.8 of the NPS WRI. Nevertheless, maintaining public confidence in the planning and regulatory processes, the proposed water-recycling process and the quality of drinking water is important. The Examination should therefore establish that the combined planning, licensing and permitting controls are robust, effective and transparent.	The Applicant acknowledges East Hampshire District Council's comment. Assessments undertaken for the Project indicate that there will not be adverse effects on the water environment as provided in ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1). The discharge of water from the water recycling plant into Havant Thicket Reservoir and the use of water within the reservoir as a source for drinking water supplies will be regulated by the Environment Agency and Drinking Water Inspectorate respectively, ensuring protection for both the environment and drinking water quality.
RR-089-72	The process of developing the Project	6.2 The Council also considers that the Examination should have regard to the adequacy of the proposed governance, monitoring and communication arrangements throughout the operational life of the Project. This should include appropriate reporting and stakeholder engagement mechanisms, together with clear procedures for responding to monitoring exceedances, operational incidents and future changes to scientific understanding, regulatory requirements or environmental standards.	The discharge of water from the water recycling plant into Havant Thicket Reservoir and the abstraction of water from it will be governed by the relevant regulatory regimes. The DCO application includes an OEMP [APP-422] which sets out measures that will be implemented during the operational phase of the Project.
RR-089-73	Principle of development	7.0 Conclusion 7.1 East Hampshire District Council supports the principle of the Proposed Development and recognises the contribution it could make to improving the resilience of the regional water supply, reducing pressure on sensitive chalk streams and responding to the effects of climate change.	The Applicant notes and welcomes this comment.
RR-089-74	Use of Havant Thicket Reservoir for the storage of recycled water	7.2 No physical works are proposed within the East Hampshire District. The Council's principal interest therefore relates to the use of Havant Thicket Reservoir for recycled water and its potential implications.	Please refer to the Applicant's response at RR-089-20.

Reference	Theme	Issue raised	The Applicant's response
RR-089-75	The water recycling process	7.3 The Council does not object in principle to the use of advanced water recycling technology. The proposal requires careful technical scrutiny, clear and comprehensive regulatory oversight and transparency. The Examination should confirm whether the potential effects on Havant Thicket Reservoir and connected water bodies have been properly assessed and whether the Project can operate acceptably within the relevant environmental and drinking-water regulatory regimes.	The Applicant notes this comment. Please refer to responses RR-089-22 and RR-089-32.
RR-089-76	The draft DCO	7.4 The Council welcomes the involvement of the Environment Agency and Natural England and notes the areas of agreement in their draft Statements of Common Ground. The remaining technical and regulatory matters should be addressed through the Examination and relevant permitting processes. The DCO should secure those measures that properly fall within the planning regime, while the potential impacts of processes, emissions and discharges should be fully assessed to inform the Secretary of State's decision. [REDACTED] Executive Director of Operations Wednesday 12th August 2026 East Hampshire District Council	The Applicant acknowledges the Council's comments and looks forward to further engaging on these matters throughout the Examination process.

Table 2-5 The Applicant's response to RR-090 from Eastleigh Borough Council

Reference	Theme	Issue raised	The Applicant's response
RR-090-1	Greeting	Eastleigh Borough Council is the Local Planning Authority for part of the proposed development and order limits within Section L Lower Upham to Brambridge, as shown on drawing PC5223-RHD-ES-ZZ-D-Z-0002 rev 05 Figure 1.1 Location of the Proposed Development and Order Limits Sheet 5 of 7 (Examination Library reference APP-210). The Council wishes to register its interest in participating in the examination of the above project. It is noted that local planning authorities are encouraged to submit a full and detailed representation at this stage, however to date work on this project has been at officer level and Member approval is required for any formal responses.	The Applicant notes this comment.
RR-090-2	The process of developing the Project	As all necessary information was only available on submission of the application to the Planning Inspectorate, it has not yet been possible to put a recommended response to Members for approval. A more detailed response will therefore be provided at the relevant examination deadlines for the Local Impact Report and Written Representations.	The Applicant has noted this comment.

Reference	Theme	Issue raised	The Applicant's response
RR-090-3	The process of developing the Project	The key topics that the Council is likely to want to comment on include: • Principle of development • Ecology • Trees • Landscape • Heritage and Archaeology • Air Quality • Contaminated Land • Noise • Traffic & Transport • Climate Change	The Applicant has noted this comment.
RR-090-4	The process of developing the Project	The Draft Statement of Common Ground - Eastleigh Borough Council (Examination Library reference APP-059) sets out the detailed areas of agreement and disagreement between the Council and the Applicant prior to submission. However, it should be noted that this is currently a draft document that has been prepared at officer level and the Council reserves the right to make changes to the document once the proposals have been considered by Members.	The Applicant has noted this comment and looks forward to continuing to engage with the council throughout Examination. The Applicant has updated the draft Statement of Common Ground with Eastleigh Borough Council (Document reference 5.8, DCO Volume 5, Version 1) at Examination Deadline 1.

Table 2-6 The Applicant's response to RR-102 from Environment Agency

Reference	Theme	Summary of issue raised	The Applicant's response
RR-102-1	Greeting	Please see attached. Sent by email only: HampshireWaterProject@planninginspectorate.gov.uk The Planning Inspectorate National Infrastructure Planning Temple Quay House 2 The Square Bristol BS1 6PN Our ref: PR-0000208-OR Your ref: WA010002 Date: 21st August 2026	The Applicant notes this comment.

Reference	Theme	Summary of issue raised	The Applicant's response
		Dear Sir/Madam Application by Southern Water Services Limited for an Order Granting Development Consent for Hampshire Water Transfer and Water Recycling Project (HWTWRP). Please find our relevant representation for the Hampshire Water Transfer and Water Recycling project (HWTWRP) in section 4 of this letter, following on from our introductory comments below:	
RR-102-2	EIA approach and methodology	1. The Role of the Environment Agency The Environment Agency has a responsibility for protecting and improving the environment, as well as contributing to sustainable development. Our work helps to support a greener economy through protecting and improving the natural environment for beneficial uses, working with business to reduce waste and save money and helping to ensure that the UK economy is ready to cope with climate change. We will facilitate, as appropriate, the development of low carbon sources of energy ensuring people, and the environment, are properly protected. We have three main roles: We are an environmental regulator - we take a risk-based approach and target our effort to maintain and improve environmental standards and to minimise unnecessary burdens on business. We issue a range of permits and consents. We are an environmental operator - we are a national organisation that operates locally. We work with people and communities across England to protect and improve the environment in an integrated way. We provide a vital incident response capability. We are an environmental advisor - we compile and assess the best available evidence and use this to report on the state of the environment. We use our own monitoring information and that of others to inform this activity. We provide technical information and advice to national and local governments to support their roles in policy and decision-making. One of our specific functions is as a Flood Risk Management Authority. We have a general supervisory duty relating to specific flood risk management matters in respect of flood risk arising from rivers classified as 'Main Rivers' or from the sea.	The Applicant acknowledges the Environment Agency's role as a regulator, operator and advisor and specific functions that relate to flood risk management.
RR-102-3	Water environment	2. Environment Agency area affected The proposed scheme is located in one Environment Agency area - Solent & South Downs.	The Applicant acknowledges that the Project is located in the Environment Agency's Solent and South Downs area.
RR-102-4	Consultation	3. Pre-application engagement The Applicant and their consultant team approached us in 2022 to discuss their initial plans for the scheme and the potential environmental issues that	The Applicant notes this comment.

Reference	Theme	Summary of issue raised	The Applicant's response
		they would need to address. Since this early contact we have had a significant number of pre-application meetings and email correspondences with the Applicant and representatives of the Applicant, covering all elements of the project relevant to the Environment Agency's remit. This has included topic-based EIA working groups and a standing programme of monthly technical working groups supplemented by targeted bilateral meetings. On 23 July 2024, we provided a formal response to the Applicant's statutory consultation for the scheme (under Section 42(1)(a) Planning Act 2008 and Regulation 13 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017).	
RR-102-5	Consultation	4. Relevant Representation Our relevant representation outlines matters that we have focused on within our remit and where further clarification, details or mitigation is required to ensure that the proposal has no detrimental impact on the environment. Regarding this proposed scheme, our particular focus has been on the following matters:	The Applicant notes this comment.
RR-102-6	The draft DCO	The Draft Development Consent Order We are conducting a detailed review of the draft DCO and associated application documents. That review is ongoing and we may make further comments once that review has been completed. However, we wish to provide the following preliminary comments on a number of provisions within the draft DCO.	The Applicant notes this comment.
RR-102-7	The draft DCO	Article 5 - Use, enjoyment and operation of the Havant Thicket Reservoir Infrastructure We note that Article 5 of the draft DCO includes provisions which appear to govern the relationship between Portsmouth Water and Southern Water in respect of the use, operation and enjoyment of the Havant Thicket Reservoir infrastructure. We are currently considering the practical implications of Article 5 and its effect on the Environment Agency's ability to carry out its functions. However, based on our preliminary review, we would welcome further clarity regarding the allocation of responsibilities between Portsmouth Water and Southern Water under the proposed drafting and would question whether it would be more appropriate to address the Applicant's concerns through contractual arrangements between Portsmouth Water and Southern Water. Notwithstanding the above, the Environment Agency is, in principle, supportive of the approach reflected in Article 5(2) to facilitate the conveyance of recycled water between the authorised development, the Havant Thicket Reservoir, and Bedhampton Springs.	The Applicant notes this comment. Meetings with the Environment Agency were held in September and October 2026 to discuss the drafting of the draft Development Consent Order (DCO) [APP-023], including the relationship between article 5 and the ongoing contractual discussions with Portsmouth Water in relation to the use of Havant Thicket Reservoir. A meeting was also held in November 2026 with the Environment Agency, Ofwat and RAPID to discuss the relationship between the DCO and the roles of the regulators. The Environment Agency provided detailed comments for the purposes of these meetings which the Applicant is still discussing with the Environment Agency. The Applicant welcomes the Environment Agency's in principle support for the use of Havant Thicket Reservoir infrastructure as part of the Project, and looks forward to ongoing engagement with the Environment Agency.

Reference	Theme	Summary of issue raised	The Applicant's response
		We will continue to consider these provisions and will seek to engage with the Applicant to understand the implications of these provisions and the rationale for their inclusion.	
RR-102-8	The draft DCO	Schedule 8 - Modifications to legislative provisions applying to the authorised development and to the Havant Thicket Reservoir Infrastructure The Applicant is seeking, through Schedule 8 to the draft DCO, to modify a number of legislative provisions governing the exercise of the Environment Agency's statutory functions in relation to abstraction licensing and environmental permitting. The Environment Agency only became aware of the full extent of the proposed modifications close to the time when the Application was made. Many of modifications would alter the Environment Agency's statutory functions in relation to this project, and others would give the Applicant unique powers. At this stage, and without prejudice to further detailed comments that we may provide during the examination, our preliminary view is that the proposed amendments appear to be unnecessary. Many of the matters identified by the Applicant appear to be capable of being addressed through the existing abstraction licensing and environmental permitting frameworks or appear to relate to issues which are more appropriately dealt with through contractual arrangements between the relevant water companies. We will continue to consider these matters and seek to engage constructively with the Applicant and other interested parties to understand the rationale for the proposed amendments and whether the Applicant's objectives can be achieved within the existing legislative framework. However, for the purposes of this relevant representation, the Environment Agency wishes to note its concern that insufficient justification has been provided for the proposed amendments in Schedule 8.	The Applicant notes this comment. Meetings with the Environment Agency were held in September and October 2026 to discuss the drafting of the draft DCO [APP-023], including the need for the various provisions within and modifications made by Schedule 8 to the draft DCO [APP-023]. A meeting was also held in November 2026 with the Environment Agency, Ofwat and RAPID to discuss the relationship between the DCO and the roles of the regulators. The Environment Agency provided detailed comments for the purposes of these meetings which the Applicant is still discussing with the Environment Agency. It is the Applicant's position that the modifications within Schedule 8 are required to provide the certainty necessary that there is no impediment to the implementation of the Project, as set out in more detail within the Explanatory Memorandum [APP-024].
RR-102-9	The draft DCO	Schedule 13, Part 5 - Provisions for the protection of the Environment Agency The Applicant has included draft protective provisions in Part 5 of Schedule 13 to the draft DCO for the protection of the Environment Agency. We note that those provisions are not in the Environment Agency's standard form. We are currently reviewing the drafting in detail and have identified a number of amendments to the wording of our standard protective provisions. We will provide detailed comments on the drafting in due course. However, for the purposes of this relevant representation, we wish to make clear that the current protected provisions are not agreed. Further, as noted below, the Environment Agency's previous agreement in principle to the disapplication of Flood Risk Activity Permit ("FRAP") requirements was contingent upon the inclusion of its standard form protective provisions within the draft DCO. As the draft DCO does not include those provisions, the Environment Agency is not currently able to agree to the proposed disapplication of the relevant FRAP requirements. The Environment	The Applicant notes this comment. Meetings with the Environment Agency were held in September and October 2026 to discuss the drafting of the draft DCO [APP-023], including the draft Protective Provisions for the Environment Agency. The Applicant looks forward to ongoing engagement with the Environment Agency, including on the form of Protective Provisions.

Reference	Theme	Summary of issue raised	The Applicant's response
		Agency will continue to work constructively with the Applicant with a view to reaching agreement on these matters.	
RR-102-10	The draft DCO	DCO Requirements (Draft DCO Schedule 2) - Inconsistency There are several requirements within Schedule 2 of the draft DCO document that are relevant to the Environment Agency. These are essential to us to ensure that mitigation measures proposed through the DCO are secured and/or the relevant further consideration is given when the detailed design is developed. Currently there is inconsistency in whether direct consultation is required with us during the process of discharging these requirements. Requirements 15 (sustainable drainage) and 16 (water monitoring) require 'consultation with the Environment Agency' when details are submitted in relation to these topic areas. Requirements 5 (Biodiversity Net Gain), 6 (Construction Environmental Management Plan),13 (Operational Environment Management Plan) and 14 (Invasive Non-Native Species Biosecurity Plan) are very relevant to matters that fall within our remit and require the applicant to produce a number of documents that contain information on topics that we would want to review and provide input to. We feel that there should be consistency throughout the Schedule 2 Requirements in the draft DCO in relation to how consultation with the Environment Agency will be undertaken and ensuring that we are able to input where relevant.	The Applicant has made updates to the Outline Construction Environmental Management Plan – 1 of 3 documents (Document reference 7.1, DCO Volume 7, Version 1) to include the Environment Agency as a consultee on the detailed Construction Environmental Management Plan(s) in respect of matters relevant to the Environment Agency's functions. The Applicant, however, is not clear on the basis upon which biodiversity net gain would be a matter within the Agency's remit given that it is fundamentally a matter for the local planning authority concerned. Finally, the Applicant notes the Environment Agency's request to be a consultee to the Operational Environmental Management Plan [APP-422] and Invasive Non-Native Species (INNS) Biosecurity Plan [APP-425] - however, there are no subsequent approvals under requirements 13 and 14.
RR-102-11	Legislation, policy and permits	Consents and Licences Discharge Permit A new discharge permit will be required from the Environment Agency for the discharge of water from the recycling plant into Havant Thicket Reservoir along with a variation to the existing permit for the Eastney Long Sea Outfall to take account of the reject water from the water recycling plant. Pre-application permitting discussions are underway in relation to this and have been running in parallel with the EIA engagement as there are significant overlaps in terms of issues such as water quality modelling. We cannot pre-determine a permit outcome however we have not, as stated at RAPID Gate 3 sign off, currently identified any issues that would indicate that these permits cannot be granted.	The Applicant notes this comment and will continue to engage with the Environment Agency with regards to the discharge permit.
RR-102-12	Legislation, policy and permits	Flood Risk Activity Permit (FRAP) Permission is required from the Environment Agency for the 12 main river crossings that need to be undertaken as part of the project. It is our current view that 7 of these are likely to fall under exemption FRA3 (Exempt flood risk activities: environmental permits - GOV.UK) if the relevant conditions listed on .gov.uk are complied with. The remaining 5 crossings would require a FRAP due to the sensitivity of the environment in the crossing locations. The applicant is seeking to disapply the FRAP requirement to the DCO. It was previously agreed that this was an acceptable approach, the Environment Agency was willing to disapply the FRAP requirement to the DCO if our standard protective provisions were included within the DCO. This was an	The Environment Agency's comments are noted. The departures from the Agency's standard protective provisions are minor, but important, and relate to a small number of matters. The first is necessary to allow the exempt Flood Risk Activities to continue to enjoy that exemption and is wholly consistent with the previously agreed approach. The remainder relate to costs and indemnities and ensuring no conflict with the DCO arises from the protective provisions. The Applicant will continue to engage with the Environment Agency on the terms of the protective provisions.

Reference	Theme	Summary of issue raised	The Applicant's response
		agreed position. However, as noted above, it has come to our attention since submission of the DCO that the applicant has proposed several wording changes to these standard protective provisions. We are therefore no longer in a position to agree to this disapplication. As it stands the Applicant will be required to apply to the Environment Agency for FRAP's for the remain 5 main river crossings. Whilst we cannot pre-empt the outcome of any permit application, discussions to date have not identified any issues that would indicate that these permits cannot be granted. Note for the Planning Inspectorate: The Environment Agency have responsibility for protecting designated 'Main Rivers'. Local Authorities are responsible for protecting 'Ordinary Watercourses'. There are both Main Rivers and Ordinary Watercourses along the proposed cable route. The applicant would separately have to apply for an Ordinary Watercourse Consent from the Lead Local Flood Authority where required.	
RR-102-13	Legislation, policy and permits	Abstraction Licence An abstraction licence will be required for the Applicant to abstract water from Havant Thicket Reservoir prior to transfer to Otterbourne Water Supply Works. The Environment Agency cannot pre-determine abstraction licence applications prior to submission. However, as stated at RAPID Gate 3 sign off, the Environment Agency is satisfied that, whilst the abstraction licence application will be made subsequent to the DCO application, pre-application discussions with the Applicant have not identified any issues that would indicate that a licence would not be forthcoming	The Applicant notes this comment.
RR-102-14	Marine biodiversity	Marine Environment The Environment Agency has been engaged throughout the stages of the EIA via EIA Working Group and Technical Working Group sessions. We agree with the marine biodiversity assessment findings and are satisfied that appropriate mitigation measures have been identified in ES Chapter 9 Marine biodiversity, Volume I (Document reference 6.1, DCO Volume 6). Of specific note is an entrapment risk to eels that was identified from the SUDs outfall at the Water Recycling Plant to the tidal Hermitage Stream. The applicant has agreed to include a step within the outfall pipe with a minimum height of 0.3m and an overhang/lip. This will deter passage of eels further up into the outfall pipe where they may become fatally trapped. We are satisfied with this approach subject to further engagement on the outfall design at the detailed design stage, which will be secured by DCO requirement (Schedule 2, requirement 15).	The Applicant welcomes the feedback and notes the Environment Agency's satisfaction with the Applicant's approach and further engagement on the outfall design at the detailed design stage.
RR-102-15	Design of AGP	Washouts and Break Pressure Tank (BPTs) Overflows Assessment of the potential flood risks arising from emergency washout or overflow discharges have been adequately considered as part of ES Chapter	The Applicant notes the comment and welcomes the feedback. As stated in the Operational Environmental Management Plan [APP-422], the Emergency Response Plan will be put in place once the details of the Above Ground Plant are confirmed at detailed design stage.

Reference	Theme	Summary of issue raised	The Applicant's response
		14 Major accidents and disasters, Volume I (Document reference 6.1, DCO Volume 6). We recognise that mitigation for the risk of flooding and pipe leak during the operational phase of the project is secured in Operational Environmental Management Plan (Document reference 7.7, DCO Volume 7). This requires an Emergency Response Plan to be produced at a future stage once the exact locations of all above ground plant is determined at detailed design stage. We are currently waiting for further information from the applicant to provide more detail and aid understanding about how BPT overflows will be managed, especially how emergency BPT overflows would be dealt with and the potential content of the emergency response plan. Consideration needs to be given to flood risk to neighbouring properties particularly around BPT E. We note that only in an emergency drain down scenario would source water potentially be released via a washout valve or Break Pressure Tank and overflow to the Environment. This would be operationally exceptional and not expected to occur during operation of the project. As there is no proposal to undertake discharge activity from washouts or Break Pressure Tanks, no environmental permit is required. Through discussion, it has been agreed that during testing and commissioning as well as operational maintenance, discharges will be captured and taken for disposal at a suitably licenced facility.	The Applicant has undertaken site-specific flood modelling in relation to Break Pressure Tank and Intermediate Pumping Station E (BPT/IPS-E) and Break Pressure Tank K (BPT-K) to further inform the detailed design of overflow routing and emergency management measures. The Applicant has engaged with the Environment Agency on the findings of this work and the Environment Agency has provided comments which the Applicant will respond to in due course.
RR-102-16	Terrestrial and freshwater biodiversity	Discussion has been had regarding the risk of Invasive Non-Native Species (INNS) being released during an emergency washout release or pipe leak. We are content that this will be mitigated through the preparation and implementation of an Emergency INNS Management Plan which will be developed by the contractor post consent but secured in the INNS Biosecurity Plan (Document reference 7.10, DCO Volume 7). This will set out the processes and procedures for releasing and managing water in an emergency.	The Applicant notes the Environment Agency's agreement that the risk of INNS being released during an emergency washout release or pipe leak are appropriately mitigated through the Emergency INNS Management Plan, secured in the INNS Biosecurity Plan [APP-426].
RR-102-17	Construction impacts and effects	Watercourse Crossing Methodology (including underwater noise and vibration) 12 main river crossings are required as part of this project. We agree with the proposed watercourse crossing approach for each main river as summarised in the ES Appendix 3.1 and Appendix A of the Outline CEMP. All main river crossings will be by trenchless techniques to avoid direct impacts to the watercourses and minimise indirect impacts. We are satisfied that using trenchless methods for all main river crossings will not impact the delivery of existing River Basin Management Plan mitigation measures. This is secured under DCO requirement 6. Through discussion we agreed the small man-made drainage channel that runs through the golf course and along the entry driveway and southwestern boundary of Wickham Treatment Works will be crossed by open cut technique. Preconstruction ecological surveys will be undertaken on the ditch to reassess	The Applicant notes the Environment Agency's position. The Applicant notes the depths specified at reference EA-ES-049 in the Draft Statement of Common Ground - Environment Agency (Document reference 5.8, DCO Volume 5, Version 2), which are repeated below for reference: *"The Applicant has confirmed a scheme-wide commitment to a 2.5m minimum depth for trenchless crossings. However, the indicative design has the following minimum depths:* • *River Itchen = 10m* • *River Meon = 4.5m* • *River Hamble = 4.5m."* The Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1) highlights that generally at watercourse intersections crossed by

Reference	Theme	Summary of issue raised	The Applicant's response
		if any sensitive species or habitats are present. This is detailed in ES Chapter 8, Terrestrial & Freshwater Biodiversity, Vol 1 (Doc ref: 6.1, DCO Vol 6). Impacts to fish, biodiversity and geomorphology by the installation of the pipeline across watercourses has been considered and appropriate methodology for each watercourse has been agreed. The applicant has confirmed a scheme wide commitment to a 2.5m minimum depth for trenchless crossings to reduce the risk to fish and eels from noise and vibration during construction. To further reduce the risk on key rivers, the applicant has agreed, in the Statement of Common Ground (SoCG), to increase minimum depths, 10m for the River Itchen, 4.5m for the River Meon and 4.5m for the River Hamble. This will prevent timing restrictions from having to be used. By applying these depths, we would consider the risk to priority chalk stream habitats, the River Itchen SAC, SSSI, the River Meon cSAC and the River Hamble to have been adequately considered and mitigated for. Whilst we note that these are referred to as indicative, if during the design phase these depths have to be reduced then timing restrictions for construction may need to be applied.	trenchless techniques, the crown of the pipeline will be installed at a minimum depth of 2.5m below the bed of the watercourse. Having considered the comments received, and the previous statement made in the Draft Statement of Common Ground - Environment Agency (Document reference 5.8, DCO Volume 5, Version 2), the Applicant has added a new design principle to ensure that the detailed design includes a requirement to cross the Itchen, Meon and Hamble River at a depth no less than as specified in the Draft Statement of Common Ground.
RR-102-18	The draft DCO	Whist these minimum depths are listed in the SOCG they are not stated in the DCO documents and are not covered in the requirements in the draft DCO. We require further information as to how this mitigation for the risk to fish and eels will be secured.	See response to RR-102-17.
RR-102-19	Terrestrial and freshwater biodiversity	Terrestrial and Freshwater Biodiversity The applicant has taken a precautionary approach in considering habitats and species. Surveys were undertaken in 2023 and 2025, prior to submitting the DCO. There will be an extensive pre-construction survey programme, secured through the Outline Construction Environmental Management Plan (Document reference 7.1, DCO Volume 7). (EA-ES-047). We are satisfied that the risk to natal otter holts has been appropriately addressed through primary and secondary mitigation included in ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1, DCO Volume 6) and the Outline Construction Environmental Management Plan (Document reference 7.1, DCO Volume 7). Details on water vole displacement has been agreed and is included in ES Chapter 8 Terrestrial and freshwater biodiversity, Volume I (Document reference 6.1, DCO Volume 6) and the Outline Construction Environmental Management Plan (Document reference 7.1, DCO Volume 7). Displacement will not occur over more than 50m of continuous bank top on one side of a bank and must provide at least 50m of undisturbed bank between displacement locations. Displacement will also only be undertaken where there is sufficient habitat remaining to support the water vole population. Although at Scoping Opinion stage we agreed for beaver to be scoped out, there is potential for beaver to expand their range to within the order limits during the construction phase. The applicant has agreed to include presence	The Applicant welcomes the Environment Agency's agreement with the methodology for assessing effects on terrestrial and freshwater biodiversity.

Reference	Theme	Summary of issue raised	The Applicant's response
		of beaver in the pre-construction surveys. This is secured through the Outline Construction Environmental Management Plan (Document reference 7.1, DCO Volume 7) and requirement 6. Where open cut construction over smaller watercourses, ditches and agricultural drains is required, this construction will be preceded by a survey for these watercourses to assess suitability for fish. The applicant has confirmed that where there is potential of fish presence, the appropriate permits and authorisations will be obtained from us and works will only proceed under a method statement for the species present. This is secured through the Outline Construction Environmental Management Plan (Document reference 7.1, DCO Volume 7) and requirement 6.	
RR-102-20	Terrestrial and freshwater biodiversity	Biodiversity Net Gain We are satisfied with the applicant's commitment to achieving at least 10% BNG for the development which has been secured by DCO requirement 5.	The Applicant notes the Environment Agency's satisfaction with the Applicant's commitment to achieving at least 10% Biodiversity Net Gain (BNG).
RR-102-21	Terrestrial and freshwater biodiversity	Invasion Non-native Species During Construction and Operation The risk of INNS for this proposal can be split into 3 distinct issues: 1. Risk from INNS transfer to the River Itchen 2. INNS from emergency release 3. Risk from INNS from wash out and break pressure tank overflows Risk of INNS transfer to the River Itchen There is a risk of transfer of INNS between river catchments, from the Hermitage catchment to the River Itchen catchment via the pipeline. There is also a risk of INNS originating from the reservoir being transferred via the pipeline to the River Itchen. Water transfer from one catchment to another carries a significant risk of INNS transfer. The River Itchen is a priority chalk stream, designated as a Special Area of Conservation (SAC) and a Site of Special Scientific Interest (SSSI). The applicant has identified the highest risk of INNS transfer is from Havant Thicket to Otterbourne. The reservoir may become a potential source of INNS due to its nature as an open water body. The approach to INNS management at Otterbourne WSW will be through the inclusion of INNS treatment including Lamella settlers, two stage filtering. This process will remove INNS from the liquid waste and contain it in solid sludge which will be disposed of at a suitable licenced facility. The design of the INNS treatment at Otterbourne WSW will allow space for UV treatment or chlorine dosing disinfection to be retrofitted for pathogen treatment in the future. This is secured in the Invasive Non-Native Species INNS Biosecurity Plan (Document reference 7.10, DCO Volume 7 and DCO requirement 14). Release of INNS from emergency wash out release	The Applicant notes the Environment Agency's comments on the INNS risks and agreement with the Applicant's proposals to mitigate these risks.

Reference	Theme	Summary of issue raised	The Applicant's response
		The draft Invasive Non-Native Biosecurity Plan (document ref: 7.10, DCO Vol 10) secures the requirement for an Emergency INNS Management Plan to be developed by the contractor post consent. This document will detail the processes and procedures for releasing and managing water in an emergency, including how to assess and identify the current threat of INNS associated with the emergency event, containment and eradication and a plan for regular monitoring and follow-up. Risk from INNS from wash out and break pressure tank overflows The applicant identified the potential risk of INNS from washouts along the pipeline leading to raw water entering the environment. This poses a risk to designated sites and protected species. Following construction, the commissioning of the pipeline will include pressure testing the pipes, leading to a potential release of INNS. To mitigate this risk, water storage lagoons will be used to store potable water and once testing is complete the water will be transferred by tanker and disposed of at a suitable licenced facility. This is secured by Invasive Non-Native Species INNS Biosecurity Plan (Document reference 7.10, DCO Volume 7) and DCO requirement 14.	
RR-102-22	Land quality and ground conditions	Contamination and Land Quality The Environment Agency agree that the scope, baseline and methodology of the land quality and ground conditions is appropriate. We agree that assessment of the direct impacts of contamination on groundwater quality and groundwater resources, and on surface water quality and the habitats supported, has been appropriate and suitable mitigation measures have been proposed. The assessment is reported in ES Chapter 11 Land quality and ground conditions, Volume I (Document reference 6.1, DCO Volume 6), and includes primary mitigation. The chapter assessment also considers tertiary mitigation measures protecting groundwater resources. These measures are secured in Outline Construction Environmental Management Plan (Document reference 7.1, DCO Volume 7) (which includes a requirement for the Contractor to undertake a Foundation Works Risk Assessment, which will include a detailed Piling Risk Assessment). The detailed Construction Environmental Mitigation Plan(s) 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). ES Appendix 19.9 Outline Water Monitoring Plan, Volume I (Document reference 6.2, DCO Volume 6) is also relevant because it includes plans to monitor groundwater during dewatering, as well as plans to monitor surface runoff.	The Applicant notes that the Environment Agency agrees with the scope, baseline and methodology presented within ES Chapter 11 Land quality and ground conditions (Document reference 6.1, DCO Volume 6, Version 1). The Applicant also notes that the Environment Agency considers that the assessment of the potential direct impacts of contamination on groundwater quality and groundwater resources, and on surface water quality and the ecological habitats they support, is appropriate and that suitable mitigation measures have been proposed. The Applicant notes the mitigation measures that the Environment Agency has highlighted in relation to the Project from a land quality and ground conditions perspective.
RR-102-23	Land quality and ground conditions	Site 72 Land Contamination The Environment Agency is satisfied that suitable construction methods and mitigation are proposed for the Site 72 historic landfill (Water Recycling Plant	The Applicant notes that the Environment Agency is satisfied that suitable construction methods and mitigation measures have been proposed for the Water Recycling Plant site.

Reference	Theme	Summary of issue raised	The Applicant's response
		site), to minimise as far as possible the risk of causing increased contamination from leachate.	
RR-102-24	Land quality and ground conditions	The Applicant has outlined construction methods for the Water Recycling Plant site on the historic landfill (known as Site 72), including minimal disturbance of the capping material, use of piled foundations into chalk, and diaphragm-wall shafts designed to prevent preferential pathways for leachate or gas. No increase in leachate generation or offsite migration is anticipated, with a reduction expected due to reduced infiltration. The trenchless crossing beneath the Hermitage Stream and associated works would also not create new migration pathways. Void-treatment and groundwater protection measures are secured through the Outline Construction Environmental Management Plan (Document reference 7.1, DCO Volume 7). Detailed Construction Environmental Management Plan(s) 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). The Environment Agency accepts cast in situ (Continuous Flight Auger piles) as the preferred option to reduce the risk associated with landfill leachate, and to reduce the potential for creating new contamination pathways. A full understanding of the risk needs to be embedded in any construction environment management plan. The Outline Construction Environmental Management Plan (Document reference 7.1, DCO Volume 7) includes measures to manage any risks to potable water supplies as a result of piling activities. Further detail is provided in Outline Foundation Works Risk Assessment (Document reference 7.4, DCO Volume 7). The appointed Contractor needs to undertake a detailed Foundation Works Risk Assessment (FWRA) in line with CL:AIRE's Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention, which will include a detailed Piling Risk Assessment. We are satisfied that relevant detail is provided in the Outline Foundation Works Risk Assessment (Document reference 7.4, DCO Volume 7), and surface and groundwater monitoring is secured through ES Appendix 19.9 Outline Water Monitoring Plan, Volume II (Document reference 6.2, DCO Volume 6).	The Applicant notes the construction methods the Environment Agency has highlighted for the Water Recycling Plant site, which is located within the historical Harts Farm Way landfill, and that these are not anticipated to result in leachate generation or off-site migration. The Applicant recognises that the Environment Agency has identified the mitigation measures which are protective of groundwater receptors and that detailed Construction Environmental Management Plan(s) (CEMP(s)) will be developed post consent as per Requirement 6 of Schedule 2 Part 1 to the draft DCO [APP-023]. The Applicant acknowledges that the full risks associated with the adopted foundation choice for the Water Recycling Plant will need to be understood prior to construction and be embedded within the detailed CEMP(s). The Applicant notes that the Environment Agency has identified measures within the Outline Construction Environmental Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3) that are protective of potable groundwater abstractions (WE7). As outlined in environmental measure LQGC8 in Table 5-1 of the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), detailed Foundation Works Risk Assessments (FWRA) will be undertaken post consent and in line with CL:AIRE's Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention (CL:AIRE, 2025). The detailed FWRA will also include a detailed piling risk assessment. The detailed FWRAs will be undertaken in consultation with the Environment Agency. The Applicant notes that the Environment Agency is satisfied with the details provided within the Outline FWRAs [APP-417 to APP-419 – 3 documents] and that surface and groundwater monitoring is secured through the Environmental Statement Appendix 19.9 Outline Water Monitoring Plan [APP-204].
RR-102-25	Water environment	Flood Risk The DCO application includes ES Appendix 19.1 Flood Risk Assessment, Volume II (Document reference 6.2, DCO Volume 6) that covers the full pipeline route. The application also includes detailed FRAs for the Water Recycling Plant Site, Budds Farm Wastewater Treatment Works Pumping Station and the following Above Ground Plant: Break Pressure Tank and Intermediate Pumping Station (BPT/IPS)-E, IPS-F, IPS-G, BPT-K. We are satisfied that the development proposed will not increase the risk of flooding	The Applicant welcomes the Environment Agency's conclusions that: • The Project will not increase the risk of flooding either on site or off site. • Measures to manage construction-stage flood risks are adequately outlined in the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3).

Reference	Theme	Summary of issue raised	The Applicant's response
		either on or off site as the sequential approach has been taken to site selection. We defer comments on surface water issues to the Lead Local Flood Authority. The detailed, site-specific FRAs are appended to ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6) and assess permanent and temporary operational aspects of the Project. Outline Construction Environmental Management Plan (Document reference 7.1, DCO Volume 7) adequately outlines the measures to manage construction related flood risk. We are satisfied that potential changes to groundwater flood risk have been appropriately assessed and that Outline Construction Environmental Management Plan (Document reference 7.1, DCO Volume 7) mitigation measures are appropriate. We are also satisfied that the groundwater flood risk conclusions of the Hydrogeological Impact Assessment have been included in the Flood Risk Assessments (FRAs).	• Measures to manage groundwater-related flood risks are adequately outlined in the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3). • The groundwater flood risk conclusions of ES Appendix 19.3 Hydrogeological Impact Assessment [APP-198] are reflected in ES Appendix 19.1 Flood Risk Assessment [APP-189 to APP-196 – 8 documents]. • The Applicant notes that the Environment Agency are satisfied with the assessment of groundwater flood risk and the appropriateness of mitigation measures in the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3).
RR-102-26	Water environment	Water Quality The Environment Agency agrees that the baseline of the water environment assessment is appropriate. We have been engaged on the water quality modelling approach and findings, and how this has informed the EIA, and the approach is satisfactory. The Environment Agency agrees that the water environment assessment findings and mitigation proposals in ES Chapter 19 Water environment, Volume I (Document reference 6.1, DCO Volume 6) are appropriate. Following review of ES Appendix 19.11 Havant Thicket Reservoir water quality modelling, Volume II (Document reference 6.2, DCO Volume 6) and the presentation of updated water quality modelling results to the Technical Working Group in November 2025, the Environment Agency is provisionally satisfied that anticipated changes in Havant Thicket Reservoir loading/concentrations associated with the operation of the Water Recycling Plant (WRP) will not cause significant water quality effects. The applicant is however in the process of producing an amended/updated ES Appendix 19.11 Havant Thicket Reservoir water quality modelling, Volume II (Document reference 6.2, DCO Volume 6) which we will need to review prior to full agreement on this matter.	The Applicant welcomes the Environment Agency's conclusions that: • The baseline of the water environment assessment is appropriate. • The approach to modelling water quality effects of the Project on water bodies that would receive compensation flows from the reservoir (ES Appendix 19.6 Havant Thicket Reservoir compensatory flows water quality modelling [APP-201] and ES Appendix 19.10 Degradation modelling [APP-205]) and discharges through the Eastney Long Sea Outfall (ES Appendix 19.5 Eastney Long Sea Outfall dispersion modelling [APP-200]) is provisionally satisfactory. • The conclusions of the assessments and mitigation measures presented in ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1) are appropriate. The Applicant confirms that the assessment presented in ES Appendix 19.11 Havant Thicket Reservoir water quality modelling (Document reference 6.2, DCO Volume 6, Version 1) has been updated to reflect the current design of the reservoir and improved characterisation of incoming groundwater and recycled water quality. The updated modelling provides evidence that the design changes made to the reservoir and the updates to the characterisation of the recycled water and spring water do not give rise to any new or materially different effects on water quality in Havant Thicket Reservoir or downstream water bodies. The revised reservoir design removes the previously identified area of poorer water quality within the reservoir, while maintaining the conclusions of the assessments presented in ES Chapter 8 Terrestrial and freshwater biodiversity (Document reference 6.1, DCO Volume 6, Version 1), ES Chapter 9 Marine biodiversity (Document reference 6.1, DCO Volume 6, Version 1), ES Chapter 19 Water environment (Document reference 6.1, DCO

Reference	Theme	Summary of issue raised	The Applicant's response
			Volume 6, Version 1) and ES Appendix 19.2 Water Environment Regulations compliance assessment (Document reference 6.2, DCO Volume 6, Version 1). The Applicant has updated ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1), ES Appendix 19.2 Water Environment Regulations compliance assessment (Document reference 6.2, DCO Volume 6, Version 1), and ES Appendix 19.11 Havant Thicket Reservoir water quality modelling (Document reference 6.2, DCO Volume 6, Version 1) for submission at Deadline 1.
RR-102-27	Water environment	Results to date show that releasing water from the Water Recycling Plant would cause only minimal changes to water quality in Havant Thicket Reservoir and would not affect Water Framework Directive status (including for phosphorus). The same applies to the downstream waterbodies (Riders Lane Stream, Hermitage Stream, and Langstone Harbour) that would receive compensatory flows. The Environment Agency is satisfied that the operation of the Water Recycling Plan (WRP) will not cause unacceptable increases in Phosphorus levels in Havant Thicket Reservoir owing to the inclusion of appropriate phosphorus reduction methods in the Project's operation. The Operation and Maintenance section ES Chapter 3 Description of the Proposed Development, Volume I (Document reference 6.1, DCO Volume 6) provides an overview of the WRP treatment process, including the use of membranes to remove phosphorus. This has been factored into the water quality modelling. We note that modelling predicts no significant impacts on marine water quality from the combined Eastney Long Sea Outfall discharge. Chemicals requiring detailed assessment are predicted to comply with Environmental Quality Standards (EQS) close to the outfall, and significant adverse effects from contaminants of emerging concern are considered unlikely.	The Applicant welcomes the Environment Agency's conclusions that: • The operation of the Water Recycling Plant (WRP) would not cause unacceptable increases in phosphorus concentrations and only cause minimal changes in water quality in Havant Thicket Reservoir. • The operation of the WRP would only cause minimal changes to water quality in downstream waterbodies that would receive compensatory flows. • The operation of the WRP would not affect Water Framework Directive status in the reservoir or downstream water bodies. • Chemicals released from Eastney Long Sea Outfall would comply with Environmental Quality Standard close to the outfall. • Significant adverse effects from contaminants of emerging concern are considered unlikely.
RR-102-28	Greeting	Please do not hesitate to contact us if you require any further information. We look forward to continuing to work with the Applicant to resolve matters outlined above and finalise any necessary requirements to ensure the best environmental outcome for this project. Yours faithfully [REDACTED] Sustainable Places Technical Specialist Environment Agency, Solent & South Downs Email: [REDACTED]@environment-agency.gov.uk	The Applicant notes this comment.

Table 2-7 The Applicant's response to RR-104 from Fareham Borough Council

Reference	Theme	Issue raised	The Applicant's response
RR-104-1	Location of AGP	Local Planning Authority covering Fareham Borough, through which part of the pipeline route passes. The works will include the construction of an above ground plant (AGP) near to the A32 (Wickham Road), and the pipeline will traverse open countryside through the northern part of the Borough.	The Applicant confirms that Intermediate Pumping Station F (IPS-F) and the Pipeline between the Water Recycling Plant and Otterbourne Water Supply Works are situated within Fareham Borough.
RR-104-2	EIA approach and methodology	Full consideration of the landscape and visual impacts of the AGP, impact on biodiversity, protected species and priority habitats, archaeological impacts, cultural heritage impacts during the construction phase along the route and afterwards around the AGP.	The Applicant notes the comment regarding whether the impacts of the Above Ground Plant (AGP) on landscape character and visual amenity, biodiversity, protected species, priority habitats, archaeological remains and cultural heritage impacts have been fully assessed. The Applicant considers that these matters have been comprehensively assessed within the Environmental Statement (ES) Chapter 13 Landscape and visual [APP-092], Chapter 8 Terrestrial and freshwater biodiversity (Document reference 6.1, DCO Volume 6, Version 1), and Chapter 7 Archaeology and cultural heritage [APP-086] and that appropriate mitigation measures have been incorporated into the Project design and secured through requirements in the draft Development Consent Order (DCO) [APP-023]. The assessment of these topics has been undertaken in accordance with the methodology described in ES Chapter 5 Environmental Impact Assessment (EIA) approach and methodology [APP-084], which sets out the approach to identifying receptors, assessing likely significant effects and applying mitigation measures. The likely significant effects of the Project on landscape character and visual receptors are assessed within ES Chapter 13 Landscape and visual [APP-092], in accordance with relevant guidance and methodologies. This assessment considers the effects arising during construction, operation and decommissioning, including the presence of above-ground infrastructure associated with the AGP. The assessment identifies embedded and additional mitigation measures and assesses the significance of residual effects following implementation of mitigation. The likely significant effects of the Project on biodiversity, habitats and protected species are assessed within ES Chapter 8 Terrestrial and freshwater biodiversity (Document reference 6.1, DCO Volume 6, Version 1), in accordance with relevant guidance and methodologies. This chapter considers the potential effects of the Project on designated sites, habitats, protected species and notable ecological receptors. The assessment has been informed by ecological surveys and technical studies and identifies mitigation measures, where required, to avoid, reduce or compensate for adverse effects. The likely significant effects of the Project on archaeological remains and cultural heritage assets are assessed within ES Chapter 7 Archaeology and cultural heritage [APP-086], in accordance with relevant guidance and methodologies. This assessment considers both known and potential archaeological resources, as well as designated and non-designated heritage

Reference	Theme	Issue raised	The Applicant's response
			assets that may be affected by the Project. The assessment evaluates potential effects arising from construction activities, temporary works, ground disturbance and the presence of operational infrastructure. The significance of effects is assessed, and appropriate mitigation measures are identified where necessary. The Applicant therefore considers that the likely significant effects of the Project on landscape and visual amenity, biodiversity, protected species, priority habitats, archaeology and cultural heritage have been appropriately assessed within the ES.
RR-104-3	EIA approach and methodology	Impacts on the adjacent Welborne Garden Village development, which will be situated immediately adjacent to the AGP in the future, visual impact, noise impact, traffic impacts, impacts on public rights of way, and ecological impacts.	The Applicant notes the comment regarding the potential effects of the Project on the Welborne Garden Village development, particularly in relation to visual amenity, noise, traffic and transport, public rights of way and ecological receptors. The likely significant environmental effects of the Project on existing and future receptors have been assessed through the environmental impact assessment and reported within the ES, including ES Chapter 8 Terrestrial and freshwater biodiversity (Document reference 6.1, DCO Volume 6, Version 1), ES Chapter 13 Landscape and visual [APP-092], ES Chapter 15 Noise and vibration [APP-094] and ES Chapter 18 Traffic and transport [APP-097]. The assessment has been undertaken in accordance with the methodology described in ES Chapter 5 EIA approach and methodology [APP-084], which includes consideration of committed developments, where relevant, both as part of the future baseline and in the assessment of cumulative effects. The likely significant effects of the Project on landscape character and visual receptors are assessed within ES Chapter 13 Landscape and visual [APP-092]. The assessment considers the effects arising during construction, operation and decommissioning, including the presence of above-ground infrastructure, changes to landscape character and effects on visual receptors. The assessment identifies embedded mitigation measures and assesses the significance of residual effects following implementation of mitigation. The assessment takes account of the surrounding context and existing and planned development within the area. The Project's impacts on Public Rights of Way are also considered within ES Chapter 13 Landscape and visual [APP-092]. These assessments consider potential temporary and permanent effects on users of Public Rights of Way and recreational assets during construction and operation. Where temporary closures, diversions or restrictions are required, appropriate mitigation measures will be implemented. Noise and vibration effects are assessed within ES Chapter 15 Noise and vibration [APP-094]. The assessment identifies sensitive receptors and considers the likely effects associated with construction activities, operational plant and traffic movements. Appropriate mitigation measures have been incorporated into the Project where required and the significance of residual effects has been assessed following implementation of those measures.

Reference	Theme	Issue raised	The Applicant's response
			Traffic and transport effects are assessed within ES Chapter 18 Traffic and transport [APP-097]. This assessment considers the effects of construction traffic, changes in traffic flows, access arrangements and impacts on local highway users. The assessment identifies mitigation measures where necessary and evaluates the significance of effects on the surrounding transport network. Ecological effects are assessed within ES Chapter 8 Terrestrial and freshwater biodiversity (Document reference 6.1, DCO Volume 6, Version 1). This chapter considers the likely significant effects of the Project on designated sites, habitats, protected species and other ecological receptors. The assessment has been informed by ecological surveys and technical assessment and identifies mitigation, compensation and enhancement measures where required. The Project design has sought, where reasonably practicable, to avoid or reduce effects on important ecological receptors through route selection, design refinement and embedded mitigation. Mitigation measures identified through the EIA are set out in the Outline Construction Environmental Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3, [APP-413] and [APP-414] for documents 2 and 3), Framework Construction Traffic Management Plan (CTMP) [APP-415], Outline Landscape and Ecology Management Plan (LEMP) (Document reference 7.5, DCO Volume 7, Version 1) and Operational Environmental Management Plan (OEMP) [APP-422], which are secured through relevant requirements in Schedule 2 to the draft DCO [APP-023]. The Applicant therefore considers that the likely significant effects of the Project on the Welborne Garden Village development, including visual, noise, traffic and transport, public rights of way and ecological effects, have been appropriately assessed within the ES.

Table 2-8 The Applicant's response to RR-114 from Gosport Borough Council

Reference	Theme	Issue raised	The Applicant's response
RR-114-1	Greeting	Dear Planning Inspectorate, Gosport Borough Council would like to reiterate our position on this DCO, as submitted in a joint Partnership for South Hampshire response in 2022 to the Hampshire Water Transfer and Recycling Project. While we appreciate that some of the technicalities in the project may have changed since then, we trust that the principles remain the same. Thank you for this opportunity to comment on this DCO.	The Applicant notes this comment.
RR-114-2	Consultation	Partnership for South Hampshire (PfSH) Response to the Hampshire Water (2022) Transfer and Water Recycling Project Southern Water Consultation Introduction	The Applicant notes this comment.

Reference	Theme	Issue raised	The Applicant's response
		1. This response to the Southern Water's Hampshire Water Transfer & Water Recycling Project's consultation has been prepared by the Water Quality Working Group of the Partnership for South Hampshire (PfSH). PfSH is a strategic partnership of twelve local planning authorities around the Solent working co-operatively on strategic/sub-regional planning, development, and environmental matters.	
RR-114-3	Consultation	2. PfSH welcomes the opportunity to respond to this consultation at this key stage. It is recognised that a Development Consent Order (DCO) will be sought for this project, which is a type of consent given by the Secretary of State for projects of national significance. Notwithstanding this, local planning policies and representations from relevant bodies such as PfSH can play an important role in the preparation of a DCO.	The Applicant notes this comment.
RR-114-4	Consultation	3. The consultation seeks views on three issues which are addressed below.	The Applicant notes this comment.
RR-114-5	Need case	Water recycling as a new sustainable water resource for the Hampshire area and the process we went through to select it 4. We note that the Southeast of England is now considered to be an area of 'serious water stress' and that Southern Water has an estimated shortfall in the Hampshire water supply area of 192 million litres per day during drought periods.	The Applicant notes this comment. For clarity the projected deficit of 192 megalitres per day (Ml/d) in the Hampshire water supply area (also known as the Western Area) was identified in Water Resources Management Plan 2019 (WRMP19) during a 1 in 200-year drought up to 2029/30. The Applicant's emerging Water Resources Management Plan 2024 (WRMP24) is required to resolve an increased water supply deficit in the Western Area of 203Ml/d by 2040 during a 1 in 500-year drought (please refer to paragraph 2.1.5 of the Case for the Project [APP-057].
RR-114-6	Need case	5. PfSH both acknowledge and emphasise the urgency of Southern Water's water supply position and the importance of resolving the supply deficit by bringing significant and sustainable new sources of water supply forward as soon as possible. This is required under an agreement signed with the Environment Agency under Section 20 of the Water Resources Act 1991 that commits the company to address this deficit at the earliest opportunity.	The Applicant notes this comment.
RR-114-7	Alternatives	6. The 2021 Southern Water 'Water for Life' consultation earmarked a desalination plant at Fawley as the preferred option for addressing this shortfall. The PfSH response to this consultation highlighted concerns regarding the energy costs and carbon intensity of desalination, as well as environmental and landscape impacts upon the New Forest National Park. We note that this option has now been dropped, in favour of water recycling.	The Applicant notes this comment.
RR-114-8	Principle of development	7. In principle PfSH is supportive of water recycling as a more sustainable and resilient option, subject to wider considerations, particularly impacts on water quality. This should be undertaken in tandem with efforts to reduce leakage from water pipes which accounts for a substantial loss of drinking water every year.	The Applicant notes and welcomes this comment. Demand side measures (reducing consumption / fixing leaks) are a crucial part of the solution but must be combined with new large scale supply options given the scale of the projected water supply deficit. The Project would provide a new sustainable source of water, delivering up to 90Ml/d of water into the Hampshire supply

Reference	Theme	Issue raised	The Applicant's response
			network. The Applicant directs the Council to the Case for the Project [APP-057] for further details.
RR-114-9	The water recycling process	That aside, a frequent concern with water recycling relates to the potential for the process to recycle pollutants such as toxic compounds, pharmaceutical residues and microplastics back into drinking water. Assurances are therefore sought that the filtration process will be rigorous, consistent and will remove all known pollutants. A commitment to high standards of maintenance and independent monitoring and regulation of the quality of drinking water produced via water recycling is also sought.	As stated in section 19.8 of Environmental Statement (ES) Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1), the Applicant has undertaken an extensive programme of monitoring of a wide range of Contaminants of Emerging Concern (CECs) in the final treated wastewater from Budds Farm Wastewater Treatment Works (Budds Farm WTW) (e.g. a representation of influent water quality to the Water Recycling Plant (WRP)) and water treated in its pilot treatment plant at Budds Farm WTW. This considered a wide range of substances, including: • Pharmaceuticals and personal care products (PPCPs): Organic contaminants sourced from pharmaceutical products and their metabolites, cosmetics, soaps and shampoos, which can be found in trace levels in wastewater. • Industrial chemicals: Substances such as per- and poly-fluoroalkyl substances (PFAS), polycyclic aromatic hydrocarbons (PAHs), volatile organic compounds (VOCs) and inorganic contaminants (including some trace metals). Although some specific compounds within these broad categories of chemicals have an established Environmental Quality Standard (EQS) (including some metals, PAHs and several PFAS compounds), this is not the case for the majority of these substances. • Agricultural chemicals: Substances such as pesticides and fertilisers that can be found in surface water runoff. The pilot plant included a Full Advanced Treatment (FAT) process, comprising integrated membranes followed by an ultraviolet and advanced oxidation process. Although this does not include the Granular Activated Carbon (GAC) and remineralisation processes that will be present within the WRP, the pilot plant included the multi-barrier treatment process that will be primarily responsible for the effective removal of contaminants from the treated wastewater. As some contaminants would also be removed by the GAC process, the results from the pilot plant therefore represent an underestimate of the performance of the full WRP and are therefore considered to be the worst case. The results of the pilot plant trialsn are described in an independent review produced by the University of Brighton (Mayor-Smith, 2024), as referenced in ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1). The results of the investigation into pilot plant performance indicate that the FAT process resulted in a considerable increase in water quality, with the concentration of CECs decreasing after passing through the pilot plant. Over 60% of the CECs measured in the WRP influent decreased to below the limits of detection in the water that had passed through the WRP, with the largest reductions identified for a range of pharmaceuticals, personal care products and pesticides.

Reference	Theme	Issue raised	The Applicant's response
			Data from the Applicant's pilot plant trials has shown that the purified recycled water produced would provide a safe and sustainable source of supply that, following further treatment to drinking water standards, will continue to meet the strict water quality standards required by the Drinking Water Inspectorate (DWI). The Applicant remains committed to transparency, rigorous monitoring and full compliance with all relevant regulations throughout the development and operation of the Project. The output of the Water Recycling Plant will be subject to an environmental permit, issued by the Environment Agency, which will require the quality of the recycled water to meet the standard specified to ensure there are no unacceptable impacts to the environment. The blended spring and recycled water from the Havant Thicket Reservoir will be transferred to Otterbourne Water Supply Works (WSW), and the treated water will continue to meet the requirements of The Water Supply (Water Quality) Regulations 2016, as regulated by the Drinking Water Inspectorate.
RR-114-10	Water environment	8. The process for recycling water will produce 'reject water', which will be returned to Budds Farm WWTW for processing before discharge into the sea. PfSH seeks clarification that this process will not lead to increased environmental impacts upon the Solent.	The Applicant notes this comment and the feedback provided in relation to the environmental impact of 'reject water' on the Solent. The Applicant would like to clarify that, as set out in ES Chapter 3 Description of the Proposed Development [APP-082], reject water from the WRP would be transferred to Eastney Long Sea Outfall (LSO) via Budds Farm WTW, where it would be mixed with existing wastewater flows from the WTW. There would not, however, be further treatment of the reject water at Budds Farm WTW. The Applicant has assessed the effects of changes to the discharge from Eastney LSO as a result of the addition of reject water from the WRP in ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1). This assessment was informed by detailed far and near field dispersion modelling presented in ES Appendix 19.5 Eastney LSO dispersion modelling [APP-200] and ES Appendix 19.8 CORMIX Modelling for Chemicals Screened in via the Surface Water Risk Assessment Process [APP-203], respectively. The model outputs show that the differences in salinity and concentrations of currently consented water quality parameters are not significant when the existing Budds Farm WTW release and the future release from Budds Farm (once the WRP is in place and reject water is combined) are compared. Furthermore, all modelled parameters are compliant with the appropriate Environmental Quality Standard within approximately 1m of the discharge point at Eastney LSO. The assessment therefore concludes that there are no likely significant effects associated with changes to the composition of the water being discharged from the Eastney LSO as a result of the addition of reject water from the WRP. The output from the water recycling plant, including the reject stream, will be subject to an environmental permit, issued by the Environment Agency, which will require the quality of the reject water to meet the standard specified to ensure there are no unacceptable impacts to the environment.

Reference	Theme	Issue raised	The Applicant's response
RR-114-11	Use of Havant Thicket Reservoir for the storage of recycled water	9. According to figures provided in the consultation the water recycling plant could transfer 15 million litres per day to Havant Thicket Reservoir, while the water transfer pipe could shift up to 90 million litres per day to the Otterbourne WWTW, at the peak of a drought. Confirmation of how long this could be sustained, and whether the water transfer process could negatively impact water supplies in the Portsmouth Water area during drought periods, is requested.	As identified in Section 3.6 of ES Chapter 3 Description of the Proposed Development [APP-082], the Water Recycling Plant (WRP) site could transfer up to approximately 60 megalitres per day (Ml/d) of recycled water to Bedhampton Springs (for onward transfer to Havant Thicket Reservoir) and extract up to approximately 90 Ml/d of source water from Havant Thicket Reservoir to transfer to Otterbourne Water Supply Works (Otterbourne WSW). The duration for which such transfers at these levels could be sustained depends on a number of factors, including the drought severity, prevailing hydrological and weather conditions, reservoir storage levels and the performance and availability of other water resources within the wider supply system. The Project has been designed to ensure that sufficient water resources will be available to maintain supplies to customers in extreme drought conditions. As confirmed in Appendix E to The Applicant's written summaries of oral submissions at OFH1 and ISH1 and post hearing actions (Document reference 8.9, DCO Volume 8, Version 0), Portsmouth Water does not rely upon the water in Havant Thicket Reservoir for the purposes of its water supply.
RR-114-12	Water environment	10. Water recycling has the potential to help mitigate the impact of nitrate discharges from housing development on European designated sites in the Solent. The need to address this issue led to extensive housing development backlogs across the PfSH region, and one that has only recently been unlocked due to newly-formed mitigation schemes - primarily the setting aside of high nutrient agricultural land and the creation of nutrient-absorbing wetlands.	The Applicant notes this comment and the feedback provided in relation to the potential for the Project to help mitigate the impact of nitrate discharges from housing development on European designated sites in the Solent. Section 3.4 of ES Appendix 19.7 Nutrient assessment [APP-202] demonstrates that, once operational, the Project would deliver a net decrease of approximately 8,700kg nitrogen per year, primarily due to reduced volumes of final effluent being discharged into the Solent via Eastney Long Sea Outfall.
RR-114-13	Land use and agriculture	11. While such mitigation schemes are welcome in the Solent region and provide multiple other benefits including biodiversity gain and carbon storage, there is a finite supply of such sites with the local area. The loss of agricultural land has also come at a time of increasing national and global concern about food production and supply. The role of water recycling in helping to provide another mitigation option is therefore welcomed by PfSH as part of a suite of measures to address the issue sustainably and in the long-term.	Paragraph 12.8.11 of ES Chapter 12 Land use and agriculture [APP-091] confirms that permanent losses of agricultural land are restricted to the Above Ground Plant (AGP) sites, the working areas of which amount to approximately three hectares in total. All other disturbance to the agricultural land will be of a temporary and mostly short-term nature, with agricultural use able to resume shortly after installation. The assessment presented in ES Chapter 12 Land use and agriculture [APP-091] concludes that the permanent loss of three hectares of agricultural land across four sites will have no impact on domestic food supply.
RR-114-14	Project finance and cost	12. While recognising the need for additional water supply, details of the cost of the proposed water recycling and water transfer system, and the likely addition to customer bills that the works and ongoing maintenance will add, will also be beneficial to PfSH to understand the full economic impacts of the project.	The Applicant notes the comment and directs the Council to Section 3 (Value for Money Statement) of the Case for the Project (Document reference 5.6, DCO Volume 5, Version 1) for how value for money is considered through the water resources management planning process. As a regulated sector, Ofwat review water company spending plans and exist to protect the consumer by controlling costs that water companies can charge customers. Section 3 of the Funding Statement (Document reference 4.2, DCO Volume 4, Version 1) sets out the details for the Project funding.

Reference	Theme	Issue raised	The Applicant's response
RR-114-15	Location of the WRP	The location for the proposed water recycling plant in Havant and the process we went through to select it. 13. Site 72 appears to be a grassy area which may be part of Broadmarsh Open Space. Should this be the case we assume it is surplus to local recreational needs and would be suitably compensated for if developed.	The proposed Water Recycling Plant (WRP) site (Site 72) is not part of Broadmarsh Coastal Park and is not designated as open space in the adopted development plan.
RR-114-16	Location of the proposed pipeline routes	The preferred corridor we have identified for the pipelines needed to transfer water between Budds Farm Wastewater Treatment Works, the water recycling plant, Havant Thicket Reservoir and our Otterbourne Water Supply Works, including the process we went through to select it and the sites and zones for the above ground plant. 14. With regards to the range of possible pipe location, PfSH in general supports routes which reduce impacts upon Source Protection Zones and other environmental designations, such as Ancient Woodland.	The Applicant notes this comment. The Applicant has made considerable effort, through the iterative design of the Project, and informed by engagement and consultation, to avoid and reduce potential impacts on the environment and the local communities. The Project avoids all nationally designated ecological sites and Ancient Woodland. Where it has not been possible to avoid Source Protection Zones, there are secured mitigation measures in place to reduce and manage any impacts; please refer to design principle PL_4 Groundwater resources of the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1) and the Outline Construction Environmental Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3, [APP-413] and [APP-414] for documents 2 and 3).

Table 2-9 The Applicant's response to RR-119 from Hampshire and Isle of Wight Healthcare NHS Foundation Trust

Reference	Theme	Issue raised	The Applicant's response
RR-119-1	The water recycling process	As a stakeholder responsible for healthcare estate compliance, water safety and hard facilities management across Hampshire and Isle of Wight Healthcare NHS Foundation Trust, my principal concern relates to the potential impact of the Hampshire Water Transfer and Water Recycling Project on water quality supplied to healthcare premises.	Under the Project, treated wastewater will undergo advanced multi-barrier treatment to produce purified recycled water before blending with spring water in Havant Thicket Reservoir and transfer for final treatment to drinking water standards at Otterbourne Water Supply Works (Otterbourne WSW), as described in Environmental Statement (ES) Chapter 3 Description of the Proposed Development [APP-082]. The Project would not compromise the Applicant's duty to provide wholesome water that is safe and fit for human consumption. The output from the water recycling plant into the reservoir will be subject to an environmental permit, issued by the Environment Agency, which will require the quality of the recycled water to meet the standard specified to ensure there are no unacceptable impacts to the environment. After the water is abstracted from Havant Thicket Reservoir it is pumped to Otterbourne WSW. The Applicant is required to comply with the regulatory requirements overseen by the Drinking Water Inspectorate to ensure that the treated water from Otterbourne WSW is wholesome and that there is no deterioration in drinking water quality supplied to consumers.
RR-119-2	The water recycling process	Whilst I recognise the importance of securing resilient water supplies for the region, I would seek assurance regarding the long-term chemical and	The Applicant welcomes recognition of the importance of securing resilient water supplies for the region. Further to the Applicant's response to RR-119-1, the Applicant has conducted extensive testing through its water recycling pilot plant with experts from the University of Brighton (Mayor-Smith (2024), [1] as

Reference	Theme	Issue raised	The Applicant's response
		microbiological characteristics of the recycled and treated water entering the public supply.	referenced in ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1). Testing has included analysis of pharmaceuticals and personal care products, pesticides, trace organic contaminants, including per- and poly-fluoroalkyl substances (PFAS) and volatile organic compounds. Data from the pilot plant trials has shown that the purified recycled water produced would provide a safe and sustainable source of water. The output from the water recycling plant into the reservoir will be subject to an environmental permit, issued by the Environment Agency, which will require the quality of the recycled water to meet the standard specified to ensure there are no unacceptable impacts to the environment. After the water is abstracted from Havant Thicket Reservoir it is pumped to Otterbourne WSW. The Applicant is required to comply with the regulatory requirements overseen by the Drinking Water Inspectorate to ensure that the treated water from Otterbourne WSW is wholesome and that there is no deterioration in drinking water quality supplied to consumers.
RR-119-3	The water recycling process	In particular, I would welcome further information on any treatment chemicals, residual contaminants, changes in water composition, hardness, corrosivity, disinfection by-products, or other parameters that could affect healthcare water systems, pipework, storage infrastructure, calorifiers, water treatment equipment, and compliance with NHS water safety requirements.	Please refer to the Applicant's response to RR-119-1. The drinking water supplied from Otterbourne WSW will continue to meet the strict water quality standards required by the Drinking Water Inspectorate (DWI).
RR-119-4	The water recycling process	Healthcare facilities have vulnerable patient populations and rely on stringent water quality standards to manage risks such as Legionella and infrastructure degradation.	Please refer to the Applicant's response to RR-119-1. The drinking water supplied from Otterbourne WSW will continue to meet the strict water quality standards required by the DWI. There will be no increased Legionella or infrastructure degradation risks.
RR-119-5	Attitudes to water recycling	Therefore, it is important that the project demonstrates there will be no adverse impact on water quality, asset longevity, operational maintenance requirements, or the ability of healthcare organisations to maintain safe and compliant water systems.	Please refer to the Applicant's response to RR-119-1 and RR-119-2. Water from the Havant Thicket Reservoir will be pumped to Otterbourne WSW. The outputted treated water will meet the regulatory requirements for drinking water, set by the DWI. Adherence to the DWI standards secures that there will be no adverse impact on water quality or the ability of healthcare organisations to maintain safe and compliant water systems. The Water Recycling Plant (WRP) and Pipeline components will be maintained and replaced throughout the Project's lifecycle to ensure regulatory compliance and efficiency. The Applicant considers that appropriate emergency arrangements are secured through the mitigation and management measures identified within ES Chapter 14 Major accidents and disasters (Document reference 6.1, DCO Volume 6, Version 1), including remote monitoring and control systems, emergency power provision, continuous staffing of the WRP, incident management procedures and emergency planning measures. These measures are secured through the Operational Environmental Management Plan [APP-422], which is secured by a requirement in Schedule 2 to the draft Development Consent Order [APP-023].

Reference	Theme	Issue raised	The Applicant's response
RR-119-6	The water recycling process	I would also request clarity on the ongoing monitoring arrangements, contingency measures, and communication processes that would be implemented should any water quality issues arise following the introduction of recycled water into the supply network.	Please refer to the Applicant's response to RR-119-5. Recycled purified water from the WRP will be discharged into Havant Thicket Reservoir in line with Environment Agency permitting requirements and will not be able to enter directly into the drinking water supply network. Drinking water will continue to be supplied from Otterbourne WSW and will continue to meet the strict water quality standards required by the DWI.

Table 2-10 The Applicant's response to RR-121 from Hampshire County Council

Reference	Theme	Issue raised	The Applicant's response
RR-121-1	The process of developing the Project	Hampshire County Council is a host authority for the Project. It has agreed to submit a Relevant Representation directly to the Planning Inspectorate by the deadline. I understand this information will be seen by the examining authority and published on the PINs website. The relevant representation from Hampshire County Council will be sent separately via email.	The Applicant notes this comment.
RR-121-2	The draft DCO	Dear Matthew, RELEVANT REPRESENTATION BY HAMPSHIRE COUNTY COUNCIL (REGISTRATION IDENTIFICATION NUMBER F7989D047) TO HAMPSHIRE WATER TRANSFER AND WATER RECYCLING PROJECT (PLANNING INSPECTORATE REFERENCE: WA010002) Hampshire County Council (the County Council) is a host authority (relevant local authority) for the above-named Development Consent Order (DCO). The 'order limits' (landside) for the DCO are wholly within the administrative boundary of the County Council. In accordance with Section 102(1)(C) of the Planning Act 2008 (PA2008), the County Council automatically qualifies as an 'interested party' for the purpose of the examination of the DCO. The County Council has participated extensively in the pre-application process on highways and other matters and welcomes the opportunity to continue constructive engagement with Southern Water during the examination. The comments expressed in this Relevant Representation are made without prejudice to any future views that may be expressed by the County Council, in its capacity as an interested party, in the examination process, and following a detailed assessment of the examination documents. The draft DCO was not shared with the County Council before the submission of the application. Representations are made following an initial review of the extensive DCO application. The County Council has sought to provide a comprehensive Relevant Representation, however it will necessarily need to raise further matters at a later stage within the Local Impact Report (LIR) and in subsequent Written Representations.	The Applicant notes this comment.

Reference	Theme	Issue raised	The Applicant's response
		I hope that this information is helpful. All matters will be expanded upon within further submissions by the County Council throughout the course of the examination. Yours faithfully, [REDACTED] Head of Spatial Planning	
RR-121-3	EIA approach and methodology	Summary of the Examination library document references used in representation: Examination document reference Document name APP-009 2.2 Land Plans - 1 of 3 documents APP-012 2.3 Works Plans - 1 of 3 documents APP-015 2.4 Access and Public Rights of Way Plans - 1 of 2 documents APP-016 2.4 Access and Public Rights of Way Plans - 2 of 2 documents APP-023 3.1 Draft Development Consent Order APP-024 3.2 Explanatory Memorandum to Draft Order APP-055 5.4 Other Consents and Licences Position Statement APP-057 5.6 Case for the Project 4 APP-062 5.8 Draft Statement of Common Ground - Hampshire County Council APP-075 5.10 Scheme Development Report - 3 of 3 documents APP-076 5.11 Design Principles Document APP-082 6.1 ES Vol I - ES Chapter 3 Description of the Proposed Development APP-087 6.1 ES Vol I - ES Chapter 8 Terrestrial and freshwater biodiversity APP-095 6.1 ES Vol I - ES Chapter 16 Resources and waste management APP-096 6.1 ES Vol I - ES Chapter 17 Socio-economics tourism and health APP-098 6.1 ES Vol I - ES Chapter 19 Water environment APP-110 6.2 ES Vol II - ES Appendix 6.2 Air quality assessment traffic data APP-151 to APP 168 6.2 ES Vol II - ES Appendix 11.2 Geotechnical and geoenvironmental reports (18 documents) APP-175 6.2 ES Vol II - ES Appendix 13.5 Arboricultural Impact Assessment - 1 of 2 documents	The Applicant acknowledges the Examination library document references.

Reference	Theme	Issue raised	The Applicant's response
		APP-176 6.2 ES Vol II - ES Appendix 13.5 Arboricultural Impact Assessment - 2 of 2 documents APP-183 6.2 ES Vol II - ES Appendix 16.1 Mineral Safeguarding Assessment APP-186 6.2 ES Vol II - ES Appendix 18.1 Transport Assessment - 1 of 3 documents APP-189 to APP 196 6.2 ES Vol II - ES Appendix 19.1 Flood Risk Assessment - documents 1 to 8 APP-208 ES Appendix 20.1 List of 'other developments' - longlist and shortlist, Volume II (referenced in the RR text) APP-209 6.2 ES Vol II - ES Appendix 20.2 Cumulative effects assessment APP-412 7.1 Outline Construction Environmental Management Plan - 1 of 3 documents APP-415 7.2 Framework Construction Traffic Management Plan APP-416 7.3 Traffic Management Strategy APP-420 7.5 Outline Landscape and Ecology Management Plan APP-424 7.9 Outline Skills and Employment Plan APP-426 7.11 Biodiversity Gain Plan APP-427 7.12 Environmental Net Gain Statement	
RR-121-4	Principle of development	1. Principle of Development 1.1 Principally, and subject to relevant mitigation (where required) being secured, the County Council would not consider there to be significant issues associated with the development proposed under the DCO given that the construction works are temporary and considering the size, scale and location of the plant and buildings associated with the pipeline. 1.2 The County Council confirms it was consulted as follows, with the date of its responses shown in the brackets: Feb - April 2021 Non-statutory Public Consultation: Desalination and alternative options; July - August 2022 Non- Statutory Summer 2022 Consultation (16 August 2022); Feb - April 2024 Consultation on the Statement of Community Consultation (SoCC); May - July 2024 Statutory Summer 2024 Consultation (26 July 2024); Mar - April 2025 Statutory Spring 2025 Consultation (design refinements) (23 May 2025); September 2025 draft General and Site-Specific Design Principles Consultation (19 September 2025).	The Applicant notes and welcomes this comment.

Reference	Theme	Issue raised	The Applicant's response
		1.3 The County Council provided a response to the draft Case for the Project ('need case') 12 June 2025.	
RR-121-5	EIA approach and methodology	2. Statements of Common Ground 2.1 The County Council signed a draft Statement of Common Ground [APP-062] (SoCG) 7 May 2026 with the Applicant Southern Water. The draft SoCG was signed in relation to the following matters: a) Principle of development b) DCO and planning (related to Local Highway Authority function) c) Design and construction d) Air quality and odour (related to Public Health Authority issues) e) Habitats and ecology f) Biodiversity and nature conservation g) Landscape and visual impacts h) Noise and vibration i) Resources and Waste j) Socio-economics, tourism, recreation, and health k) Traffic and Transport (including Rights of Way) l) Flood risk and water environment m) Cumulative and in-combination effects n) Environmental Assessment - approach 2.2 The draft SoCG contains a number of matters which have been agreed with the Applicant. The following explains the aspects of the Project which the County Council is yet to agree with, where this relates to the authority's statutory functions.	The Applicant notes the draft Statement of Common Ground (SoCG) with Hampshire County Council (Document reference 5.8, DCO Volume 5, Version 1) and the County Council's summary of the matters agreed and matters remaining under discussion.
RR-121-6	Resources and waste management	3. Resources and Waste 3.1 The County Council as Minerals and Waste Planning Authority has commented on draft versions of the following documents as part of statutory consultation exercises and additional engagement: i. Outline Construction Environmental Management Plan (Document reference 7.1, DCO Volume 7) [APP-412]; ii. ES Chapter 16 Resources and waste management, Volume I (Document reference 6.1, DCO Volume 6) [APP-095]; iii. ES Appendix 16.1 Mineral Safeguarding Assessment, Volume II (Document reference 6.2, DCO Volume 6 [APP-183]. 3.2 The Ground Investigation reports (Socotec UK Limited, refs 710166-NGX XX-XX-RP-GE-0001 to 0007), forming the basis for ES Appendix 11.2	The Applicant acknowledges the County Council's comments and notes the County Council's agreement that due to the limited excavation easement of the pipeline, the reports are sufficient to identify where potentially viable mineral resources are present.

Reference	Theme	Issue raised	The Applicant's response
		Geotechnical and geo-environmental reports [APP-151 - APP-168], were provided by the Applicant and have been reviewed by the County Council. The ground investigation could be considered as providing an insufficient number of investigation locations to draw conclusions for mineral assessment purposes, considering the expected practice described in the Minerals and Waste Safeguarding in Hampshire Supplementary Planning Document1. (1Minerals and Waste Safeguarding in Hampshire Supplementary Planning Document - https://documents.hants.gov.uk/planningstrategic /HMWPMineralsandWasteSafeguardinginHampshireSPDFinalFeb2016.pdf) The County Council agree however that due to the limited excavation easement of the pipeline, the reports are sufficient to identify where potentially viable mineral resources are present.	
RR-121-7	Resources and waste management	3.3 The following matters in relation to resources and waste are agreed between the County Council and the Applicant: 3.3.1 Policy 31 (Liquid waste and waste-water management) of the HMWP2 (Hampshire Minerals and Waste Plan (2026) - https://www.hants.gov.uk/landplanningandenvironment/minerals-waste-planning/hampshire-minerals-waste-plan) supports the proposed development, as the Applicant has identified a clear need for additional capacity via the upgrade and extension of existing waste water treatment infrastructure. 3.3.2 The Applicant has appropriately assessed and considered the developments potential impact on local and regional waste management capacity and has committed to the production of a Soil Resource Management Plan and Site Waste Management Plan, as standalone documents required under the Construction Environmental Management Plan. These will incorporate the principles of the Waste Hierarchy and the Circular Economy into the development, to minimise the amount of waste sent to landfill. 3.3.3 The Applicant has acknowledged that portions of the development lie within the Minerals and Waste Consultation Area, as defined by the currently adopted Hampshire Minerals and Waste Plan (2026)3 and that the development is likely to uncover mineral resources that are safeguarded under Policy 15 (Safeguarding - mineral resources). 3.3.4 The Applicant has assessed the possibility of the prior extraction of mineral resources along the proposed pipeline and has determined that this is unviable. The Applicant will incorporate the principles of incidental extraction as part of the development to maximise the extraction, sale, and/or reuse of excavated mineral resources. To facilitate this, the Applicant has committed (in accordance with the corresponding requirements in Schedule 2 to the draft DCO), to the production of a Minerals Management Strategy, secured as part of the Construction Environmental Management Plan, prior to the commencement of excavation activities, to ensure effective management of mineral resources. 3.3.5 The Minerals Management Strategy will be required to detail the processes and procedures that will be put in place across the entire	The Applicant acknowledges Hampshire County Council's comments and welcomes the areas of agreement identified in relation to resources and waste management. The Applicant confirms that a Soil Resource Management Plan, Site Waste Management Plan and Minerals Management Strategy will be prepared in accordance with the details set out in the Outline Construction Environmental Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3) and the corresponding requirements contained within Schedule 2 to the draft Development Consent Order (DCO) [APP-023]. These documents will support the management of excavated materials, implementation of the waste hierarchy, incidental extraction of mineral resources where practicable and the safeguarding of mineral resources during construction. Further details on the proposed approach to mineral safeguarding and the matters to be addressed through the Minerals Management Strategy are set out in section 8.2 of ES Appendix 16.1 Mineral Safeguarding Assessment [APP-183].

Reference	Theme	Issue raised	The Applicant's response
		development with respect to safeguarding mineral resources as far as practicable. This should include the use of incidental extraction principles, whereby high quality material, such as sand, gravel and soft sand, would be processed and used or sold for construction purposes, while lower quality material could be used for fill or similar. Particular opportunities may lie in the recovery of mineral deposits uncovered during the preparation and construction phases of the project, for example through the excavation of the pipeline trench, footings or trenches for buildings, roads, landscaping, drainage and utility infrastructure associated with the development. The Strategy should also include the requirement for material testing to determine quality and a method of mineral tonnage quantification for future data submission to the County Council. 3.3.6 The Applicant acknowledges that portions of the development lie within the Hampshire Minerals & Waste Plan (HMWP) Minerals and Waste Consultation Area, and has adequately considered Minerals and Waste Infrastructure, safeguarded under Policy 16 (Safeguarding - mineral infrastructure) and Policy 26 (Safeguarding - waste infrastructure) of the HMWP, to ascertain whether the proposed development will have a material impact on their ability to operate. The County Council are not aware of any concerns that have been raised by operators of safeguarded minerals and waste infrastructure in relation to the proposed development Order Limits. Should any concerns come to light, the County Council reserves the right to support the objections of safeguarded Minerals and Waste infrastructure until appropriate mitigation can be agreed.	
RR-121-8	Resources and waste management	3.3.7 Land at Five Oaks Farm in Shedfield (on the south west of Winchester Road (B2177)) is shown alongside the proposed development Order Limits in Figure 1 below. Five Oaks Farm is a site of concern on the pipeline route due to the known presence of safeguarded soft sand beneath the site. Despite having previously been refused planning permission for soft sand extraction, under application 20/01483/HCS [20/01483/HCS Five Oaks Farm, Shedfield - https://planning.hants.gov.uk/Planning/Display/20/01483/HCS , due to visual impact and HGV movements, the site's landowner has raised concerns regarding the sterilisation of mineral material which will occur as part of the Proposed Development. 3.3.8 The County Council believe that once installed, the pipeline will both directly and indirectly sterilise the entire soft sand reserve at Five Oaks Farm, both due to the position of the pipeline across the site and the restrictions placed upon excavation around the pipe and heavy machinery moving across its position. The principle of prior extraction of minerals from the Five Oaks Farm site is supported, due to the identified need for soft sand in the HMWP area. It is the County Council's stance that the Applicant has liaised appropriately with the landowner to explore options for the extraction of soft sand resources, prior to and as part of the proposed development. In any case, should the landowner wish to pursue the extraction of soft sand from the	The Applicant acknowledges Hampshire County Council's concerns regarding the potential sterilisation of safeguarded soft sand resources at Five Oaks Farm and notes the County Council's view that the Applicant has liaised appropriately with the landowner in relation to mineral safeguarding matters. This issue is considered in the draft Statement of Common Ground with Hampshire County Council (Document reference 5.8, DCO Volume 5, Version 1). As outlined in Section 8 of ES Appendix 16.1 Mineral Safeguarding Assessment [APP-183] opportunities for prior extraction of mineral resources were considered and concluded not to be a viable mitigation measure. The Applicant has committed to implementing incidental extraction, where practicable, through mitigation measure RWM13. RWM13 requires the preparation of a Minerals Management Strategy (MMS) for inclusion within or alongside the detailed Construction Environmental Management Plan (CEMP(s)) prior to excavation activities and is secured through the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3, [APP-413] and [APP-414] for documents 2 and 3), the corresponding requirement in Schedule 2 to the draft DCO [APP-023], and the ES Appendix 5.5 Commitments Register (Document reference 6.2, DCO Volume 6, Version 1).

Reference	Theme	Issue raised	The Applicant's response
		Five Oaks Farm site, appropriate planning permission, sought from the County Council, will be required.	The MMS includes procedures for the extraction, handling, temporary storage and beneficial use of minerals encountered during construction and requires consideration of off-site reuse where safeguarded minerals are encountered and are not required for construction. These commitments are reflected in ES Chapter 16 Resources and Waste Management [APP-095] and the ES Appendix 5.5 Commitments Register (Document reference 6.2, DCO Volume 6, Version 1). A design refinement to the Order limits at Five Oaks Farm which aimed to reduced conflict between the Project and the potential future mineral extraction of the land at Five Oaks Farm. The final location of the pipeline can be refined within the Order Limits post-consent following further engagement with the landowner and the Option Holder as their mineral extraction proposal progresses. The Applicant (RR-126) will continue to engage with the landowner, where appropriate, as the Project progresses. The Applicant recognises that there is currently no submitted planning application for mineral extraction at Five Oaks Farm. The Applicant will continue to engage with the landowner, where appropriate, as the Project progresses.
RR-121-9	The draft DCO	3.3.9 Article 50 (Safeguarding) of the draft DCO [APP-023] outlines the safeguarding requirements of the proposed development and how relevant planning authorities must consult the undertaker with regards to planning applications. The County Council accepts that the proposed development requires safeguarding from other forms of development and agrees to include the proposed development, for the duration of the construction, operation, and decommissioning phases, as a planning constraint and the undertaker as a consultee in its planning application determination process, where applicable.	The Applicant acknowledges and welcomes the Council's position on this matter.
RR-121-10	The draft DCO	3.4 The County Council would like to raise the following issues in relation to resources and waste: 3.5 At this stage, the County Council raises the issue of reviewing and agreement of the above mentioned management plans. These include the Soil Resource Management Plan, Site Waste Management Plan, and the Minerals Management Strategy. These plans are proposed for preparation under the Construction Environmental Management Plan (CEMP) and are noted as post-consent / compliance requirements. The submitted Outline CEMP details these documents in Section 6 and notes that Schedule 2 of the draft DCO applies. However, Schedule 2 does not mention these post consent documents. Schedule 2 Part 6 of the DCO should be amended to include the requirement to produce the supporting plans to guarantee appropriate consideration of the issues raised through the EIA process. 3.6 The management plans listed in the Outline Construction Environmental Management Plan should take into account relevant best practice as well as adopted minerals and waste policy and supplementary planning documents for the Hampshire area. Inadequate plans pose a risk to mineral resources within	The Applicant confirms that the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3, [APP-413] and [APP-414] for documents 2 and 3) includes the production of the mentioned management plans and the corresponding requirement for these plans is Requirement 6 in Schedule 2 to the draft DCO [APP-023]. Requirement 6 of the draft DCO [APP-023] requires that a construction environmental management plan must be substantially in accordance with the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3) and will therefore secure the production of these mentioned plans. The Applicant does not consider it necessary to include these mentioned plans in an additional requirement as this would be duplication. The mentioned management plans will be prepared in accordance with all legislative and regulatory requirements. The measures contained in the plans will comply with recognised industry good practice. The Applicant has made updates to the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3) to include Hampshire County Council as a consultee on the detailed Construction Environmental

Reference	Theme	Issue raised	The Applicant's response
		the pipeline easement and to waste management capacity within and outside of the HMWP area. 3.7 A further issue with these secured plans, is that Schedule 2 Para 6 of the draft DCO is ambiguous about the County Council's role in approving content. Hampshire County Council as the Minerals and Waste Planning Authority is a 'local planning authority', but this provision of the DCO is ambiguous (given the status of district and borough councils as local planning authorities). The County Council will be seeking amendments to the terms of the DCO to ensure the County Council is explicitly included as an approving Authority in regard to the CEMP and supporting plans. This is to guarantee that the County Council is consulted on the content of these plans and receives the opportunity to comment before finalisation.	Management Plan(s) in respect of matters relevant to Hampshire County Council's functions.
RR-121-11	Traffic and transport	4. Construction Traffic and Access Arrangements 4.1 As demonstrated through the Draft Statement of Common Ground, agreement has been, or is in the process of being reached, on specific highway matters relating to the Project. The proposals involve a number of highway pipeline crossings, and temporary construction access points across the route as well as some permanent access points for operational uses. 4.2 The provisions within the draft DCO [APP-023] provide powers for the delivery of authorised development in relation to the highway, and concerns powers in the context of street works (in Articles 11, 12 and 13) and temporary and permanent highway works in (Article 14). The County Council is concerned with ensuring that there are adequate and appropriate protections for the performance of these works and will look to develop and submit its position in further detail during the examination. Article 18 provides for Access to Works and the powers to form permanent and temporary accesses. The Article should also include a provision that such works are undertaken with the consent of the highway authority (as per Article 14). 4.3 The consented Project needs to contain sufficient supporting information to demonstrate that the temporary accesses as set out in the draft DCO Schedule 3 Streets (Part 8 Temporary means of access to works) are appropriate with regard to highway safety. The County Council has not yet reached agreement on all the temporary access points which are detailed in the FCTMP [APP-415]. The County Council has reviewed the access general arrangement drawings (indicative design) in Appendix D of the FCTMP and do not agree that in the following five locations, safe and suitable access has been demonstrated at this stage: Boarhunt Road (temporary construction compounds E-5, E-6a, E-6b and F-1) [Access and rights of way plan sheet 10 Access 22a, Access 22b, Access 22c, Access 22d]: 4.4 Drawings 710166-STA-GEN-XX-DR-CH-0007 Rev P04, 710166-STA-GEN-XX-SK-CH-00003 Rev P03 and 710166-STA-GEN-XX-D-SK-CH-0004 Rev P03 have been reviewed. The indicative design for this temporary access will require traffic management measures which may include traffic signal	The Applicant acknowledges Hampshire County Council's comment regarding the draft DCO [APP-023]. The Applicant has engaged with Hampshire County Council concerning the purpose and effects of the streets provisions of the draft DCO and will continue to do so. This issue is considered in the draft Statement of Common Ground with Hampshire County Council (Document reference 5.8, DCO Volume 5, Version 1). In this regard it is important to acknowledge the important role played by the protective provisions for the benefit of local highway authorities contained in Part 4 of Schedule 10 to the draft DCO [APP-023]. In particular, paragraphs 33 to 36 require local highway approval of plans associated with 'highway operations' before those operations commence. The Applicant considers this provides a sufficient safeguard and it would therefore be unnecessary to amend the drafting of the streets provisions in Part 3 of the draft DCO [APP-023]. The Applicant also acknowledges Hampshire County Council's comment regarding the temporary construction access from Boarhunt Road. This issue is considered in the draft Statement of Common Ground with Hampshire County Council (Document reference 5.8, DCO Volume 5, Version 1). The Applicant will continue dialogue with Hampshire County Council regarding this temporary construction compound access and will update the Framework Construction Traffic Management Plan (CTMP) [APP-415] for the submission at an appropriate Examination Deadline.

Reference	Theme	Issue raised	The Applicant's response
		control to enable safe use of the access. Given the accident history at this access location the County Council require further details of how the access will be managed to address the visibility shortfall identified, the 60m is achievable but the required standard is 72m.	
RR-121-12	Traffic and transport	Titchfield Lane (temporary construction compounds G-4, G-5, G-6, G-7, IPS-G, H-1, H-2 and H 3) [Access and rights of way plan sheet 15 Access 36a and 36b]: 4.5 The visibility to the southwest for the temporary access only demonstrates 63m is achievable, but the required standard is 127m required based on 85th percentile recorded speeds (drawing 710166-STA-GEN-XX-DR-CH-00026 Rev P03). The proposed mitigation is to implement a temporary speed limit reduction, as set out in FCTMP (paragraph 5.6.63). The County Council has previously raised concerns about whether this as an effective standalone measure that would materially reduce traffic speeds. The access would accommodate a significant quantum of movements necessary to support five compounds in section G and three further compounds in section H. The mitigation proposed also relies on a 50% of the construction workers to travel to the hub and then travel to site utilising minibuses. However, given the uncertainty of the hub location this is yet to be confirmed as a practical arrangement.	The Applicant acknowledges Hampshire County Council's comment regarding the temporary construction access from Titchfield Lane. The Applicant will continue dialogue with Hampshire County Council regarding temporary construction compound access and will update the Framework CTMP [APP-415] at an appropriate Examination Deadline. The parameters for the location of the Construction Worker Hub are set out in the Framework CTMP [APP-415], including in close proximity of the Strategic Road Network (SRN), within 10km of the Pipeline and between the Water Recycling Plant site and Otterbourne Water Supply Works. With these parameters, the Construction Worker Hub would be suitably located to offer offsite parking for construction compounds G-4, G-5, G-6, G-7, IPS-G, H-1, H-2 and H 3. These issues are considered in the draft Statement of Common Ground with Hampshire County Council (Document reference 5.8, DCO Volume 5, Version 1).
RR-121-13	Traffic and transport	Curdridge Lane (temporary construction compounds J-1 and J-2) [Access and rights of way plan sheet 17 Access 45a and 45b]: 4.6 The Curdridge Lane compound access to J-1 and J-2 has insufficient junction visibility from the right out, with only 75m available and the required standard is 116m in this location (drawing 710166-STA-GEN-XX-DR-CH-00013 Rev P04). A temporary speed limit reduction (FCTMP paragraph 5.6.100) is proposed, but the County Council is concerned that this is not an effective standalone measure that would materially reduce traffic speeds. Paragraph 5.6.104 references an alternative construction route for some larger HGV movements contained within the same paragraph. It is unclear where these are shown and they are not included on a drawing for further comment.	The Applicant acknowledges Hampshire County Council's comment regarding the temporary construction access from Curdridge Lane. The Applicant will continue dialogue with Hampshire County Council regarding temporary construction compound access and will update the Framework CTMP [APP-415] at an appropriate Examination Deadline. This issue is considered in the draft Statement of Common Ground with Hampshire County Council (Document reference 5.8, DCO Volume 5, Version 1). The alternative construction route relates to the small number of Heavy Good Vehicles (HGVs) that would route to/from the construction compound J-1, via St Annes Lane rather than the haul road and access with Curdridge Lane. This alternative route is shown in Graphic 5-18 of the Framework CTMP [APP-415].
RR-121-14	Traffic and transport	Botley Road (temporary construction compound J-3) [Access and rights of way plan sheet 18 Access 47a and 47b]: 4.7 The construction access for J-3 at Botley Road has only 130m achievable visibility for the north east but the required standard is 215m, based on recorded speeds (drawing 710166-STA-GEN-XX-DR-CH-00014 Rev P04). A temporary speed limit reduction (FCTMP 5.6.109) is being proposed, but the County Council is concerned that this is not an effective standalone measure that would materially reduce traffic speeds. The County Council has insufficient information at this time to agree that safe and suitable access can be achieved in this location.	The Applicant acknowledges Hampshire County Council's comment regarding the temporary construction access from Botley Road. The Applicant will continue dialogue with Hampshire County Council regarding temporary construction compound access and will update the Framework Construction Traffic Management Plan (CTMP) [APP-415] for submission at an appropriate Examination Deadline. This issue is considered in the draft Statement of Common Ground with Hampshire County Council (Document reference 5.8, DCO Volume 5, Version 1).

Reference	Theme	Issue raised	The Applicant's response
RR-121-15	Traffic and transport	B2177 Winchester Road (temporary construction compounds K-5 and K-6) [Access and rights of way plan sheet 20 Access 49a and 49b]: 4.8 The indicative drawing shows an approximate visibility of 120m but the required standard is 215m (drawing 710166-STA-GEN-XX-DR-CH-00025 Rev P03). To address this, the Applicant proposes extending the 40 mph speed limit (reduction) across the site access (FCTMP paragraph 5.6.126), but this is not based on any speed survey data. The County Council advise that a speed survey must be used to inform this proposed extension, and is concerned that this measure has not be properly tested yet. Until the speed surveys are undertaken, there is a significant outstanding risk that the County Council will not be able to support this mitigation measure.	The Applicant acknowledges Hampshire County Council's comment regarding the temporary construction access from the B2177 Winchester Road. The Applicant will continue dialogue with Hampshire County Council regarding temporary construction compound access and will update the Framework Construction Traffic Management Plan (CTMP) [APP-415] for submission at an appropriate Examination Deadline. This issue is considered in the draft Statement of Common Ground with Hampshire County Council (Document reference 5.8, DCO Volume 5, Version 1).
RR-121-16	Traffic and transport	4.9 The County Council does not accept the use of traffic marshals at any of these locations, as set out in the FCTMP, due to the high-speed nature of the roads. The County Council believe that in collaboration with the Applicant, it is likely that suitable solutions and alternatives to utilising marshals can be agreed to ensure safe and suitable temporary access at these locations. The County Council remain committed to working with the Applicant on the proposed access points. Additional commitments to traffic management measures may mitigate the concerns, or operational limitations on the access points may be required if alternative access points are not available. 4.10 The County Council has reviewed the Traffic Management Strategy (TMS) [APP- 416] and agree that this is a control document and has no further comments at this stage on the strategy. 4.11 The County Council has reviewed the Framework Construction Traffic Management Plan (FCTMP) [APP-415]. The general principle for the routing of construction traffic is to utilise the Strategic Road Network (SRN) as much as possible and reduce vehicle routing on the Local Road Network. This has generally been agreed based on proximity of SRN junctions and through utilising the classified road network. 4.12 Concerns however have been raised around the impact of overall vehicle movements through some villages such as Twyford, which falls within the South Downs National Park. The submitted Transport Assessment [APP-186 - 188] does not assess the likely overall impact of total vehicle numbers on these areas and does not explicitly provide any controls or limits to the number of compounds that could be in use at any one time using these sensitive routes. The County Council consider that further work is required to understand the potential cumulative impacts on these routes and whether any measures need to be secured to prevent multiple operational compounds in use at the same time to mitigate the potential harm. This also applies to Botley and Wickham.	The Applicant acknowledges Hampshire County Council's comment regarding the use of traffic marshals at the five temporary construction compound accesses identified above (RR-121-11 to 15). The Applicant is committed to continuing dialogue with Hampshire County Council regarding this matter and way to achieve safe and suitable access at these locations. These issues are considered in the draft Statement of Common Ground with Hampshire County Council (Document reference 5.8, DCO Volume 5, Version 1). The Applicant acknowledges Hampshire County Council's comment regarding the Traffic Management Strategy (TMS) [APP-416] and the Framework CTMP [APP-415]. The Applicant acknowledges Hampshire County Council's concerns regarding the impact of vehicle movements through Twyford, which falls within the South Downs National Park (SDNPA). Section 10 of ES Appendix 18.1: Transport Assessment [APP-186 to APP-188 – 3 documents] provides details of impacts on various links affected by the Project during construction, including the B3335 (N) (Link #48) which runs through Twyford as well as other links within the SDNPA. A follow-up email was sent to Hampshire County Council on the 26 May 2026, with a subsequent email providing the raw data used to quantify the impact on the 9 June 2026. The Applicant considers that the Project's impact on these links would be limited and welcomes the opportunity to discuss this matter further with the County Council in due course. Paragraphs 4.4.209 to 4.4.211 of the Planning Policy Statement (Document reference 5.5, DCO Volume 5, Version 2) provide details on the engagement undertaken with SDNPA with respect to complying 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, and agreement in the draft Statement of Common Ground with SDNPA (Document reference 5.8, DCO Volume 5, Version 1) on the measures that will ensure the Project will not conflict with the statutory processes or undermine their fulfilment.
RR-121-17	Traffic and transport	4.13 The County Council has reviewed the proposed temporary construction compound (B1-1) to be accessed from Mill Lane, in the FCTMP. This access arrangement involves certain larger vehicles needing to potentially use an	The Applicant acknowledges Hampshire County Council's comment regarding access to temporary construction compound B1-1. The Framework Construction Traffic Management Plan (CTMP) [APP-415] sets out the access

Reference	Theme	Issue raised	The Applicant's response
		existing agricultural access from the A27 on-slip, subject to additional discussions with National Highways. The County Council require confirmation as to whether National Highways is agreeable to this, because the alternative is physical works at the Bedhampton Road/Brookside Road junction (alteration of layout of streets as listed in Schedule 3 Part 2) (shown in drawing 710166-STA-GEN-XX-SK-CH-00006 rev P02). The County Council's preferred option is the use of the A27 on-slip to form the access for B1-1 temporary construction.	strategy for temporary construction compound B1-1, stating that most heavy goods vehicles (HGVs) would access B1-1 via Mill Lane to the north. This issue is considered in the draft Statement of Common Ground with Hampshire County Council (Document reference 5.8, DCO Volume 5, Version 1). The Framework CTMP [APP-415] also states that works may be required at the Bedhampton Road/Brookside Road junction subject to the maximum size of the vehicle that would need to access temporary construction compound B1-1 via Mill Lane, and that this would be confirmed within the detailed CTMP by the Contractor. The Project currently expects a small number of large vehicle movements to use the A27 on-slip for access to the construction compound B1-1, with positive discussions having taken place with National Highways regarding this matter. This will include movements associated with transport of the tunnel boring machine (TBM) and crane machinery. As such, works at the Bedhampton Road/Brookside Road junction are currently not envisaged to be required. This approach would be confirmed within the detailed CTMP to be prepared by the Contractor post granting of the DCO as set out by the corresponding requirement in Schedule 2 to the draft DCO [APP-023].
RR-121-18	The draft DCO	4.14 The County Council has reviewed the permanent access arrangements set out in Schedule 3 Streets Part 7. Aside from the WRP (Harts Farm Way), drawings setting out the possible layout of the permanent access arrangements have not been submitted by the Applicant. Whilst the draft DCO does show where permanent access points are to be located in the Access and Public Rights of Way plans [APP-015 and APP-016], there are no supporting plans with details of a general arrangement showing the form of access that could be provided. The County Council therefore request indicative design drawings for the following permanent means of access: Chalk Lane between the points marked P-Access 3a and P Access 3b; and between the points marked P-Access 4a and P Access 4b Titchfield Lane between the points marked P-Access 5a and P-Access 5b. Winters Hill between the points marked P-Access 6a and P-Access 6b	The permanent accesses with Chalk Lane, Titchfield Lane and Winters Hill are all existing private accesses with the public highway. Indicative designs have previously been presented to the Council alongside a review of the vehicle tracking and visibility requirements. The access requirements are also described in section 10 of ES Appendix 18.1 Transport Assessment [APP-186 to APP-188]. The detailed designs for the permanent accesses would be subject to agreement with the Council as per the protective provisions set out in Part 4 of Schedule 10 to the draft DCO [APP-023].
RR-121-19	Traffic and transport	4.15 Table 5-32 of the FCTMP sets out the haul roads associated with the construction of the pipeline and the forecast daily use. The use of a haul road to link the compound with the work front is supported. The County Council has previously advised the Applicant on the expected standard for haul roads and has now reviewed the FCTMP Appendix H Temporary haul road crossing standard detail. The County Council seeks further discussion with the Applicant about the standard detail, specifically to ensure the material and tie-in arrangements are acceptable and compatible with the existing highway.	The Applicant acknowledges Hampshire County Council's comment regarding haul road usage and standard detail. The Applicant welcomes Hampshire County Council's request for further dialogue regarding the temporary haul road crossing standard detail and will look to arrange a meeting in due course.
RR-121-20	Traffic and transport	4.16 The Project includes alterations on Blind Lane to enable the passage of construction vehicles, including but not limited to kerb widening (Titchfield	The Applicant acknowledges Hampshire County Council's comment regarding safe and suitable access at temporary construction compound H-2 (Blind

Reference	Theme	Issue raised	The Applicant's response
		Lane/Blind Lane/Winchester Road (A334)). The FCTMP (section 5) sets out that Blind Lane itself is not sufficient in width to allow an HGV to pass a car. The County Council and the Applicant have not agreed on an arrangement to ensure such permanent alterations can be provided in a safe and suitable manner. The County Council remain concerned that there is insufficient passing provision along the route should a car and HGV meet.	Lane). The proposed management measures to facilitate safe a suitable access via Blind Lane are outlined in the Framework Construction Traffic Management Plan (CTMP) [APP-415] and would be confirmed in the detailed Construction Traffic Management Plan as set out by the corresponding requirement in Schedule 2 to the draft Development Consent Order (DCO) [APP-023]. The Applicant will continue dialogue with Hampshire County Council and will update the Framework CTMP [APP-415] for submission at an appropriate Examination Deadline. This issue is considered in the draft Statement of Common Ground with Hampshire County Council [APP-062].
RR-121-21	Traffic and transport	5. Assessment of Transport Impacts (TA) 5.1 The County Council has reviewed the transport assessment work undertaken by the Applicant (Environmental Statement - Appendix 18.1 Transport Assessment) [APP-186 - 188] (TA). The County Council consider the overarching assessment methodology of the TA [APP-186] acceptable and will provide further comment as necessary as part of the LIR representations and future engagement as part of the examination process. An indication of the key detailed matters the County Council wishes to raise are outlined in this section.	The Applicant acknowledges Hampshire County Council's comment regarding the Environmental Statement (ES) Appendix 18.1 Transport Assessment [APP-186 to APP-188 – 3 documents]. The Applicant also acknowledges that further comment will be provided as necessary as part of the Local Impact Report (LIR) representations and future engagement as part of the examination process. This issue is considered in the draft Statement of Common Ground with Hampshire County Council (Document reference 5.8, DCO Volume 5, Version 1).
RR-121-22	Traffic and transport	5.2 The TA references a review of recorded Personal Injury Collision (PIC) and casualty data to assess highway safety (section 4.5). The County Council has its own accident data, and safety engineers will need to review this element of the TA to be able to advise on the adequacy of the Personal Injury Accident study area (Graphic 4-13). Similarly, the TA includes assumptions about the HGV and LGV vehicle trip distribution, but the distribution outputs have not been made available.	The Applicant acknowledges that Hampshire County Council will review the highway safety section of ES Appendix 18.1 Transport Assessment [APP-186 to APP-188 – 3 documents] to advise on the adequacy of the Personal Injury Accident study area. Heavy goods vehicles (HGV) and light goods vehicle (LGV) distribution outputs for construction vehicles associated with the Project are provided at Annex H (LGV) and Annex J (HGV). Further detail of HGV routing is provided at section 5.5 of the Framework CTMP [APP-415]. The Applicant will continue to engage with the Hampshire County Council during Examination.
RR-121-23	Traffic and transport	5.3 The County Council has reviewed the impact assessment (section 10 of the TA) and the forecast of the likely impact of construction traffic on the local highway network in the development and network peak hours. The Applicant explains that interventions have been explored to mitigate the forecast construction traffic impacts on journey times. It has not been demonstrated in the TA as to how the interventions (travel behaviour change and the restrictions to construction worker movements, both secured through the Framework CTMP) will mitigate each identified impact (for example this could be added to table 10-4). The supplementary assessment for example referred to in paragraph 10.4.2 has not been made available. The County Council cannot yet agree that with the additional secured interventions, there are no locations where there are likely to be significant impacts to journey times in the peak periods. The County Council is currently concerned that the TA states (paragraph 10.3.4) that the Contractor will retain flexibility as to how the overall mode shift target is achieved and is not committed to achieving those targets set out at Table 10-3. Further, in paragraph 10.4.11 the Applicant	The Applicant acknowledges Hampshire County Council's comment regarding the impact assessment contained at section 10 of ES Appendix 18.1 Transport Assessment (TA) [APP-186 to APP-188 – 3 documents]. Table 10-4 of the TA [APP-186 to APP-188 – 3 documents] sets out the impacts of the Project on each study area link when accounting for a series of interventions set out at section 10.3 of the TA. The Applicant will update the TA [APP-186 to APP-188 – 3 documents] during Examination at an appropriate Examination Deadline with an update to Table 10-4 to show the net impact of interventions on each study area link. This information is also presented at Table 10-5 of the TA [APP-186 to APP-188 – 3 documents]. Paragraph 10.4.11 of the TA [APP-186 to APP-188 – 3 documents] references one link (B3354 (S)) within the study area whereby the Supplementary PM Impact Assessment would elongate the PM network peak period due to temporal restrictions which would prevent PM peak hour departures at several temporary construction compounds located adjacent to existing congested areas on the local highway network. As noted within the TA [APP-186 to APP-

Reference	Theme	Issue raised	The Applicant's response
		acknowledges that whilst this mitigation would extend the network peak hour; this is preferable to these impacts being concentrated within the original network peak hour. The County Council expects further information about how extending the network peak hour would be mitigated.	188 – 3 documents], it is considered that the impact of these departures occurring after the PM network peak period and extending the network peak period as a result is preferable to these departures taking place during the network peak period and exacerbating existing congestion on the road network. As such, this form of mitigation is considered an effective way of reducing impacts on the local highway network. Furthermore, it should be noted that this Supplementary PM Impact Assessment assumes that construction worker departures at these temporary construction compounds subject to temporal restrictions would take place by single occupancy vehicle. As referenced at paragraphs 10.3.9 and 10.4.5 of the TA [APP-186 to APP-188 – 3 documents], it is possible that the Contractor may use minibuses to comply with these restrictions, further reducing impacts. Section 8.1 of the Framework Construction Worker Travel Plan (CWTP), appended to the Framework Construction Traffic Management Plan (CTMP) [APP-415] outlines ways in which travel behaviours are likely to vary between temporary construction compounds. Table 10-3 of the TA [APP-186 to APP-188 – 3 documents] provides an indicative way in which the overall target mode share of the Project contained in the Framework CWTP, appended to the Framework CTMP [APP-415] could be achieved, including realistic targets for each temporary construction compound based on their accessibility, geographical constraints and potential for sustainable modes to be utilised. As per paragraph 8.1.13 of the Framework CWTP, appended to the Framework CTMP [APP-415] precise targets for each temporary construction compound would be confirmed within the detailed CWTP(s). Though final targets for each temporary construction compound contained in the detailed CWTP(s) may vary slightly from indicative targets set out at Table 10-3 of the TA [APP-186 to APP-188 – 3 documents], they would still conform to the overall mode share target secured by the Framework CWTP, appended to the Framework CTMP [APP-415] and as such they would be broadly comparable to those contained at Table 10-3 and reflected by the impact assessment at Table 10-4 of the TA [APP-186 to APP-188 – 3 documents]. The Applicant will continue to engage with the Hampshire County Council during Examination.
RR-121-24	Traffic and transport	5.4 The achievability of the overall mode share target that is secured through the Framework CWTP is largely based on the qualitative assessment (audit of the local transport network for sustainable modes of transport) (section 5). The County Council requires further evidence of how opportunities to facilitate sustainable modes in the most accessible parts of the Project have been assessed (notably the WRP Harts Farm Way and Otterbourne areas), and the potential for sustainable transport improvements in those locations.	The Applicant acknowledges Hampshire County Council's comment regarding the achievability of the overall mode share target secured through the Framework CWTP, appended to the Framework CTMP [APP-415]. As set out at paragraphs 8.1.4 to 8.1.7 of the Framework CWTP, appended to the Framework CTMP [APP-415] the accessibility of temporary construction compounds varies across the Project, with some locations more conducive to fostering positive travel behaviours than others. Section 3 of the Framework CWTP, appended to the Framework CTMP [APP-415] and sections 4 and 5 of the ES Appendix 18.1 Transport Assessment (TA) [APP-186 to APP-188 – 3 documents] contain a detailed audit of the study area associated with the Project, providing significant detail on travel by sustainable travel modes. This review has informed the indicative temporary construction compound targets

Reference	Theme	Issue raised	The Applicant's response
			contained within Table 10-3 of the TA [APP-186 to APP-188 – 3 documents] which demonstrates a realistic way in which the overall target mode share of the Project could be met through sustainable transport interventions at each specific location. The Applicant will continue to engage with the Hampshire County Council during Examination.
RR-121-25	Traffic and transport	5.5 The TA includes an overview of the assessment of junctions previously highlighted by the County Council as requiring modelling or more detailed impact assessment (table 10-6). The TA concludes that the impact on the network and development peak periods is forecast to be limited and would not constitute a 'severe' impact. The County Council requires more detail about how the interventions (temporal restrictions and the FCWTP measures) are relied upon to inform these conclusions. For those junctions that have been modelled, the detailed outputs mentioned have not been provided to the County Council and it is unable to assess the outputs at this stage. Further, there are two junctions listed that the County Council continues to advise that modelling is undertaken. Whilst the TA stresses that impacts associated with the construction phase of the Proposed Development would be temporary, the County Council still advises modelling of the A334 Station Hill/Winchester Road/B3035 Botley Road priority junction and the Tear Drop gyratory. The TA states that the full results of the construction traffic impact assessment are provided, but the County Council cannot access this information.	The Applicant acknowledges Hampshire County Council's comment regarding the Project's impact during network and development peak periods. The ES Appendix 18.1 Transport Assessment (TA) [APP-186 to APP-188 – 3 documents] will be updated for submission at an appropriate Examination Deadline. Table 10-4 of the ES Appendix 18.1 TA [APP-186 to APP-188 – 3 documents] will be updated to show the net impact of interventions on each study area link. Furthermore, the Applicant will review the request from the Council to assess the A334 Station Hill/Winchester Road/B3035 Botley Road priority junction and the Tear Drop gyratory using junction modelling software. Detailed model outputs were provided to Hampshire County Council via email on 03 August 2026 and are also contained at Annex R of the TA. Further impact assessment outputs are contained at Annexes G to L of the ES Appendix 18.1 TA [APP-186 to APP-188 – 3 documents]. The Applicant will continue to engage with the Hampshire County Council during Examination.
RR-121-26	Traffic and transport	5.6 The TA includes references to the commissioning phase of the Project and that the traffic impacts would be confirmed post-consent. The Applicant advises in section 10.7.5 that the traffic impacts of the commissioning phase are not anticipated to exceed those associated with the construction of the pipeline. The quantum of tankers required for the commissioning of the pipeline would be confirmed post-consent so at this stage the County Council is unable to comment on the traffic impacts of this.	The Applicant acknowledges Hampshire County Council's comment regarding traffic impacts associated with the commissioning phase of the Project. As noted in section 10.7 of the ES Appendix 18.1 Transport Assessment [APP-186 to APP-188 – 3 documents], the traffic impacts of the commissioning phase are not anticipated to exceed those associated with the construction of the pipeline. As such, providing the traffic impacts in construction are acceptable, it is reasonable to assume the lesser impacts during commissioning would also be acceptable.
RR-121-27	Traffic and transport	6. Other Transport Matters 6.1 The County Council has reviewed the construction worker travel plan (FCTMP) [APP-415 Appendix A] and parking arrangements. The County Council is currently unable to provide comment on the construction worker parking strategy and associated onwards trips, because of the current unknown location of the construction workers hub [see description of the Proposed Development APP-082] and the lack of clarity on which compounds require car parking provision. The County Council requests this information is provided to allow a comprehensive assessment of parking availability, which will also provide further consistency been the worker travel plan and FCTMP.	The Construction Worker Hub is described in and section 3.5 of the Framework CTMP [APP-415], including the parameters proposed to identify a suitable site. No further information on the location of the construction worker hub can be provided at this stage. The Applicant acknowledges Hampshire County Council's comment regarding parking availability at the construction compounds. The Applicant will review the Framework CTMP [APP-415] and the Framework Construction Worker Travel Plan, appended to the Framework CTMP [APP-415], and will provide further details regarding car parking provision at each temporary construction compound in an updated version for submission at an appropriate Examination Deadline.

Reference	Theme	Issue raised	The Applicant's response
RR-121-28	Traffic and transport	6.2 The County Council expects the Applicant to be realistic about the reliance on construction worker travel restrictions (table 2-1 (Temporary construction compound locations and access arrangement) in the FCTMP. The FCTMP does not include any construction worker (LGV) movement restrictions for the Water Recycling Plant (WRP) site, and this should be addressed. As this site is operated 24/7 and generates a significant number of movements (as shown by the Transport Assessment [APP-186]), the Applicant should consider how to prevent impacts on the Solent Road and Park Road corridors which are subject to frequent peak and interpeak congestion and capacity issues.	The Applicant acknowledges Hampshire County Council's comment regarding construction worker travel restrictions. Table 2-1 of the Framework CWTP, appended to the Framework CTMP [APP-415] sets out travel restrictions associated with each temporary construction compound. These restrictions are realistic and will be secured via the Framework CTMP [APP-415]. Table 10-3 of the Transport Assessment (TA) [APP-186 to APP-188 – 3 documents] provides an indicative way in which the overall target mode share of the Project contained in the Framework CWTP could be achieved, including realistic targets for each temporary construction compound based on their accessibility, geographical constraints and potential for sustainable modes to be utilised. This includes a target mode share of 70% single occupancy vehicles associated with the Water Recycling Plant site. As per paragraph 8.1.13 of the Framework CWTP, precise targets for each temporary construction compound would be confirmed within the detailed CWTP(s). Though final targets for each temporary construction compound contained in the detailed CWTP(s) may vary slightly from indicative targets set out at Table 10-3 of the TA, they would still conform to the overall mode share target secured by the Framework CWTP and as such they would be broadly comparable to those contained at Table 10-3 and reflected by the impact assessment at Table 10-4 of the TA. Section 9.5 and Annex H of the TA provide details of construction worker trip distribution. It is anticipated that all trips to/from the WRP site would route via the A3 Junction 5 given its proximity to this strategic junction. From here, it is anticipated that construction worker trips would dissipate across the strategic road network and as such impacts on Solent Road and Park Road corridors are expected to be limited.
RR-121-29	Traffic and transport	6.3 The Construction Worker Hub is a critical element of the transport strategy to enable co-ordination and reduction of overall construction worker movements by facilitating the use of minibuses to transport workers around the project. The location of the hub is not yet confirmed although it will need to be central enough to support the co-ordination of worker movements effectively, based on the indicative construction programme (Graphic 1-1 in the CEMP).	The Applicant acknowledges Hampshire County Council's comment regarding the Construction Workers Hub. As set out within ES Chapter 3 Description of the Proposed Development [APP-082] and reiterated within ES Appendix 18.1 Transport Assessment [APP-186 to APP-188 – 3 documents] and section 3.5 of the Framework Construction Traffic Management Plan (CTMP) [APP-415], the Construction Workers Hub would be located within 10km of the Pipeline between the Water Recycling Plant (WRP) site and Otterbourne Water Supply Works (WSW) and in close proximity to the Strategic Road Network (SRN). No further information on the location of the construction worker hub can be provided at this stage beyond those parameters outlined above. This issue is considered in the draft Statement of Common Ground with Hampshire County Council (Document reference 5.8, DCO Volume 5, Version 1).
RR-121-30	Construction impacts and effects	6.4 The Project includes trenchless crossings, tunnelling and engineering activities near highway assets (listed in the Trenchless Crossing and Tunnelling Schedule (Environmental Statement - Appendix 3.1 Primary mitigation). The examination library contains a number of geotechnical documents, but these cover geoenvironmental issues for the Land quality and ground conditions ES chapter. The Applicant has advised that a package of	A meeting was held on 9 September 2026 between the Applicant's tunnels and shafts team and representatives of Hampshire County Council and Portsmouth City Council. The purpose of the meeting was to introduce the Geotechnical Engagement Programme (GEP), which will provide both councils with relevant documents and meetings, all in accordance with CG300 and CD622.

Reference	Theme	Issue raised	The Applicant's response
		work relating to the geotechnical assessments associated with the construction of tunnels and shafts is currently being produced. The County Council will need to review these technical documents (including Trenchless Crossings Highways Assets Strategy). The Design Principles Document [APP-076] includes Site Specific Design Principles for Work Areas - 4 (pipelines) which addresses minimum pipe depths and maximum diameters of pipes for each of the three pipeline sections. The Requirements in the draft DCO does not appear to include any provision for how below ground works will be approved.	Throughout the GEP, the two councils will be consulted and provided with the information they require regarding the trenchless crossings. The Design Principles, including the minimum pipeline depths referenced by HCC, are set out in the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1) and secured by Requirement 3 in Schedule 2 to the draft DCO [APP-023], which requires the authorised development to be constructed substantially in accordance with the Design Principles.
RR-121-31	Landscape and visual	7. Arboricultural impacts 7.1 Highway trees have not been specifically identified within the Arboricultural Impact Assessment and the Tree Constraints Plan that is appended to it [APP-175 and APP-176]. The County Council has reviewed the pipeline route and scheme limits of deviation and has identified at least 35 locations where highway trees are likely to be impacted that have not been assessed within the submitted Arboricultural Impact Assessment. The County Council request that the Applicant updates the Arboricultural Impact Assessment and Tree Constraints Plan to assess and identify the impact on affected highways trees.	Following a desktop review of the 35 locations where highway trees are identified by the County Council, the Applicant has confirmed that 27 locations have already been surveyed, with impacts forming part of the assessment, works at five locations will be undertaken by Portsmouth Water and not as part of the Project, and trenchless construction at 3m+ depth is used to install the Pipeline at three locations therefore there will be no impacts on trees. The Contractor will undertake pre-construction tree surveys as part of the detailed design to include any newly planted highway trees, as secured through the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3). The ES ES Appendix 13.5 Arboricultural Impact Assessment [APP-175 to APP-176 - 2 documents] will then be updated at detailed design stage to accurately assess and identify the highway tree impacts based on the most up-to-date tree survey results.
RR-121-32	Landscape and visual	7.2 A Tree Survey was conducted by Stantec on behalf of the Applicant between the 13 March 2023 and 11 March 2025 (as explained in the Arboricultural Impact Assessment [APP-175]. Whilst the County Council support the timescales of this work, it should also be acknowledged that highways trees will have been planted outside of the survey window that should also be assessed. These trees will need to be included within the pre-construction tree surveys that are secured through the outline Construction Environmental Management Plan [APP-412] (measure TFB19) and Requirement 4 of the draft DCO.	The Applicant confirms that the highways trees will be included within the pre-construction tree surveys that are secured through the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3).
RR-121-33	The draft DCO	7.3 Schedule 4 Part 1 of the draft DCO [APP-023] lists the affected trees that are subject to a Tree Preservation Order or are within a Conservation Area. The County Council will review this list to ascertain whether any of the affected trees constitute as highway trees and will set out any impacts in the Local Impact Report.	The Applicant notes this comment.
RR-121-34	Public Rights of Way (PRoW)	8. Public Rights of Way 8.1 The County Council has reviewed the Public Rights of Way (PRoW) listed in Schedule 3 Part 3 table relating to 'Public Rights of Way to Be Temporarily Closed and For Which No Substitute Is to Be Provided'. The County Council	The Applicant acknowledges Hampshire County Council's comment on 'Public Rights of Way to be Temporarily Closed for which No Substitute is to be Provided'. The Applicant refers to section 2.4 of the Framework Public Rights of Way (PRoW) Management Plan, Appendix B to the Framework CTMP [APP-415] which states the following:

Reference	Theme	Issue raised	The Applicant's response
		considers that feasible routing alternatives are available for the following PRoW, and would be pleased to work with the Applicant to explore this further:	'*For PRoW subject to a short-term or temporary closure, temporary diversions that are safe, convenient and have equal or better accessibility are provided within public land where practicable. These diversions will be a minimum of 2.0m in width in line with the Rights of Way Act (1990)* [2] *and will be provided within the extent of the Order Limits.* *Where this is not practicable, alternative, safe routes will be promoted along existing PRoW, footways and public highway. These alternative routes will not be designated diversion routes, and will not be provided within the extent of the Order Limits. It will be at the PRoW user's discretion as to whether or not they utilise the promoted alternative route in any location. HCC requested risk assessments for a number of alternative routes, with detail on this provided at section 2.5.'* The feasible alternative routing referenced by Hampshire County Council would be available to be used at the user's discretion. They are not classed as formal diversion routes, which involve the creation of temporary diversion routes within the Order Limits only.
RR-121-35	Public Rights of Way (PRoW)	i. Shedfield 4 (reference TCPRoW16a and b on sheet 16 of the Access and Public Rights of Way Plans [APP-016]) - This is situated within a busy area of the PRoW network, with plenty of suitable alternative routes. One example would be diverting pedestrians east onto the footway alongside the B2177 via Shedfield 3 and Shedfield 2 that will connect to Little Bull Lane.	Please refer to the Applicant's response to RR-121-34.
RR-121-36	Public Rights of Way (PRoW)	ii. Upham 20 (references TCPRoW22a and b on sheet 20 of the Access and Public Rights of Way Plans [APP-016]) - It is recommended that the existing permissive routes on the Wintershill Estate are considered as potential alternatives whilst Upham 20 is temporarily closed.	Please refer to the Applicant's response to RR-121-34.
RR-121-37	Public Rights of Way (PRoW)	iii. Colden Common 2a (references TCPRoW27a and b on sheet 25 of the Access and Public Rights of Way Plans [APP-016]), Pedestrians can be directed along Wardle Road, so they can travel north-west and then use the footway along the B3335 to join up with the footpath.	Please refer to the Applicant's response to RR-121-34.
RR-121-38	Public Rights of Way (PRoW)	iv. Havant 30, Southwick and Widley 28 & 3 and Boarhunt 19 (listed in Schedule 3 Part 3 in the draft DCO) - Whilst the County Council agrees that no suitable alternatives can be identified for these closures, it would like the Applicant to explore the possibility of lifting the closures during weekends and bank holidays, where feasible. The County Council would like to discuss this further with the applicant for this can be included in the measures that are detailed within the framework Rights of Way Management Plan [APP-415].	The Applicant acknowledges Hampshire County Council's comment regarding the possibility of lifting closures during weekends and bank holidays, where feasible on Havant 30, Southwick and Widley 28 & 3 and Boarhunt 19. The Applicant welcomes a meeting with Hampshire County Council to discuss the details of this proposed measure further.
RR-121-39	Water environment	9. Flood risk and water environment 9.1 The County Council, as Lead Local Flood Authority (LLFA), has reviewed the following documents as part of providing a response to the relevant response, as well as part of statutory consultation exercises and additional engagement:	The Applicant acknowledges that Hampshire County Council has reviewed the relevant documents relating to flood risk and water environment.

Reference	Theme	Issue raised	The Applicant's response
		i. Draft Development Consent Order (Document reference number 3.1) [APP-023]; ii. Draft Statement of Common Ground - Hampshire County Council (Document reference 5.8) [APP-062]; iii. ES Chapter 19 Water environment, (Document reference 6.1, DCO Volume 6) [APP-098]; iv. ES Appendix 19.1 Flood Risk Assessment - 1 to 8 (Document reference 6.2, DCO Volume 6) [APP-189 - APP-196]; v. Outline Construction Environmental Management Plan 1 of 3 (Document reference 7.1, DCO Volume 7) [APP-412]; vi. Design Principles Document (Document reference 5.11, DCO Volume 5) [APP-076]. 9.2 The following matters in relation to flood risk and water environment are agreed between the County Council and the Applicant:	
RR-121-40	Legislation, policy and permits	9.2.1 The Other Consents and Licences Position Statement [APP-055] states the Ordinary Watercourse Consent, required under section 23 of the Land Drainage Act 1991, will be applied as part of the DCO. This is supported by the County Council to enable the Lead Local Flood Authority to retain its statutory role as the consenting authority for any works affecting the flow of an ordinary watercourse, including the permanent and temporary crossings and outfalls. To ensure this legislation is applied correctly and consistently, the County Council requires the inclusion of additional text within Article 21 (see below).	The Applicant notes this comment. Please refer to RR-121-48 in respect of the proposed additional text.
RR-121-41	Water environment	9.2.2 Ordinary Watercourse consent will be required for proposed permanent outfalls, permanent and temporary crossings as well as permanent and temporary access points. Applications will need to be accompanied by location plans, detailed drawings, ownership and maintenance arrangements, and a construction method statement. The County Councils Ordinary Watercourse Guidance should be referred to when preparing any consent application, as listed in WE11 of Table 5-1 Environmental measures to be adopted during construction [APP-412].	The Applicant acknowledges Hampshire County Council's comments and confirms that post-DCO applications for Ordinary Watercourse Consents will be produced in line with the relevant guidance, as stated in measure WE11 in the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3).
RR-121-42	Water environment	9.2.3 The County Council support the inclusion of a requirement for the provision and agreement of a Construction Environmental Management Plan that will (in accordance with the Outline Construction Environmental Management Plan (OCEMP) (Document reference 7.1, DCO Volume 7) [APP-412] include a watercourse crossing schedule that provides the required details on flood risk controls and temporary drainage strategies to manage flow routes, as well as information on features that will be subject to watercourse consent.	The Applicant notes Hampshire County Council's response and welcomes their support for the inclusion of a requirement in the DCO for the provision and agreement of the CEMP. The Applicant confirms that the final CEMP will be prepared by the Contractor in accordance with the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3) and secured under Schedule 2 to the draft DCO [APP-023], will include an updated watercourse crossing schedule.

Reference	Theme	Issue raised	The Applicant's response
RR-121-43	Water environment	9.2.4 The OCEMP provides the required details on flood risk controls and temporary drainage strategies to manage flow routes, as well as information on features that will be subject to watercourse consent.	The Applicant acknowledges Hampshire County Council's comment that the required details concerning flood risk and drainage are provided in the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3).
RR-121-44	Water environment	9.2.5 The County Council is satisfied with the submitted Flood Risk Assessments (FRA) for BPT-K [APP-195].	The Applicant acknowledges Hampshire County Council's comment that the Flood Risk Assessment for Break Pressure Tank K, as outlined in ES Appendix 19.1 Flood Risk Assessment – 7 of 8 documents [APP-195], is satisfactory.
RR-121-45	Water environment	9.2.6 The FRAs for IPS-E and IPS-F [APP-192 and APP-193], supported by the Integrated Catchment Modelling (ICM), demonstrate that no adverse flood risk impacts will arise from the development of the above-ground infrastructure. The FRAs for IPS-F [APP-193] and IPS-G [APP-194] establish that drainage can be achieved in accordance with the standards set out in the County Council's Drainage Design Check. It is also agreed that further details, including discharge rates, specific Sustainable Drainage System (SuDS) features and layout, will need to be confirmed between the Applicant and the County Council as detailed designs are developed, either during or following the DCO drafting process.	The Applicant acknowledges Hampshire County Council's comment that the Flood Risk Assessments (FRA), as outlined in ES Appendix 19.1 Flood Risk Assessment – 4 of 8 documents [APP-192], for IPS-E and IPS-F ES Appendix 19.1 Flood Risk Assessment – 5 of 8 documents [APP-193] are satisfactory and demonstrate that there will be no adverse effects from this above ground plant, and that FRAs for IPS-F (ES Appendix 19.1 Flood Risk Assessment – 5 of 8 documents [APP-193]) and IPS-G (ES Appendix 19.1 Flood Risk Assessment – 6 of 8 documents [APP-194]) align with the standards set out in the County Council's Drainage Design Check. The Applicant acknowledges Hampshire County Council's response that further drainage and runoff details will need to be agreed prior to construction, and the Applicant will provide updates through engagement with Hampshire County Council as the detailed designs progress. This commitment is secured under Requirement 15 of Schedule 2, Part 1 of the draft DCO [APP-023].
RR-121-46	Water environment	9.2.7 Through ongoing engagement with the Applicant, comments have been provided on the Water Recycling Plant Flood Risk Assessment [APP-190]. The County Council is satisfied that the discharge rate is now presented as a betterment over the existing situation and that the greenfield runoff rate has been provided, enabling comparison with the pre-development baseline and a full assessment of the proposal.	The Applicant acknowledges Hampshire County Council's comment that the Flood Risk Assessment for the Water Recycling Plant, as outlined in Environmental Statement Appendix 19.1 Flood Risk Assessment – 2 of 8 documents [APP-190], shows a satisfactory discharge rate that is an improvement on the site's greenfield rate and therefore will not increase flood risk.
RR-121-47	Water environment	9.2.8 Sufficient information has been provided by the Applicant to evidence a suitable surface water drainage strategy (ES Appendix 19.1 Flood Risk Assessment, Volume II) [APP-196] with discharge points and discharge rates at the different return periods. The level of detail on site levels, detailed hydraulic calculations, construction details are not yet available, but is expected to be provided, and subject to consultation with the County Council, via the detail to be submitted post-consent. The County Council agrees that this detail should be expected to be substantially in accordance with the SuDS Strategy (as specified by draft DCO Requirement 15- sustainable drainage).	The Applicant acknowledges Hampshire County Council's comment that the Project's Sustainable Drainage Systems (SuDS) strategy, as outlined in ES Appendix 19.1 Flood Risk Assessment – 8 of 8 documents [APP-196] is sufficient regarding discharge points, discharge rates and return periods assessed. The Applicant confirms that further site-specific details (levels, hydraulic calculations and construction methods/details) will be provided to Hampshire County Council through further post-consent consultation, as specified by draft DCO Requirement 15 [APP-023].
RR-121-48	The draft DCO	9.3 Additional wording within Article 21 (Discharge of water) is required to ensure the County Council is the granting authority for any works required relating to ordinary watercourses as provided by applying section 23 of the Land Drainage Act 1991. This would also provide further clarity on the matter	The Applicant notes the concerns raised, however it considers that there is no need to amend article 21 of the draft DCO [APP-023] to achieve the desired outcome. There is nothing in the draft DCO [APP-023] that disapplies section 23 of the Land Drainage Act 1991.

Reference	Theme	Issue raised	The Applicant's response
		addressed in SoCG, HCC-2024-0196 [APP-062], which states that "the Applicant is preparing the third-party agreements for the watercourse crossings with the relevant LPA". The County Council will be seeking amendments to the terms of the DCO to secure the following in Article 21: '(2) Nothing in this article overrides the requirement for ordinary watercourse consenting under section 23 of the Land Drainage Act 1991'.	
RR-121-49	The draft DCO	9.4 The County Council also request an amendment to Part 6, Miscellaneous and General, Article 56 to reflect the established County Council's process of approving Ordinary Watercourse Consents under section 23 of the Land Drainage Act 1991. Deeming consents after 28 days from the date of an application being received, runs the risk of the effects of that proposal not being fully understood or appropriately assessed, particularly where additional information would be required from the Applicant. Therefore, this deemed consent period should be two months to match the existing processes used by the County Council in respect to Ordinary Watercourse Consents. The County Council will therefore be seeking amendments to the definition of 'application' in Article 56 of the DCO (Consents, agreements and approvals), to remove reference to Article 21(discharge of water) to secure the longer deemed consent periods.	Article 56 of the draft DCO [APP-023] does not apply to ordinary watercourse licences under section 23 of the Land Drainage Act 1991, which would continue to be governed by that legislation. No amendment is therefore considered necessary.
RR-121-50	Water environment	9.5 Environmental Measures WE5 and WE10 in the Outline Construction Environmental Management Plan [APP-412], whilst correctly referencing the relevant flood zones, should also address the significant surface water overland flow routes that may be affected during the construction and decommissioning phases of the project. Excluding these provisions within the environmental measures means not all sources of flooding will be captured and factored into the site assessments that will be undertaken by the Contractor.	Construction-stage flood risks associated with surface water flow paths were considered alongside other sources of flooding in ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1). This concludes that, on the basis of the mitigation measures set out in the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3) (including measures WE5 and WE10), there would be no significant adverse effects. The Applicant acknowledges Hampshire County Council's comments and confirms that Measures WE5 and WE10 in the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3) are intended to consider all sources of flooding (e.g. fluvial, coastal, surface water, groundwater), where appropriate. The need to manage flood risk from surface water flow paths is specifically acknowledged in environmental measure WE5 in the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3). Surface water flooding is also included (alongside coastal and fluvial flood risk) in measure WE10 in the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3).
RR-121-51	Socio-economic, tourism and health	10. Public Health Matters 10.1 The County Council considers that the lower tier local authorities are best placed to consider the environmental health impacts of the proposals. The County Council understand that these authorities will exercise their respective	The Applicant welcomes this comment from Hampshire County Council and notes it's position that the relevant lower-tier local planning authorities are best placed to consider the environmental health impacts of the Project and their associated statutory responsibilities.

Reference	Theme	Issue raised	The Applicant's response
		environmental health statutory duties by reviewing the submitted evidence on noise, dust, air quality and vibration impacts.	The potential effects of the Project in relation to dust and air quality, and noise and vibration, is provided in ES Chapter 6 Air quality and odour (Document reference 6.1, DCO Volume 6, Version 1) and ES Chapter 15 Noise and vibration [APP-094] respectively. The assessment of health effects presented within ES Chapter 17 Socio-economics, tourism and health (Document reference 6.1, DCO Volume 6, Version 1) draws upon the findings of these topic-specific assessments to consider the potential effects on health outcomes and neighbourhood quality. The Applicant therefore considers that the potential environmental health effects of the Project have been appropriately assessed through the ES and supporting technical assessments.
RR-121-52	Socio-economic, tourism and health	10.2 Following previous comments made by the County Council as Public Health Authority on the appropriate scale of assessment to be applied to the Environmental Statement (ES), the assessment appears methodologically sound. Whilst health sensitivities are ultimately assessed at ward level, the ES makes appropriate use of Lower Layer Super Output Area (LSOA) – level deprivation data to identify localised pockets of vulnerability, and to inform ward sensitivity judgements. The use of ward data to signpost and contextualise more granular LSOA evidence is therefore unlikely to materially affect the conclusions of the assessment.	The Applicant welcomes this comment from Hampshire County Council. The assessment methodology is set out in section 17.5 of ES Chapter 17 Socio-economics, tourism and health (Document reference 6.1, DCO Volume 6, Version 1). Given the extensive geographic area covered by the assessment, health effects are considered on a ward-by-ward basis. Within section 17.7 of ES Chapter 17 Socio-economics, tourism and health (Document reference 6.1, DCO Volume 6, Version 1) baseline conditions, deprivation data for the study area is presented at LSOA level. The Applicant notes the County Council's view that the use of ward level assessment supported by more detailed LSOA level evidence is appropriate and unlikely to materially affect the conclusions of the assessment. The assessment therefore considers both wider community-level effects and localised areas of vulnerability when determining potential health effects.
RR-121-53	Socio-economic, tourism and health	10.3 As agreed above, the ES utilises a methodologically sound Ward-level assessment of health impacts. However, Chapter 17 of the ES [APP-096] identifies LSOA Havant 011C, within the Purbrook Ward, as falling within the 10% most deprived nationally for both overall deprivation and health deprivation/disability. The County Council believes that the overall assessment of the Purbrook Ward, as 'medium sensitivity', needs further spatial demonstration in respect to the LSOA Havant 011C area.	The Applicant welcomes this comment from Hampshire County Council. The Applicant has updated ES Chapter 17 Socio-economics, tourism and health (Document reference 6.1, DCO Volume 6, Version 1) for submission at Examination Deadline 1 to correct the LSOAs referenced within the baseline and population sensitivity assessments, including at Widley where LSOA Havant 011C is located. The assessment will be reviewed and updated as necessary in response to these corrections, including consideration of effects on more vulnerable communities where relevant. The Applicant has updated ES Chapter 17 Socio-economics, tourism and health (Document reference 6.1, DCO Volume 6, Version 1) and the Equality Impact Assessment (EqIA) (Document reference 7.13, DCO Volume 7, Version 1) for submission at Examination Deadline 1. This issue in considered in the draft Statement of Common Ground with Hampshire County Council (Document reference 5.8, DCO Volume 5, Version 1).
RR-121-54	Socio-economic, tourism and health	10.4 The County Council would like to see an assessment of whether residents who are predicted to experience significant neighbourhood amenity effects from the proposed development coincide with the LSOA Havant 011C	The Applicant welcomes this comment from Hampshire County Council. The Applicant has updated ES Chapter 17 Socio-economics, tourism and health (Document reference 6.1, DCO Volume 6, Version 1) for submission at Examination Deadline 1 to correct the LSOAs referenced within the baseline

Reference	Theme	Issue raised	The Applicant's response
		area. This would provide additional confidence that localised inequalities are not being masked within the Ward-level assessment.	and population sensitivity assessments, including at Widley where LSOA Havant 011C is located. The assessment will be reviewed and updated as necessary in response to these corrections, including consideration of whether residents predicted to experience neighbourhood amenity effects coincide with LSOA Havant 011C and other potentially vulnerable communities, where relevant. The Applicant has updated ES Chapter 17 Socio-economics, tourism and health (Document reference 6.1, DCO Volume 6, Version 1) and the Equality Impact Assessment (EqIA) (Document reference 7.13, DCO Volume 7, Version 1) for submission at Examination Deadline 1. This issue in considered in the draft Statement of Common Ground with Hampshire County Council (Document reference 5.8, DCO Volume 5, Version 1).
RR-121-55	Socio-economic, tourism and health	10.5 The County Council highlights the issue of the significant residual health impact identified on pedestrians (and other users who are also wheeling or cycling) from increased HGVs, affecting their perception of safety (as reported in Chapter 17 of the ES [APP-096]). This issue must be considered in the context of the County Council's adopted Local Transport Plan 4 User Hierarchy and the Highway Code, with prioritisation of connectivity for those modes expected. Reconciling this gap will need to be a primary focus of future work developing the Construction Traffic Management Plan and Rights of Way Management Plan (RoWMP), and related management plans.	The Applicant welcomes the County Council's comments regarding the potential impact of construction traffic on pedestrians, cyclists and other users of the local highway and rights of way network. The Applicant acknowledges the importance of ensuring that the needs of active travel users are appropriately considered in accordance with the Local Transport Plan 4 User Hierarchy and the principles set out within the Highway Code. The Applicant has updated ES Chapter 17 Socio-economics, tourism and health (Document reference 6.1, DCO Volume 6, Version 1) and the Equality Impact Assessment (EqIA) (Document reference 7.13, DCO Volume 7, Version 1) for submission at Examination Deadline 1. The likely effects of construction traffic on pedestrians, cyclists and other users of the transport network are assessed within ES Chapter 18 Traffic and transport [APP-097]. The assessment considers pedestrian and cycle amenity, delay, and fear and intimidation. Measures to manage construction traffic are set out within the Framework CTMP [APP-415] and Appendix A of the Framework CWTP, including restrictions on HGV movements during peak network periods and, where appropriate, school pick-up and drop-off periods. A Framework Rights of Way Management Plan (RoWMP) is also appended to the Framework CTMP [APP-415]. The document has been informed by engagement with Hampshire County Council and sets out the approach to temporary and permanent Public Rights of Way closures and diversions associated with the Project. The Applicant agrees that the Framework CTMP [APP-415] and appended Framework RoWMP and associated management plans will continue to play an important role in managing potential construction effects on pedestrians, cyclists and other active travel users.
RR-121-56	Traffic and transport	10.6 The Contractor will develop a number of traffic management plans, which will be approved separately to the CEMP. In preparing these detailed documents (management plans), the Applicant is advised to investigate how impacts on amenity (perception of road safety) (Annex N Amenity, fear and intimidation assessment (Environmental Statement - Appendix 18.1 Transport Assessment) [APP-188] might be reduced further through construction phasing	The Applicant acknowledges Hampshire County Council's comment regarding the preparation of the detailed traffic management plans. When prepared, the detailed traffic management plans would adhere to the framework set out within the framework documents. The Framework CTMP [APP-415], the Framework Rights of Way Management Plan (RoWMP) (Appendix B to the Framework CTMP) and the Traffic Management Strategy (TMS) [APP-416]

Reference	Theme	Issue raised	The Applicant's response
		or effects managed through proactive communication with local communities. This would be in accordance with the OCEMP [APP412] measure LVI1 which describes the reduction of the duration and footprint of activities to reduce visual impact. Measure LUA5 in the environmental measures in the outline CEMP also seeks to reduce adverse impacts on local residents by early and ongoing communication.	cross-reference to the communication strategy set out in the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3) ([APP-413] and [APP-414] for documents 2 and 3). The detailed CEMP would be subject to approval from the relevant planning authority, as per paragraph 6 of Part 1 of Schedule 2 to the draft DCO [APP-023].
RR-121-57	Air quality and odour	10.7 As Public Health Authority, the County Council is concerned with the construction road traffic emissions assessment. The Environmental Statement-Appendix 6.2 Air quality assessment traffic data [APP-110], sets out that a traffic screening assessment reveals only one road link (Harts Farm Way) is predicted to experience increases in vehicle numbers and HGVs in exceedance of the human receptor screening criteria. The Applicant concludes the effect of construction generated traffic emissions of NO2, PM10 and PM2.5 at human receptors is not significant. The County Council will seek to consider any health-related transport impacts identified through collaboration between its transport and public health teams.	The Applicant acknowledges Hampshire County Council's comment regarding the assessment of construction road traffic emissions. However, as stated in ES Chapter 6 Air quality and odour (Document reference 6.1, DCO Volume 6, Version 1), construction road traffic within the scope of the traffic study area did not trigger the Environmental Protection United Kingdom and Institute of Air Quality Management guidance on land-use planning & development control: planning for air quality (v1.2 2017) screening criteria, except along Harts Farm Way. There were no relevant human receptors identified within 200m of Harts Farm Way. Therefore, in-line with Design Manual for Roads and Bridges LA105 Air quality guidance, there were no relevant human health receptors that could be chosen for assessment and therefore no health-related air quality impacts from transport emissions were identified. Traffic data used within the road traffic screening assessment is presented within ES Appendix 6.2 Air quality assessment traffic data [APP-110].
RR-121-58	Project timescales and programme	10.8 Whilst an outline construction programme has been provided (OCEMP Section 1.4 [APP-412]), the temporal distribution of construction impacts remains unclear. For a project with such an extended construction period and geographical scope, it would be beneficial to more-clearly demonstrate which locations and communities will likely be impacted most frequently, or for the longest durations.	The Applicant notes this comment. The Project would be constructed over approximately a five year period which is expected to commence in 2028, however a detailed construction programme has not been defined at this stage and would be developed by the Contractor once appointed. The construction of the Project would be phased and spread along the route therefore construction works would not take place across the full extent of the Order Limits for the full construction duration. The intensity and scale of construction works would vary across the Order Limits over this period. ES Chapter 3 Description of the Proposed Development [APP-082], sets out the high-level construction programme establishing the likely duration of works for each component. The assessment of construction effects is based on this programme. For each topic, a worst case construction scenario is assessed, either across the whole construction programme or a particular phase representing the 'peak' of activity within the construction programme for that topic. This is set out in each topic chapter of the ES. For topics with shared impacts, such as air quality and noise and vibration, the same assessment years have been used.
RR-121-59	The draft DCO	11. Draft Development Consent Order 11.1 The draft DCO was not shared with the County Council as part of the statutory consultation exercise and additional (non-statutory) consultation exercise, consequently it has not been able to review or comment on the contents of the proposed Requirements for the DCO until submission of the	The Applicant notes this comment.

Reference	Theme	Issue raised	The Applicant's response
		application. The County Council intends to submit further detailed comments on the draft DCO as part of its Local Impact Report.	
RR-121-60	The draft DCO	11.2 The County Council has undertaken an initial review of the Draft Development Consent Order (Document reference 3.1, DCO Volume 3) [APP-023]. There are matters previously raised with the Applicant that are not addressed within the draft DCO, particularly related to the strength of the Protective Provisions (SCHEDULE 10- Part - Protective Provisions for the Protection of the Local Highway Authorities). The examination should consider whether the DCO provides sufficient certainty to ensure the mitigation relied upon with the Environmental Statement is secured through measures acceptable to and enforceable by the appropriate highway authority. The Applicant relies upon numerous highway-related approvals, licences and agreements to deliver the mitigation assessed within the Environmental Statement.	The Applicant notes this comment and is engaging with Hampshire County Council on the protective provisions proposed in Schedule 10 of the draft DCO [APP-023]. The Applicant considers that the draft DCO [APP-023] provides the certainty required to ensure that Hampshire County Council's functions are appropriately protected, and the Applicant will continue to engage with Hampshire County Council on these matters.
RR-121-61	The draft DCO	11.3 The Applicant has explained to the County Council that the proposed controls (listed below) allow for the relevant local highway authority to approve the programme of works and details of such works through the Protective Provisions in Schedule 10 of the Order; and be consulted on the construction traffic management plan, which is required to be in substantial accordance with the FCTMP. The County Council is not currently satisfied however, that its interest as local highway authority is adequately protected in the terms of the Draft DCO and intends to submit further detail on how the terms of the DCO can be amended to provide adequate control. The County Council for example will likely be seeking amendments to the terms of the DCO to ensure clarity on any mitigation measures that are only 'indicative' or 'discretionary', or where approval responsibilities (Contractor obligations) are unclear. The current controls are: The Order [APP-023] Articles 11-20 (Part 3 of the Order (Streets)) Protective Provisions (Schedule 10 to the Order) [APP-023] the Framework Construction Traffic Management Plan ('FCTMP') [APP-415] Transport Assessment (the 'TA') [APP-186, APP-187, APP188].	The Applicant notes this comment and is engaging with Hampshire County Council on its interest as local highway authority and will respond to any suggested terms, once received.
RR-121-62	The draft DCO	11.4 The Order limits lie within the current administrative boundaries of Hampshire County Council as well as six other authorities. It is understood that for those Work Nos. falling within multiple administrative boundaries, requirements would need to be discharged by each authority, for the relevant part within their respective areas. In the Draft DCO, the term 'relevant planning authority' is used. It is assumed that *only* the County Council's planning authority role as minerals and waste planning authority is referred to therein (but the County Council would seek clarification in the terms of the Protective Provisions). Any reference to the relevant planning authority being required to	The County Council would not come within the definition of 'relevant planning authority'. In Schedule 2 (requirements) of the draft DOC [APP-023] where it is intended for consultation to take place with the functions of the County Council this is specifically referenced, see for example requirement 8 (construction traffic management plan) which requires the relevant planning authority to consult the relevant local highway authority and National Highways.

Reference	Theme	Issue raised	The Applicant's response
		consult the County Council statutory functions (namely LLFA and LHA) will need explicit reference, for the avoidance of doubt.	
RR-121-63	The draft DCO	11.5 The County Council has reviewed Schedule 2 Part 2 - Procedure for discharge of requirements. This sets out a time limit for decisions to be made within, with the ability to extend this period by agreement between the relevant planning authority and the undertaker, and a power for the relevant planning authority to request further information from the undertaker. The County Council will be seeking amendments to the terms of the DCO where this relates to some of the time limits for responses and decisions. The ability to fulfil the required input for the County Council will largely depend on the number and scope of information submitted at any one time, which is currently unknown. Further agreement will be required to clarify how costs will be recovered to fund the availability of officers to meet the stated timescales for the approval of plans prior to deemed approval.	The Applicant notes this comment but Schedule 2 to the draft DCO [APP-023] does not envisage the County Council being a discharging authority; rather it would be a consultee in relation to requirements that are relevant to its functions.
RR-121-64	The draft DCO	11.6 Similarly, Article 56 (Part 6 - Miscellaneous and general) deals with consents, agreement and approvals. The County Council is concerned that the 28-day response time for authorities is too short given the technical nature of the submissions. The County Council welcome the opportunity to discuss with the applicant timescales for providing consent and appropriate safeguards to ensure the consenting authority has been provided reasonable timescales to undertake the work. (Although Schedule 10 Protective Provisions references a 56-day window which is acceptable).	The Applicant notes that both the principle of deemed consent and the timeframes for responses in such matters is widely precedented, reflecting the importance of the urgent delivery of the public benefits associated with projects consented through the Planning Act 2008. Nonetheless, the Applicant is willing to engage further with the County Council in respect of this matter.
RR-121-65	The draft DCO	11.7 The County Council support the ability to enter into agreements in situations whereby its consent is required (for highway works not listed in schedule 3 under article 14). Article 20 makes provision for agreement with street authorities. For clarity this should also refer to highway authorities. The County Council considers that agreements to govern the consenting process, including the payment of relevant fees, should be entered into. At present there is no commitment from the Applicant to do this, and the County Council welcomes the opportunity through the examination stage to reach agreement on a form of agreement to govern the consenting process.	The definition of 'street authority' is sufficiently broad to encompass highway authorities; see article 2(1) of the draft DCO [APP-023] which adopts the definition contained in section 49 of the New Roads and Street Works Act 1991. The Applicant notes that it has included in Part 4 of Schedule 10 to the draft DCO [APP-023], protective provisions for the benefit of local highway authorities which would address the County Council's concerns with respect to the subject matter of agreements concerning highways. The Applicant would welcome further engagement on the terms of those provisions.
RR-121-66	The draft DCO	11.8 Schedule 2 Requirements (Part 1) (interpretation) defines 'substantially in accordance with' related to the reliance on the suite of 'outline' and 'framework' documents, and that the details of the measures will be developed after the grant of development consent (if granted). The County Council agree with the need for flexibility in order to allow each outline document to be developed in the light of the detailed design of the authorised development. There is a concern that the reference in the requirements to allow the submission of plans that are 'substantially in accordance with' is too broad and does not give the County Council, in its statutory roles, an ability to consider the proposals	As previously noted, Schedule 2 (requirements) of the draft DCO [APP-023] does not envisage the County Council being a discharging authority for the purposes of the requirements. The functions of the County Council as highway authority, street authority and traffic authority are properly reflected elsewhere in the draft DCO [APP-023], predominantly in the provisions relevant to those functions such as those contained in Part 3 (streets) of the DCO [APP-023]. In relation to the definition of 'substantially in accordance with'; ultimately this is permissive, it would allow the discharging authority to approve a document that falls within that definition. Whether or not to provide that approval is a

Reference	Theme	Issue raised	The Applicant's response
		submitted under the DCO application. For example, to use the fCTMP [APP-415] as a control document.	matter for the planning judgement of that authority to be exercised within the framework of the draft DCO [APP-023].
RR-121-67	The draft DCO	11.9 The Explanatory Memo [APP-024] Schedule 2 Requirements (Part 1) explains that some Requirements will be able to be discharged for 'a part' of the authorised development but the Order does not define 'a part'. The County Council agrees that in practice, Authorities should be able to reasonably require additional information relating to another part when considering 'a part' in isolation (Schedule 2, Part 2, Requirement 22. Further Information). Further information should be required from the Applicant with regards to how the scheme will come forward and clarity regarding the relationships between 'parts' and how overlapping impacts will be handled.	The Applicant does not know, and will not know during the course of the examination, how (or whether) to bring forward applications for the approval of requirements in relation to parts of the authorised development. Ultimately, that will be a matter for the appointed contractor. As noted in the County Council's relevant representation, Part 2 of Schedule 2 of the draft DCO [APP-023] makes provision for requests for further information should such information be properly required in order to determine an application before a relevant planning authority.
RR-121-68	The draft DCO	11.10 The Protective Provisions in Schedule 10 part 4 included for the protection of the local highway authorities are welcomed, however will need to be developed and the County Council intends to submit proposals on how these can be improved as part of its Local Impact Report and/or Written Representations to provide sufficient assurances to the County Council as a local highway authority. Specifically, the County Council requires clarity as to which Articles in the draft DCO that are subject to the provisions, and those that are excluded due to the classification of the term 'highway operations'.	The Applicant notes the response and will continue to engage with the County Council on the terms of the protective provisions.
RR-121-69	Design principles	12. Design Principles 12.1 The County Council has reviewed the Design Principles Document (Document reference 5.11, DCO Volume 5).	The Applicant notes this comment.
RR-121-70	Design principles	12.2 The County Council is satisfied that General Design Principle GDP_4 (Sustainable resources and materials) adequately highlights the issue of mineral safeguarding. However, it appears our comments regarding waste minimisation have not been applied. In Sept 2025, the County Council highlighted that the then GDP_5 design principle did not mention the minimisation of waste and provided suggested wording to correct this.	Please refer to the Applicant's response to RR-121-71 which confirms that GDP_4 has been amended as requested in an updated copy of the Design Principles Document submitted at Examination Deadline 1 (Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1).
RR-121-71	Design principles	12.3 The Applicant is committed to the production of a Site Waste Management Plan, which will include the principles of the Waste Hierarchy and the Circular Economy, and therefore the County Council expects that waste minimisation should be included in GDP_4. As follows: 'The quantities of cut and fill with respect to excavated materials, will, in accordance with the Outline SRMP or the relevant approved SRMP as the case may be and the relevant approved Minerals Management Strategy, be balanced as far as reasonably practicable across the Project to reduce the import of aggregates and soils, and export of surplus excavated material'. 'The principles of sustainable use of materials and the designing out and minimisation of waste will be incorporated throughout the design, including:	The Applicant has considered this comment. Whilst there is a pre-existing legal obligation for all waste producers to take all such measures available to prioritise the prevention of waste generation, as are reasonable in the circumstances, the wording amendment suggested by HCC is considered a reasonable addition to GDP_4. This is reflected in an updated copy of the Design Principles Document submitted at Examination Deadline 1 (Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1).

Reference	Theme	Issue raised	The Applicant's response
		Design for reuse and recovery (on or off-site) Design for off-site construction Design for materials optimisation Design for waste efficient procurement Design for deconstruction and flexibility'	
RR-121-72	Design principles	12.4 The County Council acknowledge that there is a site-specific design principle, WRP_1, for the minimisation of hazardous waste. However, non-hazardous and inert wastes should also be minimised and that this minimisation should form part of the General Design Principles.	The Applicant notes this comment. Application of the Waste hierarchy (and prevention of waste as the top priority), is set out in measure RWM2 of the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3) ([APP-413] and [APP-414] for documents 2 and 3) and is a legal obligation of all waste producers In England. Nevertheless, WRP_1 of the Design Principles Document submitted at Examination Deadline 1 (Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1) is considered to be specifically required to ensure that the generation of hazardous waste through earthworks undertaken on the Water Recycling Plant site, and the associated impacts on national hazardous waste landfill capacity, remain consistent or less significant than the effects reported in Chapter 16 of the Environmental Statement [APP-095].
RR-121-73	Design principles	12.5 A set of Design Principles [APP-075] are secured by Requirement 3 (detailed design) of the draft DCO and the County Council understand that Site Specific Design Principles are relevant to individual Project components, and control various parameters for the built form of above ground plant. There are Site Specific Design Principles for the WRP which cover topics where the works interact with the highways (pedestrian crossings, vehicle access-WRP_5, 6, 7, 8, 19). The County Council support the ability for the relevant planning authority to approve a departure from a design principle (Requirement 3 (2)) because currently the drafted principles do not fully reflect the County Council's technical guidance notes (for the local highway network within Hampshire).	The Applicant considers that the Design Principles (contained within the Design Principles Document (Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1)) are not the appropriate mechanism by which to address technical highway design standards. These matters are addressed in the protective provisions for the benefit of local highway authorities contained in Part 4 of Schedule 10 to the draft DCO [APP-023], see in particular paragraphs 33 to 36 which deal with the approval of plans for highway operations.
RR-121-74	Design principles	12.6 The County Council has identified the following Environmental Mitigation and Enhancement Areas (EMEA) listed in the Design Principles Document (section 3.8) that are within, or lying adjacent to, the highway boundary: EMEA-E-2a and 2b EMEA-E-3 EMEA-J-3 EMEA-J-4 EMEA-J-5 EMEA-K-4 EMEA-K-5 EMEA-L-4	The Applicant notes this comment.

Reference	Theme	Issue raised	The Applicant's response
		EMEA-L-5 EMEA-L-6a and 6b	
RR-121-75	Landscape and visual	12.7 Whilst not all these EMEAs require the planting or reinstatement of trees and vegetation, a number do. Any planting or landscaping that takes place as part of the EMEAs should not involve the removal of adopted highways trees and hedges, without prior consultation and agreement with the local highway authority. Nor should any mitigation planting or landscaping work take place on the wider extent of adopted highway that would be detrimental to the safety and operation of the highway. Mitigation works should also not result in the removal of adopted highways tree assets and hedges without consultation and agreement with the highway authority through the CAVAT methodology.	The Applicant notes the Council's comments regarding adopted highway tree and hedgerow assets and the consideration of these matters through the detailed design process. ES Appendix 13.5 Arboricultural Impact Assessment [APP-175 to APP-176 – 2 documents] provides a worst case assessment of tree loss as a consequence of the construction of the Project. The Outline Landscape and Ecology Management Plan (LEMP) (Document reference 7.5, DCO Volume 7, Version 1) sets out the measures that will be applied to proposed planting within the Order Limits. The Applicant will continue engagement with the relevant authorities on mitigation to ensure the mitigation planting does not compromise the safety and operation of the highway.
RR-121-76	The draft DCO	12.8 Article 25 of the draft DCO (Felling or lopping of trees and hedgerows) gives the Applicant broad power to fell/lop trees etc. Where these are highway trees this would constitute highway works and so they should be either the works to be approved as per schedule 3 part 1 or 2 works or otherwise subject to County Council consent. The County Council will be seeking amendments to the terms of the DCO to ensure the County Council will be required to consent highway works affecting trees and that replanting is subject to CAVAT payments. The County Council requests that its own policy - Road Agreement Policy for the Protection of Highway Trees affected by New Development - is adhered to with regard to highway trees affected by the proposed development.	Article 25 (felling or lopping of trees and hedgerows) serves a different purpose to the provisions in Part 3 (streets) of the draft DCO [APP-023], whereby street works are set out. Given the different contexts in which these provisions will apply it would be inappropriate to make amendments to either set of provisions. The Applicant will continue to engage with the County Council on the terms of the protective provisions, which will set out how works affecting the highway will be carried out.
RR-121-77	The draft DCO	13. Other Matters 13.1 The County Council has a signed SoCG with the Applicant [APP-062] from May 2026 covering various matters relating to the statutory duties of the County Council. As of August 2026, the Applicant has requested to set up a meeting in order to review the signed SoCG following the review of the draft DCO and supporting evidence. Once the Relevant Representation has been submitted, the County Council will liaise with the Applicant to arrange this meeting.	The Applicant acknowledges this and looks forward to engaging with the Council further.
RR-121-78	Cumulative effects	13.2 The County Council has engaged with the Applicant on previous iterations of ES Appendix 20.1 List of 'other developments' - longlist and shortlist, Volume II (Document reference 6.2, DCO Volume 6) [APP-208]. The County Council has agreed the methodology used to identify the proposed developments to be included in the longlist and shortlist, and in May 2026 the latest position was agreed. As of August 2026, the Applicant is undertaking an update to the Cumulative Effects Assessment [APP-209] in order for the longlist and shortlist to cover up to the end of July 2026. The County Council	The Applicant acknowledges Hampshire County Council's summary of engagement undertaken with respect to the assessment methodology for the Cumulative Effects Assessment (CEA) and the developments included in the longlist and shortlist for assessment. This is also reflected in the Hampshire County Council draft Statement of Common Ground (Document reference 5.8, DCO Volume 5, Version 1).

Reference	Theme	Issue raised	The Applicant's response
		has engaged with the applicant on this matter and will be providing the relevant information to support this.	The Applicant thanks Hampshire County Council for the continued engagement on undertaking an update to the CEA. ES Chapter 20 Cumulative and in-combination effects [APP-099], ES Appendix 20.1 List of other developments – longlist and shortlist [APP-208] and ES Appendix 20.2 CEA [APP-209] will be updated for submission at an appropriate Examination Deadline.
RR-121-79	Cumulative effects	13.3 The County Council has reviewed the planning database for applications submitted to the County Council as planning authority. This has not identified any current undetermined applications for either minerals and waste development or the County Council's own development within the Order Limits. All historic planning applications inside the order limits have been granted and are not awaiting any legal agreements.	The Applicant acknowledges the confirmation from Hampshire County Council there are no gaps in the assessment with respect to undetermined applications for either minerals and waste or planning applications inside the Order Limits.
RR-121-80	Terrestrial and freshwater biodiversity	13.4 Hampshire County Council is the Responsible Authority for the Local Nature Recovery Strategy (LNRS) for Hampshire (published 2025), and has reviewed the following documents: i. ES Chapter 8 Terrestrial and Freshwater Biodiversity, (Document reference 6.1, DCO Volume 6) [APP-087]. ii. Biodiversity Gain Plan, (Document reference, 7.11, DCO Volume 7) [APP-426]. iii. Environmental Net Gain Statement, (Document reference 7.12, DCO Volume 7) [APP-427]. iv. Outline Landscape and Ecology Management Plan, (Document reference 7.5, DCO Volume 7) [APP-420].	The Applicant acknowledges Hampshire County Council's review of the Project DCO documents.
RR-121-81	Terrestrial and freshwater biodiversity	13.5 Hampshire County Council supports the Applicant's approach to ecology, biodiversity and nature conservation, and recognises the interaction between this approach and the LNRS, which sets out how the Project has considered the Hampshire LNRS and utilised data from the Hampshire Biodiversity Information Centre (HBIC). It is positive that the measures outlined in the LNRS has assisted in identifying Environmental Mitigation and Enhancement Areas (EMEAs) for the purpose of deliver Biodiversity Net Gain (BNG).	The Applicant acknowledges Hampshire County Council's support of the Project's approach to ecology, biodiversity and nature conservation and utilisation of the HBIC biodiversity data. The Applicant also acknowledges Hampshire County Council's positive comment regarding the identification of the EMEAs for purpose of delivering BNG for the Project.
RR-121-82	Needs case	14. Benefits and Legacy 14.1 The Applicant has identified a Portsdown Hill Improvement Fund which is intended to remain broad and flexible, and deliver ecological and social co benefits. It originated from a cluster of potential projects in the Portsdown Hill area identified through the Environmental Management Plan, with the intention of providing a geographically themed benefit rather than being tied to specific, fixed interventions.	This is an accurate representation of the commitment as set out in section 4.8 of the Case for the Project (Document reference 5.6, DCO Volume 5, Version 1).
RR-121-83	Needs case	14.2 As set out in the Benefits and Legacy Statement (part of the Case for the Project [APP-057], the expectation is that the fund would be administered by	The Applicant acknowledges and agrees with this comment. The precise details of the measures to be supported by the fund are subject to further

Reference	Theme	Issue raised	The Applicant's response
		Portsmouth City Council, with the precise measures and locations to be agreed through a separate legal agreement. However, it is also recognised that the spatial extent of potential improvements (for example along routes such as Wayfarer's Walk, which is a County Council promoted route) could extend beyond Portsmouth City Council's administrative boundary. Where this is the case, there may be a role for Hampshire County Council and/or other authorities, depending on the location and nature of the interventions. The County Council understand that further detail on delivery, geographic scope and governance will be developed as part of the detailed agreement process.	discussion and definition and will be articulated in a draft legal agreement. We do not currently anticipate the funds being used for improvements outside Portsmouth City Council's administrative area but recognise that if they do there may be a role for Hampshire County Council as noted.
RR-121-84	Needs case	14.3 The County Council has reviewed the outline skills and employment plan (outline SEP) (APP-424). The Case for the Project refers to a skills and training fund of £300,000, and the County Council is supportive that the Project includes skills and employment commitments that will help to maximise the opportunities for local people and businesses. The Hampshire and the Solent Combined County Authority (HSCCA) is now established and will be instrumental in shaping future skills and employment support in the region and will likely to be an important partner to delivering the wider plan.	The Applicant notes and welcomes this comment.
RR-121-85	Socio-economic, tourism and health	14.4 The County Council agrees that the plan's focus includes that on youth unemployment, although consideration of the unemployed aged 19+ is also important. The plan can also strengthen visibility and raise the profile of the range of construction roles available in the sector to those looking at employment options.	The Applicant notes and welcomes this comment.
RR-121-86	Socio-economic, tourism and health	14.5 It is recommended that the plan includes mention of working with the Careers Hub (Hampshire Careers Hub) and Youth Hubs (where they exist, e.g. Havant Youth Hub) alongside Jobcentre Plus. The plan could be strengthened by including the following strategic documents: Economic Strategy for Hampshire 2025-2027 Hampshire Skills Strategy 2025 Get Hampshire Working Plan Get Solent Working Plan Hampshire and the Solent Local Skills Improvement Plan	The Applicant has considered these recommendations and agree that they would strengthen alignment with existing local delivery structures. An updated version of the Outline Skills and Employment Plan (Document reference 7.9, DCO Volume 7, Version 1) has been submitted at Examination Deadline 1 which reflects these recommendations.
RR-121-87	Landowner engagement	15. Landownership 15.1 The County Council has reviewed its land interests within the Order Limits. Based on its records the County Council is only aware of County Council land interests within the Order Limits that is comprised in the Havant Thicket Reservoir Infrastructure. This is known as 'Portsmouth Water Developments' in the Environmental Statement - Chapter 3 Description of the Proposed Development [APP-082].	The Applicant notes this comment.

Reference	Theme	Issue raised	The Applicant's response
RR-121-88	Landowner engagement	15.2 Nine land parcels have been identified within pipeline Sections A and B (the 'Portsmouth Water Developments' sections), whereby the County Council has registered and unregistered land interests (including freehold ownership) which are: i. Land at Staunton Country Park (seven land parcels); ii. Land lying to the North of Bidbury First and Middle Schools, Bedhampton; iii. Bidbury Junior School.	The Applicant notes the respondent's records of their registered and unregistered land interests and confirms that they have been included in the Book of Reference [APP-027]. The Applicant has also included the respondent as having additional interests in the pipeline and reservoir sections including reputed, rights, right of way and highway interests. The Applicant wishes to add that it is not seeking compulsory acquisition powers in any of the plots identified by the respondent in this location but is seeking such powers over other plots which the respondent holds an interest.
RR-121-89	Landowner engagement	15.3 The above land parcels are displayed, along with the pipeline Order Limits on Figure 2 and Figure 3 below:	The Applicant notes this comment.
RR-121-90	Portsmouth Water proposal	15.4 Due to these interests, the County Council is in negotiation with Portsmouth Water in respect of the implementation of Portsmouth Water's planning permission reference APP/24/000405 - Pipeline from the reservoir to the north of Middle Park Way to Bedhampton Pumping Station, Meyrick Road, Havant. The County Council is currently (August 2026) in the process of negotiating a Deed of Grant (easement) with Portsmouth Water for the school site and due to commence negotiating Heads of Terms for Staunton County Park.	The Applicant notes this comment.
RR-121-91	The draft DCO	15.5 The draft DCO includes the grant of powers for the use and enjoyment of the Havant Thicket Reservoir infrastructure (which has been consented separately by Havant Borough Council and East Hampshire District Council and is currently under construction by Portsmouth Water) for the purpose of constructing, operating, using and maintaining the authorised development as well as the storage of recycled water, and the transfer of recycled water and source water between Bedhampton Springs and Havant Thicket reservoir. The draft DCO also grants the Applicant to powers to acquire land or rights over land within the order land, power to override or acquire rights within the order limits and power for the temporary use of land for construction and maintenance of the authorised development.	The Applicant notes this comment.
RR-121-92	Landowner engagement	15.6 The Works Plans [APP-012] Sheets 1A-1D (Havant Thicket Reservoir); Sheet 2 and Sheet 3 indicate there are no planned works in the locations which would intersect with the County Council land interests identified above. Nonetheless, it is recommended that the County Council and the Applicant engage in further discussions to identify and understand any construction, operational, maintenance, or other 'works' that may be required by Southern Water should the Proposed Development receive consent, and to assess any potential effects on consented developments being delivered by Portsmouth Water. This is because the Land Plans [APP-009] Sheets 1A-1D (Havant Thicket Reservoir) indicate there is land of County Council interest shown as having 'new rights (including restrictions) to be compulsorily acquired and	The Applicant confirms the respondent has a Category 1 occupier interest in plot 01-007 of the Land Plans [AS-004] in respect of public bridleways. The Applicant confirms that compulsory acquisition powers are sought for rights and the creation of new rights (including imposing restrictive covenants) over plot 01-007 which is shown edged black and shaded blue on the Land Plans [AS-004]. Schedule 5 of the Draft DCO [APP-023] confirms that the rights and restrictive covenants over the plot are associated to access to infrastructure owned by Portsmouth Water at the Havant Thicket Reservoir site, the exact location and extent of which cannot be confirmed by the Applicant yet due to the status of the Portsmouth Water project. The Applicant is engaging with Portsmouth

Reference	Theme	Issue raised	The Applicant's response
		temporary use of land and in relation to which it is proposed to suspend or extinguish easements, servitudes and other private rights'.	Water on this matter and will provide more detail to the respondent when available.
RR-121-93	Landowner engagement	15.7 Where the County Council has views about the Applicant's proposed compulsory acquisition powers relating to its land interests, they will be included in representations throughout the process. Schedule 5 (Land in which only new rights etc, may be acquired) includes a large number of plot reference numbers as shown on the land plans. The County Council will need to review the land plan numbers and the associated purpose(s) for which new rights may be acquired or restrictive covenants may be imposed.	The Applicant notes this comment.
RR-121-94	Landowner engagement	15.8 Following further discussion and review the County Council is likely to submit proposals on how Part 5 of the Draft DCO (Powers of Acquisition and Possession of Land) needs to be amended to protect its interests as part of its Local Impact Review and/or in Written Submissions.	The Applicant notes this comment.

Table 2-11 The Applicant's response to RR-127 from Havant Borough Council

Reference	Theme	Issue raised	The Applicant's response
RR-127-1	Greeting	Relevant representation on behalf of Havant Borough Council. 1.0 Introduction 1.1 Following the Planning Inspectorate's decision on 21 May 2026 to accept the Development Consent Order (DCO) application for the Hampshire Water Transfer and Water Recycling Project (HWTWRP). This letter is the Council's Relevant Representation and provides a summary of the main aspects of the proposal and key considerations with regards to how these may impact the authority area, as appropriate in accordance with published guidance. The scheme crosses multiple administrative boundaries, straddling multiple Local Authority areas. For clarity, this response solely relates to the areas of land within the Council's administrative area and the potential for impacts within the borough.	The Applicant notes this comment.
RR-127-2	Consultation	1.2 The Council is aware of community and public concerns regarding the potential impacts of the development, as well as those to be addressed by other statutory bodies/regulatory regimes. Interested parties have been advised to submit comments directly to the Examining Authority.	The Applicant notes this comment. The Applicant has responded to issues raised by members of the public and businesses in their Relevant Representations. Please see The Applicant's responses to Relevant Representations from members of the public and businesses (Document reference 8.4, DCO Volume 8, Version 0).
RR-127-3	Consultation	1.3 The Council is similarly aware of community concerns with regards to the extent of public engagement. While the Council has responded separately on the adequacy of consultation (having regard to s41) a number of concerns have also been raised directly to the Council on the extent of community	Pre-application consultation under the Planning Act 2008 (PA 2008) concerns the Project and its likely effects. The pre-application consultation for the Project was therefore designed around the statutory requirements of the PA 2008 and having regard to relevant guidance, which emphasises that pre-application consultation should be effective, proportionate to the nature, scale

Reference	Theme	Issue raised	The Applicant's response
		engagement. These have been raised independently, and we note the Examining Authority will have regard to these and the relevant requirements.	and effects of the proposed project, and not unnecessarily burdensome. The consultation was therefore directed to the relevant statutory and affected audiences, including prescribed bodies, relevant local authorities, persons with land interests and the Marine Management Organisation, where relevant under section 42, local communities living in the vicinity of the land under section 47, and wider publicity under section 48. The Applicant is aware of community concerns regarding the extent of consultation and would emphasise that the PA 2008 requirements do not create a duty to consult every customer who may ultimately receive water supplied through the wider network, and extending consultation to that wider customer base would not have been proportionate to the nature, scale and effects of the Project. The Applicant notes that all seven host authorities confirmed through Adequacy of Consultation Representations that the statutory requirements of the PA 2008 had been duly met, which the Planning Inspectorate agreed in accepting the application for examination.
RR-127-4	The process of developing the Project	2.0 Scope and Context of Relevant Representation 2.1 This representation is made without prejudice to any future views expressed by the Council during the Examination. It follows an initial review of application documents, including the Environmental Statement, and identifies the main matters of interest to the Council that may require further consideration.	The Applicant notes this comment.
RR-127-5	The process of developing the Project	2.2 Issues and effects are identified where practicable, although further submissions will be made via the Local Impact Report (LIR) in due course. The Council has engaged with the Statement of Common Ground (SoCG) process although at present, this is yet to be signed.	The Applicant notes this comment.
RR-127-6	Legislation, policy and permits	2.3 The Council has had regard to paragraphs 3.8.1-3.8.9 of the National Policy Statement for Water Resources Infrastructure (July 2025), which explain the relationship between the DCO process and the Environment Agency's separate pollution-control functions. The potential effects of the Project on water quality, including within Havant Thicket Reservoir and connected water bodies, remain matters that must be properly assessed through the DCO process (Para 3.8.3). However, it is acknowledged that the detailed regulation of the treatment process and any operational discharges, including the setting, monitoring and enforcement of permit limits, falls principally to the Environment Agency through the environmental permitting and licensing regimes.	The Applicant addresses section 3.8 of the National Policy Statement for Water Resources Infrastructure (NPSWRI) in relation to environmental regulation at paragraphs 4.3.61 - 4.3.68 of the Planning Policy Statement (Document reference 5.5, DCO Volume 5, Version 2). The Applicant has thoroughly assessed the effects on water quality in the assessment.
RR-127-7	Legislation, policy and permits	2.4 In addition, the revised National Planning Policy Framework (August 2026) makes reference to the relationship with other regulatory regimes and Policy DM7 1. advises that "Matters which are controlled by separate regulatory regimes may, in the context of a particular development proposal, be a material consideration where they have land-use implications".	The Applicant notes this comment.
RR-127-8	Legislation, policy and permits	2.5 The Examination should therefore consider whether the potential pollution and water-quality effects have been adequately assessed and whether the	The Applicant acknowledges this comment. Assessments undertaken for the Project indicate that there will not be adverse effects on the water environment

Reference	Theme	Issue raised	The Applicant's response
		Project is capable of operating acceptably within that regulatory framework, while avoiding duplication of controls that properly fall within the Environment Agency's remit. In accordance with the NPS, the Secretary of State should be satisfied, through close liaison with the Environment Agency, that potential releases can be adequately regulated and that there is no sound reason to believe that the necessary permits or licences would not subsequently be granted.	as provided in Environmental Statement Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1). The Applicant will continue to work closely with the Environment Agency as the regulator for discharges into the environment. The Environment Agency has stated within both its Relevant Representation [RR-102] and its Statement of Common Ground - Environment Agency (Document reference 5.8, DCO Volume 5, Version 2) that it has not identified any issues that would indicate that these permits cannot be granted.
RR-127-9	The draft DCO	2.6 The Council does not seek to duplicate the Environment Agency's technical assessment or permitting role. The Council's interest is whether the potential effects on the Borough have been properly assessed whether there is sufficient assurance that they can be effectively regulated, and whether any controls that properly fall within the DCO are adequately secured.	Please refer to RR-127-8. The output of the Water Recycling Plant and its release into Havant Thicket Reservoir will be controlled by an Environmental Permit. Paragraph 3.8.3 of the NPSWRI confirms that the Secretary of State "should work on the assumption that, in terms of the control and enforcement, the relevant pollution control or other consenting regime will be properly applied and enforced. Decisions under the Planning Act should complement but not duplicate those taken under the relevant pollution control regime" [emphasis added]. Accordingly, it would not be appropriate for Schedule 2 to include any Requirement relating to the quality of the water to be discharged into the reservoir. As stated in response to RR-127-8, the Environment Agency has not identified any issues that would indicate this permit cannot be granted.
RR-127-10	Principle of development	3.0 Planning Policies and Local Context 3.1 A significant proportion of the Project infrastructure and construction activity is located within Havant Borough. The works include the proposed Water Recycling Plant at Broadmarsh, connections with Budds Farm Wastewater Treatment Works, associated shafts and tunnelled infrastructure, pipelines between the Water Recycling Plant and Bedhampton Springs, and the section of the transfer pipeline extending from the Water Recycling Plant towards Otterbourne.	The Applicant notes this comment and confirms that the Project components and works listed by the council are situated within Havant Borough.
RR-127-11	The draft DCO	3.2 Whilst not determinative under the Planning Act 2008, the Examining Authority can consider other important and relevant matters, including national and local planning policy. The local policies that the Council considers of relevance to this application are highlighted below and should be considered as important and relevant to the determination of the application.	The Applicant acknowledges that 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. Section 1.5 of the Planning Policy Statement (Document reference 5.5, DCO Volume 5, Version 2) sets out the consenting framework for the Project in detail.
RR-127-12	Legislation, policy and permits	3.3 The Council's Development Plan (relevant to this project) consists of: • Havant Borough Core Strategy (2011) • Havant Borough Local Plan (Allocations) (July 2014)	The Applicant notes and agrees that these documents form part of the development plan, as reflected in the Planning Policy Statement (Document reference 5.5, DCO Volume 5, Version 2) at paragraph 6.5.23.
RR-127-13	Legislation, policy and permits	3.4 The Council considers Core Strategy Policy CS19: Effective Provision of Infrastructure, to be of particular relevance to the Project. This policy supports the effective provision of infrastructure and expressly safeguards the	Policies within the Havant Borough Core Strategy 2011 that may be relevant to the Project are considered at Appendix D of the Planning Policy Statement (Document reference 5.5, DCO Volume 5, Version 2).

Reference	Theme	Issue raised	The Applicant's response
		requirements of infrastructure providers, including Havant Thicket Reservoir, water treatment infrastructure at Bedhampton Springs and wastewater treatment infrastructure at Budds Farm. The policy also requires the nature, scale and phasing of new infrastructure to be commensurate with its potential effects on the surrounding area and seeks infrastructure which supports the local economy.	The Applicant considers that the Project is consistent with Policy CS19: • The Project has been specifically developed to utilise and support existing strategic water infrastructure, including Havant Thicket Reservoir, Bedhampton Springs and Budds Farm WTW. It will enable the transfer of recycled water to Havant Thicket Reservoir and the onward transfer of water to Otterbourne Water Supply Works, making effective use of existing and consented infrastructure whilst increasing resilience of water supplies in the Applicant's Western Area. • The need for the Project is well established (as addressed in the Case for the Project [APP-057] as a key strategic resource required to secure long-term water resilience whilst reducing pressure on environmentally sensitive chalk streams). The Project will also support the local economy through the provision of resilient water infrastructure, helping to facilitate planned growth, housing delivery, employment opportunities and skills development, as set out in the Case for the Project (Document reference 5.6, DCO Volume 5, Version 1) and Outline Skills and Employment Plan (Document reference 7.9, DCO Volume 7, version 1).
RR-127-14	Legislation, policy and permits	3.5 Other Core Strategy policies of particular relevance to the works within Havant Borough include: • CS1- Health and Wellbeing • CS2 - Employment, including support for local employment and training initiatives; • CS3 -Skills and Employability; • CS11 - Protecting and Enhancing the Special Environment and Heritage of Havant Borough; • CS13 - Green Infrastructure; • CS14 - Efficient Use of Resources; • CS15 - Flood and Coastal Erosion Risk; • CS16- High-Quality Design; • CS20 - Transport and Access Strategy; and • CS21 - Developer Requirements. • DM1 - Recreation and Open Space; • DM2 - Protection of Existing Community Facilities and Shops; • DM8 - Conservation, Protection and Enhancement of Existing Natural Features; • DM9 - Development in the Coastal Zone; • DM10 - Pollution;	The tables at Appendix D of the Planning Policy Statement (PPS) (Document reference 5.5, DCO Volume 5, Version 2) identify and provide an assessment of all development plan policies referenced throughout the application submission material that may be relevant. This does not necessarily represent an exhaustive list. As noted at paragraph 1.5.35 of the PPS (Document reference 5.5, DCO Volume 5, Version 2) where local development plan policies relate to general issues, the starting policy tests will be those set out in the National Policy Statement for Water Resources Infrastructure (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. Appendix D of the PPS (Document reference 5.5, DCO Volume 5, Version 2) includes all of the policies listed here by the Council with the exception of CS1, DM1, DM2 and DM11). The Applicant agrees, however, that parts of policies CS1 and DM11 are broadly relevant. CS1 relates to health and wellbeing and supports increased footpath use through design of development. The Project supports this objective through the proposed Broadmarsh Coastal Park Improvement Fund (as set out at section 4.7 of the Case for the Project (Document reference 5.6, DCO Volume 5, Version 1) which would provide funding that could be spent by Havant Borough Council on footpath improvements or maintenance. Policy DM11 applies more broadly to planning for sustainable travel which is addressed in the context of NPSWRI policy at paragraphs 4.4.407 and 4.4.463 of the PPS (Document reference 5.5, DCO Volume 5, Version 2).

Reference	Theme	Issue raised	The Applicant's response
		• DM11 - Planning for More Sustainable Travel; and • DM12 - Mitigating the Impacts of Travel.	The Applicant disagrees that policies DM1 and DM2 apply as the Project does not involve the development of existing open space or the loss of land in community use. We note that Appendix D of the PPS (Document reference 5.5, DCO Volume 5, Version 2) also refers to policies not included in the list provided by the Council (including CS7, CS8, CS12, CS13, DM6 though again noting that neither list is exhaustive).
RR-127-15	Legislation, policy and permits	3.6 The policies within the Havant Borough Local Plan (Allocations) of particular relevance to the Project include: • HB2 - Havant and Bedhampton Employment Allocations • DM17- Contaminated Land • DM18- Protecting New Development from Pollution • DM20 - Historic Assets • DM23 - Sites for Brent Geese and Waders	The relevant policies to the Project have been assessed in Appendix D of the PPS (Document reference 5.5, DCO Volume 5, Version 2). Appendix D of the PPS (Document reference 5.5, DCO Volume 5, Version 2) includes all of the policies listed here by the Council with the exception of DM17 and DM18. The Applicant acknowledges that the subject matters of these policies are relevant though do not add anything to NPSWRI policy with which the PPS (Document reference 5.5, DCO Volume 5, Version 2) demonstrates compliance. We note that Appendix D (Document reference 5.5, DCO Volume 5, Version 2) also makes reference to policies not included in the list provided by the Council, namely AL2 – Urban Area Boundaries and Undeveloped Gaps Between Settlements and AL7 – Hermitage Stream. Policy AL2 defines the borough's undeveloped gaps which notably does not include the Water Recycling Plant (WRP) site.
RR-127-16	Legislation, policy and permits	Emerging Local Plan 3.7 Havant Borough Council is preparing the Building a Better Future Plan, which will replace the adopted Core Strategy and Allocations Plan. The Publication Plan was approved by Full Council in July 2026 and is currently subject to Regulation 19 consultation. As the Plan has not yet been submitted for or undergone independent Examination, the Council considers that only very limited weight should currently be afforded to its policies.	The Applicant has engaged with Havant Borough Council through consultation on the emerging local plan to date and is generally in agreement with the way that the emerging plan addresses the Water Recycling Plant (WRP) site subject to points of detail. We agree that at this stage the emerging plan can be given very limited weight.
RR-127-17	The process of developing the Project	4.0 Principal Matters of Relevance to HBC 4.1 This representation focuses on those planning matters that are of particular relevance to Havant. Where matters fall principally within the remit of other statutory bodies, the Council will have regard to their representations and does not seek to duplicate their specialist assessment.	The Applicant notes this comment.
RR-127-18	The process of developing the Project	4.2 The comments below identify the principal issues that the Council considers should be examined further. They are based on a review of the application documents and may be supplemented through the Local Impact Report and the Council's participation in the Examination.	The Applicant notes this comment.
RR-127-19	EIA approach and methodology	4.3 Where helpful, the headings used in the Environmental Statement have been adopted for consistency.	The Applicant notes this comment.

Reference	Theme	Issue raised	The Applicant's response
RR-127-20	Alternatives	4.4 The examination will need to be satisfied that the applicant has undertaken a sufficient assessment of reasonable alternatives, including for environmental buffers, in accordance with paragraph 3.5.1 of the NPS WRI 2025 which the Council notes includes consideration of other specific legal obligations under other (non-planning) regulations.	The Applicant's demonstration of compliance with paragraph 3.5.1 of the NPSWRI is provided at paragraphs 4.3.30 - 4.3.40 of the Planning Policy Statement (Document reference 5.5, DCO Volume 5, Version 2). Please refer to ES Chapter 4 Consideration of alternatives [APP-083], which sets out the iterative design changes.
RR-127-21	Principle of development	Principle of Development 4.5 The Council recognises the need to identify new sources of water, alongside demand management measures, to address identified shortfalls in supply and the consequent need for large-scale strategic water resource infrastructure. This position is recorded as agreed in the draft Statement of Common Ground. The NPPF (2026) also confirms in relation to water Infrastructure through National Decision-Making Policy W4, that, in considering proposals for water supply, drainage and wastewater development, substantial weight should be given to the benefits of; a. Providing the capacity needed to serve proposed development and/or improving the security of supply and capacity for existing users (both residential and commercial, including agricultural users); and b. Improving water quality and reducing water-borne pollution.	The Applicant welcomes the Council's recognition of the need to identify new sources of water and that this is reflected in the draft Statement of Common Ground with Havant Borough Council (Document reference 5.8, DCO Volume 5, Version 1). The Planning Policy Statement (Document reference 5.5, DCO Volume 5, Version 2) provides a clear position on the benefits of the Project (drawing from the Case for the Project (Document reference 5.6, DCO Volume 5, Version 1) and the weight that we consider should be attributed to each in the planning balance.
RR-127-22	Principle of development	4.6 Core Strategy Policy CS19 supports the effective provision of infrastructure and safeguards the requirements of infrastructure providers, including water treatment infrastructure at Bedhampton Springs and wastewater treatment infrastructure at Budds Farm. The policy therefore provides support for the principle of necessary strategic water infrastructure, subject to the environmental and other effects of the development being satisfactorily addressed.	The Applicant notes this comment.
RR-127-23	Alternatives	4.7 The Council has, however, consistently raised concerns regarding water recycling as the chosen solution. In its Section 42 consultation response, the Council confirmed that it did not seek to revisit the recognised need for additional water resources but considered that alternative options should be fully explored and that continued engagement with the Council and local communities was necessary as the scheme developed.	The Applicant notes the response which is consistent with the position recorded in the draft Statement of Common Ground (SoCG) with Havant Borough Council (Document reference 5.8, DCO Volume 5, Version 1) in Row IDs HBC-2024-0030 and HBC-2024-SC-0001" "*The Applicant acknowledges HBC's position, and this remains a matter of in principle disagreement. The principle of water recycling is well established and widely used around the world. The benefits of water recycling are recognised in the National Policy Statement for Water Resources Infrastructure (NPSWRI) (paragraphs 2.6.15 – 2.6.16), the Water Resources South East (WRSE) Final Regional Plan (which proposes the development of six water recycling schemes across the south-east region by 2035, including the Project, and a further two by 2075) (paragraphs 1.26 – 1.27) and through the Applicant's Water Resources Management Plan 2019 (WRMP19) Annual Reviews and emerging Water Resources Management Plan 2024 (WRMP24). The Case for the Project (Document reference 5.6, DCO Volume 5) (submitted as part of the DCO application), outlines the need for the Project regarding the provision of*

Reference	Theme	Issue raised	The Applicant's response
			crucial water supply resilience to the Applicant's Western area, protecting nationally and internationally recognised chalk stream habitats, species and landscapes 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. Chapter 4 Consideration of alternatives, Volume I of the ES (Document reference 6.1, DCO Volume 6) meets the requirements of the EIA Regulations in relation to alternatives and the Scheme Development Report (Document reference 5.6, DCO Volume 5) provides a detailed account of the evolution of the Project from the Applicant's WRMP19". The Applicant has considered reasonable alternatives to water recycling through its WRMP development and options appraisal processes, and water recycling and enhanced use of Havant Thicket Reservoir remains the preferred solution. The Applicant has engaged extensively with the Council on the development of the Project since it was selected as the preferred solution and has carried out a total of five full and targeted public consultations with local communities during the pre-application period.
RR-127-24	The water recycling process	4.8 This remains an unresolved matter in the draft Statement of Common Ground. In particular, the Council has sought further assurance regarding the robustness and reliability of the proposed water recycling technology, its effectiveness in addressing the identified water supply deficit and the environmental and resource implications associated with the Water Recycling Plant. The Council considers that the Examination should be satisfied that the technology is robust and sufficiently proven, that the likely impacts have been properly assessed and that all reasonable alternatives have been adequately considered.	Please refer to the Applicant's response to RR-127-23 regarding the selection process. Water recycling is a well-established and internationally proven technology, successfully implemented in countries such as the United States, Australia and Singapore. It also has precedent in the UK: Essex & Suffolk Water has operated an indirect water recycling scheme at Langford since 2002, which treats wastewater to augment river flows, with the water then abstracted and treated further for potable supply. The development of the Project has included input from specialists who have worked on or collaborated with others on these well-established international schemes, ensuring that best practice has been embedded throughout the design and development of the Project. As stated in section 19.8 of ES Chapter 19 Water environment ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1), the Applicant has undertaken an extensive programme of monitoring of a wide range of Contaminants of Emerging Concern (CECs) in the final treated effluent from Budds Farm Wastewater Treatment Works (Budds Farm WTW) (e.g. a representation of influent water quality to the Water Recycling Plant (WRP)) and water treated in its pilot treatment plant at Budds Farm WTW. This considered a wide range of substances, including: • Pharmaceuticals and personal care products (PPCPs): Organic contaminants sourced from pharmaceutical products and their metabolites, cosmetics, soaps and shampoos, which can be found in trace levels in wastewater. • Industrial chemicals: Substances such as per- and poly-fluoroalkyl substances (PFAS), polycyclic aromatic hydrocarbons (PAHs), volatile organic compounds (VOCs) and inorganic contaminants (including some

Reference	Theme	Issue raised	The Applicant's response
			trace metals). Although some specific compounds within these broad categories of chemicals have an established Environmental Quality Standard (EQS) (including some metals, PAHs and several PFAS compounds), this is not the case for the majority of these substances. • Agricultural chemicals: Substances such as pesticides and fertilisers that can be found in surface water runoff. The pilot plant included a Full Advanced Treatment (FAT) process, comprising integrated membranes followed by an ultraviolet and advanced oxidation process. Although this does not include the Granular Activated Carbon (GAC) and remineralisation processes that will be present within the WRP, the pilot plant included the multi-barrier treatment process that will be primarily responsible for the effective removal of contaminants from the treated wastewater. As some contaminants would also be removed by the GAC process, the results from the pilot plant therefore represent an underestimate of the performance of the full WRP and are therefore considered to be the worst case. The results of the pilot plant trials are described in an independent review produced by the University of Brighton (Mayor-Smith, 2024), as referenced in ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1). The results of the investigation into pilot plant performance indicate that the FAT process resulted in a considerable increase in water quality, with the concentration of CECs decreasing after passing through the pilot plant. Over 60% of the CECs measured in the WRP influent decreased to below the limits of detection in the water that had passed through the WRP, with the largest reductions identified for a range of pharmaceuticals, personal care products and pesticides. Data from the Applicant's pilot plant trials has shown that the purified recycled water produced would provide a safe and sustainable source of supply that, following further treatment to drinking water standards, will continue to meet the strict water quality standards required by the Drinking Water Inspectorate (DWI). Operational effects on the water environment are assessed in detail in ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1) and ES Appendix 19.2 Water Environment Regulations compliance assessment (Document reference 6.2, DCO Volume 6, Version 1). These assessments, supported by water quality modelling – included in ES Appendix 19.5 Eastney Long Sea Outfall Solent dispersion modelling [APP-200], ES Appendix 19.6 Havant Thicket Reservoir Compensatory Flows water quality modelling [APP-201], ES Appendix 19.8 CORMIX Modelling for Chemicals Screened in via the Surface Water Risk Assessment Process [APP-203], ES Appendix 19.10 Degradation modelling [APP-205], ES Appendix 19.11 Havant Thicket Reservoir water quality modelling (Document reference 6.2, DCO Volume 6, Version 1) and ES Appendix 19.12 Water Recycling Plant Site Sustainable Drainage System Dispersion Modelling [APP-207] – conclude that the Project would not result in any likely significant effects on water quality or

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			deterioration in chemical or physico-chemical status under the Water Environment Regulations 2017. On the basis of these assessments, the Applicant believes that potential effects on water quality have been adequately assessed. The output from the water recycling plant will be subject to an environmental permit, issued by the Environment Agency, which will require the quality of the recycled water to meet the standard specified to ensure there are no unacceptable impacts to the environment, including in downstream waterbodies. The final treated water must also comply with drinking water quality standards, regulated by the DWI. For further information about the relationship between the DCO and the applicable regulatory regimes, please refer to Action Point ISH1-06 and to Appendix F of The Applicant's written summaries of oral submissions at OFH1 and ISH1 and post hearing actions (Document reference 8.9, DCO Volume 8, Version 0).
RR-127-25	Location of the WRP	4.9 The site of the proposed Water Recycling Plant is allocated for employment purposes under Policy HB2 of the Havant Borough Local Plan (Allocations) (July 2014). The Council previously raised concern that development of the site for the WRP could result in the loss of planned employment development and associated employment opportunities. However, the previous planning permission on the site has now lapsed and the emerging Local Plan does not propose to retain the employment allocation on this part of the site. The draft Statement of Common Ground records agreement that the principle of using the site for the WRP is appropriate and the Council has no objection on this basis.	The Applicant notes the Council's position. As recorded in the draft Statement of Common Ground – Havant Borough Council (Document reference 5.8, DCO Volume 5, Version 1), the Council and Applicant agree that the principle of the Water Recycling Plant on the allocated site is appropriate.
RR-127-26	Location of the WRP	4.10 On this basis, the Council accepts the need for additional strategic water resource infrastructure and does not object to the principle of locating the Water Recycling Plant and associated infrastructure within the Borough.	The Applicant notes and welcomes this comment.
RR-127-27	Archaeology and cultural heritage	Archaeology and Cultural Heritage 4.11 Archaeology and cultural heritage matters are considered in ES Chapter 7. The assessment considers potential effects on designated and non-designated heritage assets, including the Old Bedhampton Conservation Area, Sir George Staunton Country Park, the Grade II* registered park and garden at Leigh Park and associated listed buildings.	The Applicant notes the Council's confirmation that archaeology and cultural heritage matters have been reviewed in ES Chapter 7 Archaeology and cultural heritage [APP-086].
RR-127-28	Archaeology and cultural heritage	4.12 Core Strategy Policy CS11 seeks to protect and enhance the special environment and heritage of Havant Borough, while Policy DM20 of the Havant Borough Local Plan (Allocations) relates specifically to the protection of historic assets.	The Applicant notes the Council's reference to the Core Strategy Policy CS11 and Policy DM20, which seeks to protect and enhance the historic environment. The Applicant has referenced and has undertaken assessment in line with these policies in ES Chapter 7 Archaeology and cultural heritage [APP-086]. This is also reflected in the policy assessment at Appendix D of the

Reference	Theme	Issue raised	The Applicant's response
			Planning Policy Statement (Document reference 5.5, DCO Volume 5, Version 2).
RR-127-29	Archaeology and cultural heritage	4.13 The Council's Heritage Officer has reviewed the submitted assessment and notes that the potential effects were previously discussed with the Applicant during a bilateral meeting on 10 December 2025. The ES has subsequently been updated to consider an absolute worst-case scenario which assumes the inclusion of a pipe bridge being designed separately by Portsmouth Water.	The Applicant notes the review of the assessment and welcomes the acknowledgement that ES Chapter 7 Archaeology and cultural heritage [APP-086] has been updated to assess the worst case scenario of the Portsmouth Water pipe bridge.
RR-127-30	Archaeology and cultural heritage	4.14 On this basis, the ES identifies a temporary significant adverse effect during construction, including effects to the Old Bedhampton Conservation Area arising from the assumed pipe bridge and changes to the setting associated with works west of Mill Lane and at Bedhampton Springs. The operational effect is assessed as non-significant.	The Applicant notes the Council's summary of the assessment presented within ES Chapter 7 Archaeology and cultural heritage [APP-086], including the precautionary worst case scenario of temporary significant adverse effect on Old Bedhampton Conservation Area during construction, reducing to not significant during operation.
RR-127-31	Archaeology and cultural heritage	4.15 Subject to the Proposed Development being implemented in accordance with the proposals and mitigation outlined in the Heritage Statement, the Council raises no objection.	The Applicant notes that Havant Borough Council is satisfied with the proposed avoidance and mitigation measures outlined in Environmental Statement Chapter 7 Archaeology and cultural heritage [APP-086] and this agreement will be captured in the relevant Statement of Common Ground (Document reference 5.8, DCO Volume 5, Version 1).
RR-127-32	Terrestrial and freshwater biodiversity	Terrestrial and Freshwater Biodiversity 4.16 Terrestrial and freshwater biodiversity matters are considered in ES Chapter 8. The assessment considers designated sites, habitats, protected and notable species, aquatic ecology and the potential introduction or spread of invasive non-native species.	The Applicant notes that Havant Borough Council has reviewed ES Chapter 8 Terrestrial and freshwater biodiversity (Document reference 6.1, DCO Volume 6, Version 1).
RR-127-33	Terrestrial and freshwater biodiversity	4.17 The Council's Principal Ecologist has reviewed the submitted ecological information including the relevant ES chapters, biodiversity, habitat management and Habitats Regulations Assessment documents. The overall scope of survey and assessment is considered appropriate and the proposed avoidance and mitigation measures are generally supported.	The Applicant notes Havant Borough Council considers the overall scope of survey and assessment detailed within ES Chapter 8 Terrestrial and freshwater biodiversity (Document reference 6.1, DCO Volume 6, Version 1) to be appropriate. The Applicant also notes Havant Borough Council's support of the proposed mitigation and avoidance measures. These responses are consistent with the position recorded in the draft Statement of Common Ground (SoCG) with Havant Borough Council (Document reference 5.8, DCO Volume 5, Version 1).
RR-127-34	Terrestrial and freshwater biodiversity	4.18 The Project will nevertheless result in direct habitat impacts within Havant Borough. These include relatively sizeable losses of open mosaic habitat at the Water Recycling Plant site, together with areas of mixed scrub, woodland and neutral grassland, as well as impacts elsewhere in the Borough to agricultural land, hedgerows and modified grassland. The Council welcomes the proposed incorporation of open mosaic habitat within the developed WRP site, including through the proposed green/brown roof and landscaping.	The Applicant notes Havant Borough Council has raised the impact of habitat loss within Havant Borough. The Applicant also notes the Council welcomes the proposal for creation of open mosaic habitat within the developed Water Recycling Plant (WRP) site, including through the proposed green/brown roof and landscaping. This measure is secured via the Environmental Principles in the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1) reference WRP_17.

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RR-127-35	Terrestrial and freshwater biodiversity	4.19 Particular care will be required in the vicinity of Bedhampton Springs. The outflow channel supports Opposite-leaved Pondweed, together with other chalk stream species, and is identified by the Council's Principal Ecologist as one of the few remaining ecologically functional stretches of the freshwater lower Hermitage Stream. Although the channel is not proposed to be directly affected, it lies within close proximity to the works and should therefore be afforded a high level of protection during construction.	The Applicant notes Havant Borough Council has raised concerns about potential indirect impacts to the chalk stream habitat in the outflow channel at Bedhampton Springs, including potential impacts to sensitive species such as Opposite-leaved Pondweed and other chalk stream species. Tertiary good practice measures are detailed in the Outline Construction and Environment Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3, [APP-413] and [APP-414] for documents 2 and 3) to mitigate construction-related effects on biodiversity associated with water quality, including at Bedhampton Springs. The ES Chapter 8 Terrestrial and freshwater biodiversity (Document reference 6.1, DCO Volume 6, Version 1) concludes that overall downstream water quality changes to Riders Lane Stream and Hermitage Stream as a result of operation of the Project are considered to represent a minor improvement resulting in an up to minor beneficial effect which is not significant.
RR-127-36	Terrestrial and freshwater biodiversity	4.20 The submitted assessments also consider potential impacts on protected and notable species, including bats, Hazel Dormouse, Otter, Badger, nesting birds, reptiles, amphibians and invertebrates. The Council is satisfied that the proposed avoidance, mitigation and ecological supervision measures are appropriate, subject to their effective implementation and securing through the relevant DCO requirements and management plans.	The Applicant notes Havant Borough Council is satisfied with the proposed avoidance, mitigation and ecological supervision measures detailed and secured within the relevant DCO documents and management plans.
RR-127-37	Terrestrial and freshwater biodiversity	4.21 In relation to Biodiversity Net Gain, the submitted metric currently identifies an overall scheme deficit in habitat, hedgerow and watercourse units. The position within Havant Borough has not been calculated separately and the Council recognises that the figures may change as the scheme develops. The Council's preference is that biodiversity compensation associated with impacts arising within Havant Borough should, wherever practicable, be delivered within the Borough, including through measures which support the Hampshire Local Nature Recovery Strategy and the Havant Biodiversity Strategy.	The Applicant notes that Havant Borough Council have a preference that biodiversity compensation associated with impacts arising within Havant Borough should, wherever practicable, be delivered within the Borough, including through measures which support the Hampshire Local Nature Recovery Strategy and the Havant Biodiversity Strategy. The Biodiversity Gain Plan [APP-426] states "*The Project has considered the finalised Hampshire County Council Local Nature Recovery Strategy (LNRS) in the context of its approach to BNG and in keeping with the Good Practice Principles, off-site BNG provision will be prioritised within areas that are local to the Project (within one of the relevant local authority areas or landscape character areas within which the Project falls), where reasonably practicable to do so*."
RR-127-38	Terrestrial and freshwater biodiversity	4.22 The Council also notes the conclusions of the submitted Habitats Regulations Assessment. Of particular relevance within Havant is the loss of most of Solent Waders and Brent Goose Strategy Site H08, which is proposed to be mitigated through enhancement of an existing Candidate SWBGS site elsewhere. The Council considers the assessment and proposed mitigation to be acceptable and is satisfied that potential impacts on European sites and supporting habitat can be appropriately addressed.	The Applicant notes Havant Borough Council is satisfied with the proposed mitigation for impacts to Solent Waders and Brent Goose Strategy Site H08 and that potential impacts on European sites and supporting habitat as detailed in 5.2 Habitats Regulations Assessment - Stage 2 Appropriate Assessment and Marine Conservation Zone - Stage 1 Assessment (Document reference 5.2, DCO Volume 5, Version 2) can be appropriately addressed.
RR-127-39	Terrestrial and freshwater biodiversity	4.23 The final BNG position and aspects of the water-quality modelling may require further assessment as the Project progresses. Subject to these matters being satisfactorily addressed and the identified mitigation, management and	The Applicant notes Havant Borough Council raises no objection to the Biodiversity Net Gain (BNG) and water-quality modelling measures subject to

Reference	Theme	Issue raised	The Applicant's response
		monitoring measures being secured, the Council raises no objection in relation to terrestrial and freshwater biodiversity.	the final positions on BNG and water-quality positions being satisfactorily addressed and mitigation and monitoring measures being secured. An updated Biodiversity Gain Plan will be submitted to the relevant authority for approval post-consent. No further water quality modelling is currently proposed for the project. The assessment presented in ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1) is supported by modelling of water quality impacts on Havant Thicket Reservoir (ES Appendix 19.11 Havant Thicket Reservoir water quality modelling (Document reference 6.2, DCO Volume 6, Version 1)), downstream water bodies that will receive compensation flows from the reservoir (ES Appendix 19.6 Havant Thicket Reservoir Compensatory Flows Water Quality Modelling [APP-201]), coastal and transitional waters that would receive reject water from the Water Recycling Plant (WRP) via Eastney LSO (ES Appendix 19.5 Eastney LSO Dispersion Modelling [APP-200] and ES Appendix 19.8 CORMIX Modelling for Chemicals Screened in via the Surface Water Risk Assessment Process [APP-203]) and releases from the WRP SuDS outfall (ES Appendix 19.12 WRP site SuDS Dispersion Modelling [APP-207]). The assessment demonstrates that the Project would not result in significant adverse effects on water quality.
RR-127-40	Marine biodiversity	Marine Biodiversity 4.24 Marine biodiversity matters are considered in ES Chapter 9. Within Havant Borough, the principal receptors include Langstone Harbour and associated internationally designated sites, together with supporting habitats used by coastal birds.	The Applicant notes this comment.
RR-127-41	Marine biodiversity	4.25 The Council's Principal Ecologist has reviewed the submitted marine biodiversity and Habitats Regulations Assessment information and considers the scope of assessment and proposed mitigation to be appropriate. Of particular relevance is the loss of most of Solent Waders and Brent Goose Strategy Site H08 at the Water Recycling Plant, which is proposed to be mitigated through enhancement of an existing Candidate SWBGS site. The Council is also satisfied that the minor effects identified in relation to Candidate Site H130 along the tidal lower Hermitage Stream are unlikely to be significant.	The Applicant notes this comment.
RR-127-42	Marine biodiversity	4.26 The Council's principal remaining interest relates to the relationship between marine biodiversity and water quality, including potential effects on Langstone Harbour arising from the operation of the Project. These matters are addressed further in the Water Environment section below. Subject to the identified mitigation being appropriately secured, the Council raises no objection in relation to marine biodiversity.	The Applicant welcomes that Havant Borough Council raises no objection to marine biodiversity subject to the identified mitigation being secured. These mitigation measures are secured through the Operational Environmental Management Plan [APP-422] in accordance with the corresponding requirements in Schedule 2 to the draft Development Consent Order (DCO) [APP-023].
RR-127-43	Land quality and ground conditions	Land Quality and Ground Conditions	The Applicant notes Havant Borough Council comments in relation to the relevance of ES Chapter 11 Land quality and ground conditions (Document

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		4.27 Land quality and ground conditions are considered in ES Chapter 11. This is a particularly relevant matter within Havant Borough given that the proposed Water Recycling Plant and associated infrastructure are located on and adjacent to former landfill land, including the Brockhampton West/Harts Farm landfill area. The matter of contamination is therefore a matter of some concern which will need careful assessment through the Examination. The Council has previously raised concerns regarding the potential for the proposed shafts, tunnels and pipeline infrastructure to alter existing contaminant pathways, including those associated with landfill gas and leachate, and the potential interaction with groundwater and sensitive environmental receptors. The Council also sought further details at pre-application stage regarding construction methodology, management of excavated landfill material and the measures required to ensure that the development would not materially worsen the existing contamination risk profile.	reference 6.1, DCO Volume 6, Version 1) due to the location of the Water Recycling Plant and associated infrastructure on and adjacent to the historical Harts Farm Way landfill. The Applicant also notes that the matter of contamination is an area of concern for which Havant Borough Council recommends as requiring careful assessment through Examination. The Applicant notes that Havant Borough Council have previously raised concerns relating to the potential for contamination pathways to be altered and for interactions with groundwater and other sensitive environmental receptors as a result of the proposed shafts, tunnels and pipeline infrastructure. The Applicant has provided Havant Borough Council with further details regarding construction methodologies, management of excavated landfill and materials and mitigation measures during the pre-application stage. A technical note, provided as ES Appendix 11.1 Response to Havant Borough Council Environmental Control Officer [APP-150], was drafted during the pre-application phase. The technical note summarises the concerns raised by the Havant Borough Council's Environmental Control Officer and the Applicant's responses to each of the concerns raised. The technical note also included: • A conceptual site model for the historical landfill and proposed Water Recycling Plant (Appendix A of [APP-150]); • Proposed tunnel sections (Appendix A of [APP-150]); • Design and construction details for shafts and tunnels (Appendix B of [APP-150]); • Proposed mitigation measures (Appendix C of [APP-150]). The Applicant has continued to engage with Havant Borough Council throughout the development and post submission of the DCO application on matters including land quality and ground conditions. A record of the matters under discussion and their current status, i.e. whether they have been agreed or require further discussion, is provided within the Draft Statement of Common Ground – Havant Borough Council (Document reference 5.8, DCO Volume 5, Version 1).
RR-127-44	Land quality and ground conditions	4.28 Having reviewed the submitted DCO documents, the Council's contaminated land officer considers that the engineering solution now proposed addresses a number of earlier concerns, particularly through the use of tunnelled infrastructure beneath the landfill rather than direct interaction between the pipeline and the waste body. The principle of development is therefore accepted from a contamination perspective. However, a number of matters remain dependent on detailed design and construction methodology, including the treatment of shafts, groundwater and leachate ingress, landfill gas protection, the potential creation of preferential pathways and the management of risks associated with tunnelling beneath the landfill and harbour.	The Applicant notes that Havant Borough Council's contaminated land officer considers the concerns raised with regards to engineering solution to be addressed and that the principle of development is accepted from a contamination perspective. The Applicant notes that Havant Borough Council consider that a number of matters are dependent on detailed design and construction methodology. As outlined in environmental measure LQGC8 in Table 5-1 of the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3, [APP-413] and [APP-414] for documents 2 and 3) detailed Foundation Works Risk Assessments (FWRAs) will be undertaken post consent and in line with CL:AIRE's Piling and Penetrative Ground Improvement Methods on Land

Reference	Theme	Issue raised	The Applicant's response
			Affected by Contamination: Guidance on Pollution Prevention (CL:AIRE, 2025). The detailed FWRAs will provide an assessment for each of the proposed foundation types for the Water Recycling Plant (WRP) site and associated structures. They will also include an assessment of construction methodologies for trenchless construction works, tunnels and shafts. The detailed FWRAs will include detailed Piling Risk Assessments and an assessment of other foundation types. The objectives of the detailed FWRAs will be to mitigate risk of release of contaminated water/ leachate into watercourses/ groundwater and to reduce the potential increase in ground gas risk via the creation of preferential pathways due to foundation works and other adopted construction methodologies. The detailed FWRAs will be undertaken in consultation with Havant Borough Council. As outlined in point 3 of paragraph 11.4.1 of ES Chapter 11 Land quality and ground conditions (Document reference 6.1, DCO Volume 6, Version 1), ground gas protection measures aligning with those required for a Characteristic Situation 3 will be incorporated into the design of the WRP (see also Table 3-1, WRP_4 of the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1).
RR-127-45	The draft DCO	4.29 The Council's principal remaining concern is whether the DCO and supporting documents provide a sufficiently clear and comprehensive mechanism for the scrutiny, approval and subsequent verification of those risk-relevant details which remain to be determined post-consent. In particular, the Council has identified matters relating to the scope of detailed design approval, the construction conceptual site model, gas protection to below-ground accessible areas and the need to ensure that appropriate verification information is provided to the Council both during construction and during the operational phase of the development.	The Applicant notes the Council's comments on post-consent determinations but considers that the approach taken to approval of detailed design for above ground installations only in Requirement 3(3) of the draft DCO [APP-023] is appropriate and proportionate. Furthermore, the controls set out in the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1), for example WRP_4 relating to ground gas protection measures, are considered to be comprehensive and robust. However, if the Council has any specific comments it wishes to make on the drafting of the design principles the Applicant would welcome a discussion on any such points/suggestions.
RR-127-46	EIA approach and methodology	4.30 The Council is satisfied that the Outline CEMP and associated detailed CEMP, Foundation Works Risk Assessment and method statements provide an appropriate basis for managing many of these risks. However, the Examination should be satisfied that the DCO requirements are sufficiently robust to secure the necessary detailed design, mitigation and verification measures. Where this is not demonstrated, additional or amended requirements may be necessary to provide an explicit mechanism for Local Planning Authority approval of relevant details.	The Applicant acknowledges the Council's satisfaction with the measures set out in the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3, [APP-413] and [APP-414] for documents 2 and 3), Outline Foundation Works Risk Assessment [APP-417 to APP-419 – 3 documents] and associated method statements to manage the risks of concern. The mitigation, monitoring and control measures identified through the Environmental Statement are secured in the draft DCO [APP-023] through a framework of requirements, management plans and other control documents. The Commitments Register (Document reference 6.2, DCO Volume 6, Version 1) identifies the relevant securing mechanism for each environmental commitment. In accordance with requirements in the draft DCO [APP-023], detailed design, mitigation, monitoring and verification measures will be defined in detailed management plans, strategies and associated documentation. This

Reference	Theme	Issue raised	The Applicant's response
			documentation will be required to be submitted and approved by the relevant authority before the relevant works can commence. The Applicant therefore considers that the draft DCO [APP-023] provides an appropriate mechanism for securing the necessary detailed design, mitigation, monitoring and verification measures.
RR-127-47	Land quality and ground conditions	4.31 Subject to these matters being satisfactorily addressed, the Council raises no objection in principle in relation to land quality and ground conditions.	The Applicant notes that Havant Borough Council would not raise an objection to the Project in relation to land quality and ground conditions subject to the matters outlined in RR-127-44 being addressed satisfactorily.
RR-127-48	Major accidents and disasters	Major Accidents and Disasters 4.32 Major accidents and disasters are considered in ES Chapter 14. Within Havant Borough, relevant risks arise from the construction and operation of the Water Recycling Plant, associated shafts and tunnels, pipelines and other infrastructure, together with the potential consequences of system failure, water-quality failure or other incidents affecting the treatment and transfer of recycled water.	The Applicant acknowledges the Council's summary of the risks in ES Chapter 14 Major accidents and disasters [APP-093] which are relevant to Havant Borough.
RR-127-49	Major accidents and disasters	4.33 The ES identifies a range of measures to manage these risks, including emergency response procedures, monitoring and control systems, emergency power provision and construction management measures. It concludes that, with the proposed mitigation in place, residual risks would be reduced to as low as reasonably practicable and would not result in significant adverse effects.	The Applicant acknowledges the Council's summary of the risk management measures identified within ES Chapter 14 Major accidents and disasters [APP-093]. The Applicant agrees that ES Chapter 14 Major accidents and disasters [APP-093] identifies a range of mitigation, monitoring and management measures, including emergency response procedures, monitoring and control systems, emergency power provision and construction management measures. These measures are secured through relevant management plans, including the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3, [APP-413] and [APP-414] for documents 2 and 3), and Operational Environmental Management Plan [APP-422] together with the relevant requirements contained within Schedule 2 to the draft DCO [APP-023]. The Applicant therefore considers that the identified mitigation and management measures provide an appropriate framework for reducing risks to as low as reasonably practicable and that no significant adverse effects are anticipated following implementation of those measures.
RR-127-50	Major accidents and disasters	4.34 The Council's principal concerns regarding water quality, monitoring and intervention are addressed in the Water Environment section below. In relation to major accidents and disasters, the Council considers that satisfactory emergency arrangements should be secured and capable of being implemented promptly in the event of any incident affecting the operation of the Project or water quality.	The Applicant acknowledges the Council's view that satisfactory emergency arrangements should be secured and capable of being implemented promptly in the event of any incident affecting the operation of the Project or water quality. The Applicant considers that appropriate emergency arrangements will be in place through the mitigation and management measures identified in ES Chapter 14 Major accidents and disasters [APP-093], including emergency response procedures, monitoring and control systems, incident management

Reference	Theme	Issue raised	The Applicant's response
			procedures and pollution management measures. These measures are secured through the Operational Environmental Management Plan [APP-422], the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3), in accordance with the corresponding requirements contained within Schedule 2 to the draft Development Consent Order [APP-023]. The Applicant therefore considers that an appropriate framework is in place to ensure that emergency arrangements can be implemented promptly and effectively in the event of an incident affecting the operation of the Project or water quality.
RR-127-51	Socio-economic, tourism and health	Socio-economic, Tourism and Health 4.35 Socio-economic, tourism and health matters are considered in ES Chapter 17. Within Havant Borough, the principal considerations relate to employment and skills, effects on existing businesses and community assets, and the wider local benefits arising from the Project.	The Applicant acknowledges this comment from Havant Borough Council, ES Chapter 17 Socio-economics, tourism and health (Document reference 6.1, DCO Volume 6, Version 1), considers the impacts of the Project on employment, the supply chain, training and apprenticeships, and allocated employment land during construction. The assessment includes estimates of peak and average construction employment over the main construction programme, as well as consideration of supply chain opportunities for local businesses and potential training and apprenticeship opportunities associated with construction. The Project also has the potential to affect existing employment, apprenticeship and training opportunities located at commercial property and land. These effects are considered within the assessment of identified receptors in ES Chapter 12 Land use and agriculture [APP-091]. The Outline Skills and Employment Plan (SEP) (Document reference 7.9, DCO Volume 7, Version 1) sets out measures to support the delivery of, and access to, new jobs, skills, training and apprenticeship opportunities for the local population, including young people. The Applicant therefore considers that the likely socio-economic effects of the Project, including employment, skills, business and community benefits, have been appropriately assessed and that measures are in place to support the delivery of positive socio-economic outcomes.
RR-127-52	Socio-economic, tourism and health	4.36 The Council's Economic Development Team support the Project, in particular the proposed Skills and Employment Plan and the opportunities this would provide for local employment, training and skills development. The draft Statement of Common Ground also records an agreed £300,000 contribution from the Applicant towards a Skills and Employment Fund to support a new Construction Training Skills Academy initiative in Havant, to be secured through a legal agreement.	The Applicant welcomes Havant Borough Council's Economic Development Team's support for the Project, including the proposed Outline SEP(Document reference 7.9, DCO Volume 7, Version 1) and the opportunities it would provide for local employment, training and skills development. ES Chapter 17 Socio-economics, tourism and health (Document reference 6.1, DCO Volume 6, Version 1) assesses the likely effects of the Project on employment, the supply chain, training, apprenticeships and employment land during construction. The Applicant has updated ES Chapter 17 Socio-economics, tourism and health (Document reference 6.1, DCO Volume 6,

Reference	Theme	Issue raised	The Applicant's response
			Version 1). and the Equality Impact Assessment (EqIA) (Document reference 7.13, DCO Volume 7, Version 1) for submission at Examination Deadline 1. The Outline SEP (Document reference 7.9, DCO Volume 7, Version 1) also identifies measures intended to support local employment, skills development and training opportunities during construction of the Project. The Applicant has updated the Outline SEP (Document reference 7.9, DCO Volume 7, Version 1) for submission at Deadline 1. The Applicant notes the Council's reference to a £300,000 contribution towards a Skills and Employment Fund to support a Construction Training Skills Academy initiative in Havant. As noted in the Case for the Project (Document reference 5.6, DCO Volume 5, Version 1) it is proposed that the fund is secured through a legal agreement. As recorded in the draft Statement of Common Ground (Document reference 5.8, DCO Volume 5, Version 1), the parties are discussing the precise mechanism and terms for the fund. The employment and skills opportunities for local people and businesses is identified as a positive with moderate weighting in the overall planning balance (at table 7-1 of the Planning Policy Statement (Document reference 5.5, DCO Volume 5, Version 2).
RR-127-53	Socio-economic, tourism and health	4.37 The Council also welcomes the proposed Community Fund identified in the Case for the Project, which would provide up to £400,000 of funding for local projects across the affected host authority areas during the four-year construction period and assists towards the mitigation of impacts arising from the development. The fund is intended to support initiatives including nature enhancement, water conservation, pollution reduction and increasing local understanding of water conservation and scarcity, and would be secured through a legal agreement.	The Applicant notes the Council's reference to a Community Fund that would provide funding for local projects within the host authority areas during construction of the Project. As set out in the Case for the Project (Document reference 5.6, DCO Volume 5, Version 1), the fund is intended to support initiatives such as nature enhancement, water conservation, pollution reduction and increasing local understanding of water conservation and water scarcity. The Applicant notes that, as recorded in discussions with the host authorities, the mechanism through which the Community Fund would be secured is currently being developed through a legal agreement. The Applicant also highlights that as the Community Fund would address unknown 'intangible' issues through construction a conservative approach has been taken in relation to the planning balance concluding the Community Fund would be a neutral factor (at table 7-1 of the Planning Policy Statement (Document reference 5.5, DCO Volume 5, Version 2). The Applicant has updated ES Chapter 17 Socio-economics, tourism and health (Document reference 6.1, DCO Volume 6, Version 1), the Equality Impact Assessment (EqIA) (Document reference 7.13, DCO Volume 7, Version 1) and the Outline Skills and Employment Plan (SEP) (Document reference 7.9, DCO Volume 7, Version 1) for submission at Examination Deadline 1.
RR-127-54	Socio-economic, tourism and health	4.38 The Council also welcomes the contribution of £500,000 secured through a legal agreement towards the Broadmarsh Coastal Park Improvement Fund, which is to be administered by the Council. The fund will support environmental, ecological and recreational improvements at Broadmarsh Coastal Park and potentially the surrounding area. The Council considers that	The Applicant welcomes Havant Borough Council's acknowledgement of the £500,000 contribution towards the Broadmarsh Coastal Park Improvement Fund. The Applicant notes the Council's view that the fund has the potential to support environmental, ecological and recreational improvements within Broadmarsh Coastal Park and the surrounding area, providing local

Reference	Theme	Issue raised	The Applicant's response
		this has the potential to provide significant local community and wellbeing benefits and assists towards the mitigation of impacts arising from the development.	community and wellbeing benefits while assisting in the mitigation of effects associated with the Project. The Applicant therefore considers that the Broadmarsh Coastal Park Improvement Fund will contribute towards the delivery of positive local environmental, recreational and community outcomes. The local ecological and social benefit funding is identified as a positive with moderate weighting in the overall planning balance (at table 7-1 of the Planning Policy Statement (Document reference 5.5, DCO Volume 5, Version 2). The Applicant has updated ES Chapter 17 Socio-economics, tourism and health (Document reference 6.1, DCO Volume 6, Version 1), the Equality Impact Assessment (EqIA) (Document reference 7.13, DCO Volume 7, Version 1) and the Outline SEP (Document reference 7.9, DCO Volume 7, Version 1) for submission at Examination Deadline 1.
RR-127-55	Socio-economic, tourism and health	4.39 ES Chapter 17 identifies beneficial employment effects from the construction phase and to the local supply chains and confirms that the Outline Skills and Employment Plan has been prepared to maximise skills and employment benefits for local people. The Council welcomes these benefits and considers that the agreed commitments should be appropriately secured and delivered.	The Applicant welcomes this comment from Havant Borough Council. The employment and supply chain assessment is provided in ES Chapter 17 Socio-economics, tourism and health (Document reference 6.1, DCO Volume 6, Version 1). The Outline SEP (Document reference 7.9, DCO Volume 7, Version 1) is the key document setting out measures that will help support the delivery of, and access to, new jobs and training opportunities for the local population, including for local young people. The Outline SEP (Document reference 7.9, DCO Volume 7, Version 1) is secured by Requirement 11 in Schedule 2 to the draft Development Consent Order [APP-023].
RR-127-56	Traffic and transport	4.40 The Council has previously highlighted the need to minimise disruption to existing businesses and communities during construction. Appropriate construction traffic management and frequent communication with local businesses and communities will therefore remain important throughout the life of the project.	The Applicant acknowledges the concerns of the Council regarding the need to minimise disruption to existing businesses and communities during construction and the importance of construction traffic management and frequent communication with local businesses and communities. A Framework Construction Traffic Management Plan (CTMP) [APP-415] has been submitted as part of the application documents and is secured by Requirement 8 in Schedule 2 to the draft Development Consent Order (DCO) [APP-023]. This includes a suite of measures that seek to minimise the impacts of construction traffic on local communities and businesses, including restrictions to heavy goods vehicles (HGV) routing and arrival/departure times. A Framework Construction Worker Travel Plan (CWTP), Appendix A to the Framework CTMP [APP-415] details measures to increase the proportion of construction workers travelling to by sustainable modes of transport.
RR-127-57	Socio-economic, tourism and health	4.41 Subject to the agreed employment, skills and community benefits and above contributions being secured and construction impacts being appropriately managed, the Council supports the Project in relation to socio-economic, tourism and health matters.	The Applicant welcomes Havant Borough Council's support for the Project in relation to socio-economic, tourism and health matters, subject to the securing of the proposed employment, skills and community benefits and the appropriate management of construction effects. The Applicant confirms that

Reference	Theme	Issue raised	The Applicant's response
			the proposed employment, skills and community benefits and construction management measures have been appropriately secured through the relevant DCO application documents including the Outline SEP (Document reference 7.9, DCO Volume 7, Version 1) and ES Chapter 17 Socio-economics, tourism and health (Document reference 6.1, DCO Volume 6, Version 1). Discussions regarding the precise mechanism and terms of financial contributions and associated commitments will continue through ongoing engagement.
RR-127-58	Traffic and transport	Traffic and Transport 4.42 Traffic and transport matters are considered in ES Chapter 18. Given the scale of construction activity within Havant Borough, the Project has the potential to give rise to temporary effects on the local highway network, including by construction traffic, HGV movements, temporary traffic management and access arrangements.	The Applicant acknowledges the Council's comment that the scale of construction activity has the potential to give rise to temporary effects on the local highway network. These potential effects have been assessed ES Chapter 18 Traffic and transport [APP-097] and no significant effects have been predicted with regards to traffic and transport during the construction or operational within Havant.
RR-127-59	Traffic and transport	4.43 Core Strategy Policy CS20 seeks to ensure that development supports an integrated and sustainable transport network, while Development Management Policies DM11 and DM12 seek to promote sustainable travel and ensure that the transport impacts of development are appropriately mitigated.	The Applicant acknowledges the Council's comment with regards to Core Strategy Policy CS20 supporting an integrated and sustainable transport network and Development Management Policies DM11 and DM12 seek to promote sustainable travel and ensure that the transport impacts of development are appropriately mitigated. A comprehensive analysis of relevant local development plan policy is provided at Appendix D of the Planning Policy Statement (Document reference 5.5, DCO Volume 5, Version 2). To encourage construction workers to travel by sustainable modes of travel, a Framework Construction Worker Travel Plan (CWTP) has been prepared, and can be found append to the Framework Construction Traffic Management Plan (CTMP) [APP-415]. As detailed in the Environmental Statement (ES) Appendix 18.1 Transport Assessment (TA) [APP-186 to APP-188 – 3 documents], with this Travel Plan, the traffic impacts associated with construction workers are appropriately mitigated.
RR-127-60	Traffic and transport	4.44 The Council previously raised particular concerns regarding construction traffic in the Harts Farm Way area and the sensitivity of routes through central Havant, together with the need for appropriate coordination and communication with local businesses and communities.	The Applicant acknowledges the Council's concerns regarding traffic impacts on the local highway network, including Harts Farm Way. The Framework CTMP [APP-415] and appended Framework CWTP include several measures to manage the traffic impacts in this location. As detailed in the ES Chapter 18 Traffic and transport [APP-097], no significant effects have been predicted at this location with regards to traffic and transport during the construction or operation of the Project.
RR-127-61	Traffic and transport	4.45 The Council notes that the application is supported by a Framework Construction Traffic Management Plan, Construction Worker Travel Plan and Rights of Way Management Plan, with more detailed arrangements to be developed post-consent.	As noted by the Council, a Framework CTMP [APP-415] has been submitted, with a Framework CWTP and Framework Rights of Way Management Plan (RoWMP) appended. These are framework Plans with detailed Plans secured through Requirement 8 of Schedule 2 to the draft DCO [APP-023].

Reference	Theme	Issue raised	The Applicant's response
RR-127-62	Traffic and transport	4.46 Hampshire County Council is the Local Highway Authority and the Council therefore defers to its detailed assessment of highway capacity, safety, construction routing, access arrangements and mitigation. The Council's principal interest is in ensuring that impacts on local communities, businesses and amenity are appropriately managed and that any necessary mitigation measures are secured.	The Applicant acknowledges the views of the Council, including deferring the detailed assessment of highway matters to Hampshire County Council and the principal interest of the Council being impacts on local communities, businesses and amenity are appropriately managed and that any necessary mitigation measures are secured.
RR-127-63	Traffic and transport	4.47 Subject to the Highway Authority being satisfied with the proposed arrangements and any necessary mitigation being secured, the Council raises no objection in relation to traffic and transport.	The applicant welcomes the Council's position of no objection with regards to traffic and transport, subject to the satisfaction of Hampshire County Council as the Local Highway Authority.
RR-127-64	Water environment	Water Environment 4.48 Water environment matters are considered in ES Chapter 19, including surface and groundwater quality and quantity and flood risk. The draft Statement of Common Ground records agreement that flood risk at the Water Recycling Plant site and Budds Farm WTW has been appropriately considered through the submitted Flood Risk Assessment.	The Applicant welcomes Havant Borough Council's agreement that flood risk at the Water Recycling Plant site and Budds Farm Wastewater Treatment Works has been appropriately considered in Environmental Statement Appendix 19.1 Flood Risk Assessment [APP-189 to APP-196 – 8 documents].
RR-127-65	Water environment	4.49 The Applicant concludes that, with the proposed treatment, monitoring and mitigation in place, the operational effects on the water environment would not be significant. However, in accordance with Para 3.8.3 of the WRINPS 2025 and NDMP W4 of the NPPF (2026), the Council considers that the Examination should be satisfied that the potential effects on water quality have been adequately assessed and that the treatment and operational arrangements are sufficiently robust to maintain the standards relied upon in the Environmental Statement.	Operational effects on the water environment are assessed in detail in ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1), and ES Appendix 19.2 Water Environment Regulations compliance assessment (Document reference 6.2, DCO Volume 6, Version 1). These assessments, supported by water quality modelling (ES Appendix 19.5 Eastney Long Sea Outfall dispersion modelling [APP-200], ES Appendix 19.6 Havant Thicket Reservoir compensatory flows water quality modelling [APP-201], ES 19.8 CORMIX Modelling for Chemicals Screened in via the Surface Water Risk Assessment Process [APP-203], ES Appendix 19.10 Degradation modelling [APP-205], ES Appendix 19.11 Havant Thicket Reservoir water quality modelling (Document reference 6.2, DCO Volume 6, Version 1) and ES Appendix 19.12 Water Recycling Plant Site Sustainable Drainage System Dispersion Modelling [APP-207], conclude that the Project would not result in any likely significant effects on water quality or deterioration in chemical or physico-chemical status under the Water Environment Regulations 2015. On the basis of these assessments, the Applicant considers that potential effects on water quality have been adequately assessed. The Applicant has set out its approach to monitoring the quality of surface and groundwater prior to, during and after construction in ES Appendix 19.9 Outline Water Monitoring Plan [APP-204]. The framework for the implementation of environmental controls during the operational stage of the project is set out in the Operational Environmental Management Plan [APP-422], secured under Requirement 13 in Part 1 of Schedule 2 of the draft DCO [APP-023]. Furthermore, Requirement 16 in Part 1 of Schedule 2 of the Draft DCO [APP-023] secures a commitment for the development of a Water Monitoring Plan, to be submitted and approved in writing by the relevant planning authorities and the Environment Agency.

Reference	Theme	Issue raised	The Applicant's response
			The output from the water recycling plant will be subject to an environmental permit, issued by the Environment Agency. The Environment Agency, as expert regulator, will determine the parameters for the discharge that will be secured in the environmental permit to ensure that there are no unacceptable impacts to the environment. In accordance with paragraph 3.8.3, the DCO does not seek to duplicate this regulatory regime. For further information about the relationship between the DCO and the applicable regulatory regimes, please refer to Action Point ISH1-06 and to Appendix D of The Applicant's written summaries of oral submissions at OFH1 and ISH1 and post hearing actions (Document reference 8.9, DCO Volume 8, Version 0).
RR-127-66	The draft DCO	4.50 The Council recognises that detailed regulation of treatment processes and operational discharges falls principally within the Environment Agency's remit. The DCO should nevertheless secure those measures which properly fall within the planning regime, including appropriate monitoring, reporting and response arrangements, without duplicating controls exercised through separate permitting regimes. The WRC should be maintained and operated in accordance with relevant standards applicable at the time of construction but its operation reviewed in the light of any updated standards that may arise during the lifetime of the development.	The Applicant agrees with the principle that the DCO should not seek to control matters that are or will be controlled via other regulatory regimes. It is relevant that the outline Water Monitoring Plan which is secured by Requirement 16 in Part 1 of Schedule 2 to the draft DCO [APP-023] expressly states at paragraph 1.2 that "where the monitoring strategy does not align with the requirements outlined by protective provisions or a regulatory permit, the protective provisions and regulatory permit requirements will take precedence (i.e. the monitoring strategy outlined here will be superseded by the legislative requirements)." The Environment Agency is the regulatory body responsible for the control of any discharge of potentially polluting substances into the environment. The water quality of the output from the water recycling plant will be controlled by and managed in accordance with the environmental permit. It is not the role of the DCO to speculate about how such substances will be regulated in the future. The Applicant will comply with the conditions of the environmental permit, ensuring that there are no unacceptable impacts to the environment.
RR-127-67	Water environment	4.51 The final monitoring and operational arrangements should clearly establish what is to be monitored, the relevant trigger levels, reporting requirements and the actions to be taken where those levels are exceeded. Subject to the Environment Agency and other relevant statutory bodies being satisfied that the potential effects have been adequately assessed and can be appropriately controlled, the Council raises no objection in principle in relation to impacts upon the water environment.	The Applicant's proposed approach to water quality monitoring is described in detail in ES Appendix 19.9 Outline Water Monitoring Plan [APP-204]. Specific trigger levels will be developed and agreed with the Environment Agency prior to the commencement of construction as part of a Water Monitoring Plan, which is secured through Requirement 16 in Part 1 of Schedule 2 of the draft DCO [APP-023]. The output from the water recycling plant will be subject to an environmental permit, issued by the Environment Agency. The Environment Agency, as expert regulator, will determine the parameters for the discharge that will be secured in the environmental permit to ensure that there are no unacceptable impacts to the environment. The Applicant notes that the Council is satisfied (subject to Environment Agency and other relevant statutory bodies' approval) that the potential effects have been adequately assessed and can be appropriately controlled.

Reference	Theme	Issue raised	The Applicant's response
RR-127-68	Cumulative effects	Cumulative and In-Combination Effects 4.52 Cumulative and in-combination effects are considered in ES Chapter 20. The Council considers it important that the combined effects of the various elements of the Project, together with other relevant developments and infrastructure projects, are fully understood.	To fully understand the assessment of combined effects from the interrelationship between the Project with other developments, ES Chapter 20 Cumulative and in-combination effects [APP-099] should be read alongside ES Appendix 20.1 List of other developments – longlist and shortlist [APP-208] and ES Appendix 20.2 Cumulative effects assessment (CEA) [APP-209]. ES Chapter 20 Cumulative and in-combination effects [APP-099] presents the relevant legislation, policy and guidance; consultation, scoping and engagement; embedded mitigation; assessment methodology; assumptions and limitations; and the summary of residual likely significant cumulative effects. No residual likely significant effects have been identified for cumulative effects between the Project and other developments. ES Appendix 20.1 List of other developments – longlist and shortlist [APP-208] presents all longlisted 'committed development' and sets out, for each 'committed development' whether it is shortlisted for assessment. ES Appendix 20.2 CEA [APP-209] presents the CEA for all shortlisted 'committed developments', and is reflected as 'matter agreed with other party' in the draft Statement of Common Ground with Havant Borough Council (Document reference 5.8, DCO Volume 5, Version 1) under ID HBC-2025-0007.
RR-127-69	Cumulative effects	4.53 Of particular relevance is the relationship between the Proposed Development and the separately consented Havant Thicket Reservoir Project, including the use of Portsmouth Water infrastructure and the potential for effects arising during both construction and operation. The Council has previously highlighted the need for the two projects to be clearly distinguished while ensuring that their combined environmental and operational effects are appropriately assessed and managed.	ES Chapter 5 EIA approach and methodology [APP-084] sets out the approach to assessing the effects of the relationship between the Project and Havant Thicket Reservoir, noting Havant Thicket Reservoir is a project which has been consented separately by Portsmouth Water and is currently under construction. The construction of Havant Thicket Reservoir is considered as both baseline (existing when the Project commences construction) and future baseline. There would be an overlap in the construction periods of the Project with Havant Thicket Reservoir and therefore there is also an interaction assessed in the CEA and presented in ES Chapter 20 Cumulative and in-combination effects [APP-099] and ES Appendix 20.2 CEA [APP-209]. The assessment presented in ES Appendix 20.2 CEA [APP-209] demonstrates there would not be any residual likely significant cumulative effects between the Project and Havant Thicket Reservoir Project.
RR-127-70	Cumulative effects	4.54 The Examination should therefore be satisfied that cumulative and in-combination effects have been adequately assessed and that the respective mitigation, monitoring and management arrangements for the different projects are compatible and capable of operating together effectively.	The Applicant acknowledges the request. ES Appendix 20.2 Cumulative effects assessment [APP-209] provides an assessment of cumulative and in-combination effects. The assessment of cumulative effects assumes implementation of the mitigation measures presented in ES Chapters 6 to 19 ([APP-086] for ES Chapter 7, [APP-089] for ES Chapter 10, [APP-091] to [APP-095] for ES Chapters 12 to 16, and [APP-097] for ES Chapter 18) (Document reference 6.1, DCO Volume 6, Version 1 for ES Chapters 6, 8, 9, 11, 17 and 19). ES Appendix 5.5 Commitments Register (Document reference 6.2, DCO Volume

Reference	Theme	Issue raised	The Applicant's response
			6, Version 1) can be used as a single document to locate and understand all mitigation measures referred to across the ES.
RR-127-71	EIA approach and methodology	5.0 Other Environmental Topics 5.1 The Council has also considered the remaining environmental topics addressed in the Environmental Statement.	The Applicant acknowledges the Council's consideration.
RR-127-72	Air quality and odour	Air Quality and Odour 5.2 Air quality and odour matters are considered in ES Chapter 6. The assessment considers potential effects from construction dust and particulate matter, emissions from construction plant and road traffic, and odour.	The Applicant acknowledges Havant Borough Council noting the consideration of air quality and odour matters in ES Chapter 6 Air quality and odour (Document reference 6.1, DCO Volume 6, Version 1).
RR-127-73	Air quality and odour	5.3 Core Strategy Policy DM10 seeks to ensure that development does not give rise to unacceptable pollution impacts. The ES concludes that, with the proposed mitigation in place, construction related effects on air quality and odour would not be significant. ES Chapter 17 similarly records that, following mitigation, air quality and odour impacts would be very small and would not affect population health.	The Applicant acknowledges Havant Borough Council noting the conclusions of the air quality and odour assessment as outlined in ES Chapter 6 Air quality and odour (Document reference 6.1, DCO Volume 6, Version 1), and health assessment in ES Chapter 17 Socio-economics, tourism and health (Document reference 6.1, DCO Volume 6, Version 1). Policy DM10 is assessed within Appendix D of the Planning Policy Statement (Document reference 5.5, DCO Volume 5, Version 2) which addresses potentially relevant local plan policies.
RR-127-74	Air quality and odour	5.4 The Council raises no objection in relation to air quality or odour. On the basis of the information submitted, the Council has no concerns in relation to these matters and expects the mitigation and monitoring identified in the ES and Outline CEMP to be appropriately secured.	The Applicant acknowledges Havant Borough Council's position regarding the conclusions of the air quality and odour assessment as outlined in ES Chapter 6 Air quality and odour (Document reference 6.1, DCO Volume 6, Version 1), and the expectations around mitigation and monitoring being appropriately secured.
RR-127-75	Carbon and climate change	Carbon and Climate Change 5.5 Carbon and climate change matters are considered in ES Chapter 10. The assessment considers whole-life emissions and the resilience of the Project to future climate change. The Examination should therefore be satisfied that this captures all related carbon emissions related to the project and also all energy use arising from the development	The Applicant acknowledges Havant Borough Council's position regarding carbon assessment and the Project's resilience to climate change.
RR-127-76	Principle of development	5.6 As set out in the Principle of Development section, the Council recognises the importance of improving the resilience of the regional water supply.	The Applicant notes the response which is consistent with the position on 'principle of development' recorded in the draft Statement of Common Ground (SoCG) with Havant Borough Council (Document reference 5.8, DCO Volume 5, Version 1) in Row ID HBC-2024-0030 which records an agreed position in relation to the need for new sources of water.

Reference	Theme	Issue raised	The Applicant's response
RR-127-77	Carbon and climate change	5.7 The Council raises no objection in relation to carbon and climate change, subject to the carbon reduction and climate resilience measures identified in the ES being appropriately secured.	The Applicant acknowledges Havant Borough Council's position of no objection in relation to carbon and climate change, subject to the carbon reduction and climate resilience measures identified in the Environmental Statement being appropriately secured.
RR-127-78	Land use and agriculture	Land Use and Agriculture 5.8 Land use and agriculture matters are considered in ES Chapter 12. Within Havant Borough, the principal effects relate to the use of land for the Water Recycling Plant and associated infrastructure, together with temporary construction effects arising from the pipeline and associated works.	The Applicant notes Havant Borough Council's acknowledgement that land use and agriculture matters are assessed in ES Chapter 12 Land use and agriculture [APP-091]. Within Havant Borough, the principal effects relate to the use of the Brockhampton West employment allocation for the Water Recycling Plant and temporary construction effects on access and amenity for nearby residential, community and commercial receptors. Taking account of the embedded mitigation and good construction practices secured through the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3, [APP-413] and [APP-414] for documents 2 and 3), ES Chapter 12 Land use and agriculture [APP-091] concludes that these effects would be minor adverse and not significant. The pipelines between the Water Recycling Plant site and Bedhampton Springs are not expected to result in significant effects on land use receptors.
RR-127-79	Socio-economic, tourism and health	5.9 The relationship between the Water Recycling Plant and the employment allocation at Brockhampton West has been considered under the Principle of Development section above. The ES also considers effects on commercial land, development land, community land and other existing land uses within the Borough.	The Applicant notes this comment from Havant Borough Council. As stated in ES Chapter 17 Socio-economics, tourism and health (Document reference 6.1, DCO Volume 6, Version 1) the outline planning permission for the development at Brockhampton West has expired. As recorded in the draft Statement of Common Ground (Document reference 5.8, DCO Volume 5, Version 1), the Council and Applicant agree that the principle of the Water Recycling Plant on the allocated site is appropriate. The current allocation, and the retention of the site within the settlement boundary within the emerging local plan, reflect the recognition that the site is deemed appropriate for development. In addition, ES Chapter 12 Land use and agriculture [APP-091] assesses the likely significant effects of the Project on commercial land, development land, community land and other existing land uses, including temporary and permanent land requirements, access arrangements and impacts on land use receptors.
RR-127-80	Land use and agriculture	5.10 The Council raises no objection in relation to land use and agriculture, subject to temporary construction effects being appropriately managed and affected land being reinstated where required.	The Applicant notes that the Council raises no objection in relation to land use and agriculture. Temporary construction effects have been assessed in ES Chapter 12 Land use and agriculture [APP-091]. Measures, implemented in accordance with relevant environmental legislation and best practice guidance, are secured through the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3). Following installation and completion of construction, land would be restored to its pre-existing use using the same soils in the same locations from which they would have been excavated, as set out in the Outline Soil Resource Management Plan contained in Appendix B of the

Reference	Theme	Issue raised	The Applicant's response
			Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3, [APP-413] and [APP-414] for documents 2 and 3).
RR-127-81	Landscape and visual	Landscape and Visual 5.11 Landscape and visual matters are considered in ES Chapter 13. The principal effects within Havant Borough arise from the proposed Water Recycling Plant and associated above-ground infrastructure, together with temporary effects during construction. 5.12 Core Strategy Policies CS11, CS13 and CS16 seek to protect the character and environmental quality of the Borough and ensure that development is appropriately designed and integrated into its surroundings. 5.13 At pre-application stage, the Council considered that the proposed landscape buffers around the Water Recycling Plant were, in principle, capable of mitigating its visual effects, and welcomed continued engagement on the detailed design and landscape treatment of the site. The Council also sought appropriate replacement planting where trees or vegetation are lost and suitable screening of above-ground infrastructure. 5.14 The Council raises no objection in relation to landscape and visual matters, subject to the proposed landscape mitigation, replacement planting and screening being appropriately secured, implemented and maintained.	The Applicant welcomes that, subject to the proposed landscape mitigation, replacement planting and screening being appropriately secured, implemented and maintained, the Council raises no objection in relation to landscape and visual matters. The landscape and visual mitigation measures that have been discussed and agreed with Havant Borough Council and other stakeholders are contained in the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1) and implementation of the measures are set out in the Outline Landscape and Ecology Management Plan (LEMP) (Document reference 7.5, DCO Volume 7, Version 1) Schedule 2 to the draft DCO contains a Requirement relating to the LEMP.
RR-127-82	Noise and vibration	Noise and Vibration 5.15 Noise and vibration matters are considered in ES Chapter 15. Within Havant Borough, the principal potential effects arise during construction, including from tunnelling, construction plant, traffic and other works associated with the Water Recycling Plant and pipeline infrastructure. 5.16 Core Strategy Policy DM10 seeks to ensure that development does not give rise to unacceptable pollution impacts. At pre-application stage, the Council considered the proposed assessment methodology and mitigation measures to be appropriate, but highlighted the importance of controlling construction hours, agreeing noise and vibration monitoring arrangements with the Council and applying Best Practicable Means throughout construction. 5.17 The Council raises no objection in relation to noise and vibration, subject to the mitigation, monitoring and construction controls identified in the ES and Outline CEMP being appropriately secured and implemented.	The Applicant acknowledges Havant Borough Council's feedback regarding mitigation, monitoring and construction controls identified in ES Chapter 15 Noise and vibration [APP-094] and the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3) ([APP-413] and [APP-414] for documents 2 and 3) being appropriately secured and implemented. As stated in the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3) ([APP-413] and [APP-414] for documents 2 and 3) under measure NV1: *"The Contractor will prepare a Noise and Vibration Management Plan (NVMP) which will form part of, or be appended to, the detailed CEMP(s) and include:* *Details for the preparation and submission of any Section 61 consent applications (under the Control of Pollution Act 1974* [3]*).* • *Identification of likely noisy activities, or activities with high vibration emissions, in the construction programme, the proposed Best Practicable Means and additional noise and vibration mitigation measures, and a strategy for actively communicating this information to local communities.* • *A noise and vibration monitoring protocol including a schedule of noise and vibration monitoring locations and stages during construction of the Project when monitoring will be undertaken. To include physical and observational checks/audits at locations to be determined in consultation with relevant local planning authorities. Locations selected shall be determined by the*

Reference	Theme	Issue raised	The Applicant's response
			works being undertaken (and level of anticipated noise) and the sensitivity of receptor and will be informed by further calculations once detailed design and construction planning is complete. • *Management processes to ensure ongoing compliance, improvement, and rapid corrective actions*." Furthermore, as stated in the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3) ([APP-413] and [APP-414] for documents 2 and 3) under measure NV2 and NV3, measures which will be specified in the relevant approved NVMP, will include, as a minimum: • *Schedule works, where practicable, to reduce noise and vibration impacts at highly sensitive times.* • *Schedule works, where practicable, to avoid multiple activities being undertaken simultaneously near to Noise and Vibration Sensitive Receptors (NVSRs).* • *Select plant and working methods to reduce noise and vibration impacts whilst carrying out the work in an efficient and cost-effective manner.* • *Shut down or throttle back of plant to idling speed in between periods of use.* • *Maintain plant and equipment in good working order, with particular attention being paid to the condition of silencers and acoustic panels.* • *Locate noisy equipment to reduce noise impacts at NVSRs, for example considering layouts of construction compounds to use materials storage areas and welfare facilities as screening.* • *Provide acoustic screening and enclosures where required.* • *Provide less intrusive plant movement alarms, such as broadband vehicle reversing warnings and that vary the loudness level according to ambient noise levels.* *The Contractor will adopt additional noise and vibration mitigation measures to reduce exceedances of the Lowest Observed Adverse Effect Level (LOAEL) and avoid likely significant adverse effects where relevant and practicable, as specified in the relevant approved NVMP. Subject to the detailed assessment presented in the NVMP, these measures are currently anticipated to include consideration of the following* • *Provision of acoustic screening between receptors at which exceedances of the LOAEL or likely significant effects are predicted and the works identified as responsible in ES Chapter 15 Noise and vibration, Volume I (Document reference 6.1, DCO Volume 6).* • *Introduce additional working hours restrictions, such as restricting construction works from taking place after 13:00 on Saturdays, for activities*

Reference	Theme	Issue raised	The Applicant's response
			in certain locations as identified in section 15.9 of ES Chapter 15 Noise and vibration, Volume I (Document reference 6.1, DCO Volume 6). • *Locate the trenchless construction launch shaft in the construction compound which is the furthest from NVSRs.* • *Use of a temporary acoustic enclosure over the trenchless construction equipment.* • *Reduce intensity of works (e.g. numbers or on-time of noisy equipment such as circular saws or pneumatic breakers) during noise sensitive periods.* • *Use of additional silencers, screening and/or enclosures.* • *Selection of quieter plant, equipment or working methods.* • *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.* • *Using low-vibration methods of shaft excavation, such as segmental lining or secant piling.* • *Using a compactor with one or more of the following:* • *Adoption of non-vibratory ground compaction methods*. These measures are secured through a requirement in Schedule 2 to the draft Development Consent Order [APP-023].
RR-127-83	Resources and waste management	Resources and Waste Management 5.18 Resources and waste management matters are considered in ES Chapter 16. The assessment considers the use of material resources, construction, demolition and excavation waste, landfill capacity and the management of waste arising during construction. 5.19 Given the scale of the works within Havant Borough, the appropriate management, treatment and disposal of construction and excavated materials is important. The Council has previously highlighted the need for clear arrangements for the characterisation, handling and disposal of excavated landfill material arising from works in the Broadmarsh/Harts Farm area particularly given its former landfill status. 5.20 The Council raises no objection in relation to resources and waste management, subject to the waste management measures identified in the ES,	The Applicant acknowledges Havant Borough Council's comment regarding the proposed approach to assessing effects on resources and waste management and welcomes that Havant Borough Council raises no objection in relation to resources and waste management, subject to the waste management measures identified in the ES, Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3, [APP-413] and [APP-414] for documents 2 and 3) and associated management plans being appropriately secured and implemented. Post-consent, the Contractor will prepare and adhere to a Construction Environmental Management Plan, a Site Waste Management Plan, and a Minerals Management Strategy. These documents will all be developed in accordance with requirements set out in the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3, [APP-413] and [APP-414] for documents 2 and 3) which includes measures for the characterisation, handling, management, treatment and disposal of excavated materials, including landfill-derived materials arising from works in the

Reference	Theme	Issue raised	The Applicant's response
		Outline CEMP and associated management plans being appropriately secured and implemented.	Broadmarsh/Harts Farm area. These measures are secured through a requirement in Schedule 2 to the draft Development Consent Order [APP-023].
RR-127-84	The water recycling process	Other Matters As stated previously, the Council is aware of public concern regarding the maintenance of water quality, contaminants of emerging concern, the reliability of the treatment process and the adequacy of regulatory controls. The Council does not seek to reach technical conclusions on matters falling principally within other consenting regimes and has had particular regard to section 3.8 of the NPS WRI and Policy DM7 of the NPPF (2026). Nevertheless, maintaining public confidence in the planning and regulatory processes, the proposed water-recycling process and the quality of drinking water is highly important.	The Applicant acknowledges this comment. Please refer to RR-127-24 in relation to the efficacy of the water recycling process. Assessments undertaken for the Project indicate that there will not be adverse effects on the water environment as provided in ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1). The discharge of water from the water recycling plant into Havant Thicket Reservoir and the use of water within the reservoir as a source for drinking water supplies will be regulated by the Environment Agency and Drinking Water Inspectorate respectively, ensuring protection for both the environment and drinking water quality.
RR-127-85	Legislation, policy and permits	The Examination should therefore establish that the combined planning, licensing and permitting controls will be comprehensive, effective and transparent and that risks associated with water recycling are thoroughly assessed at the Examination. 6.2 The monitoring and regulatory arrangements should also be capable of responding to changes in scientific evidence, legislation and applicable standards and therefore subject to regular review during the lifetime of the development given the potential risks to human health.	The Applicant notes the response. The Project is subject to a comprehensive framework of planning, environmental permitting and regulatory controls, including the requirements of the draft DCO [APP-023], environmental permitting regimes and ongoing regulatory oversight by the relevant statutory bodies. The ES includes assessments of human health, water quality and environmental effects, together with appropriate mitigation and monitoring measures where required. The operation of the Project will also be subject to ongoing monitoring and management arrangements secured through the DCO and associated management plans, ensuring that performance can be monitored and controlled. The Applicant considers that the above provides a comprehensive, effective and transparent framework for the assessment and management of risks associated with the Project.
RR-127-86	Need case	Conclusions Havant Borough Council recognises the need for additional strategic water resource infrastructure and the role the proposed development could play in improving the resilience of the regional water supply and protecting chalk streams. A substantial part of the built development is located within Havant Borough, including the Water Recycling Plant and associated pipeline and tunnel infrastructure. The Council has therefore considered both the construction and operational effects of the Project within the Borough.	The Applicant notes the response which is consistent with the position on 'principle of development' recorded in the draft Statement of Common Ground (SoCG) with Havant Borough Council (Document reference 5.8, DCO Volume 5, Version 1) in Row ID HBC-2024-0030 which records an agreed position in relation to the need for new sources of water. Construction and operational effects of the development components located within Havant are assessed throughout application within ES Appendix 6.1, 6.5, 6.6, 6.7 and 6.8 [APP-109, APP-113, APP-114, APP-115 and APP-116], ES Appendix 15.1, 15.2 [APP-179 and APP-180], Outline Construction Environmental Management Plan (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3, [APP-413] and [APP-414] for documents 2 and 3). Construction and operational effects of the development components have been subject to pre-application discussions with the Council as reflected in the draft SoCG.
RR-127-87	Principle of development	The Council does not object to the principle of locating the Water Recycling Plant and associated infrastructure at the chosen site. However, concerns remain regarding water recycling as the selected solution.	As for RR-127-23 the Applicant notes the response which is consistent with the position on 'principle of development' recorded in the draft Statement of Common Ground (SoCG) with Havant Borough Council [APP-063] in Row IDs HBC-2024-0030 and HBC-2024-SC-0001. The recognised role of water

Reference	Theme	Issue raised	The Applicant's response
			recycling infrastructure is addressed in the Case for the Project (Document reference 5.6, DCO Volume 5, Version 1) at paragraphs 2.4.9 - 2.4.14. This includes reference to the National Policy Statement for Water Infrastructure which confirms at paragraph 2.6.16 that *"Recycling water through effluent reuse has the advantage of being a constant, reliable supply of water and may reduce the amount of water abstracted from the environment."*
RR-127-88	Alternatives	The Examination should therefore be satisfied that the technology employed is sufficiently robust, that the likely impacts of the Project have been properly assessed and where necessary mitigated and that all reasonable alternatives have been adequately considered.	The appropriateness of water recycling as a technology should not be a matter for examination of this application. The National Policy Statement for Water Infrastructure (NPSWRI) specifically recognises the benefits of water recycling at paragraph 2.6.17, which is also reflected in the recent policy paper from the Environment Agency "*Water recycling for public water supply: Environment Agency position statement'".* The Applicant's assessment of alternatives is set out in detail in ES Chapter 4 Consideration of alternatives [APP-083] and the Scheme Development Report [APP-073, APP-074 and APP-075]. ES Chapter 4 Consideration of alternatives [APP-083] describes the Project and alternatives considers, the approach to the EIA, and sets out the assessment findings and likely significant effects of the Project. It also details the measures proposed to avoid, reduce and/or mitigate such effects.
RR-127-89	The water recycling process	The Council is also aware of the level of public concern regarding the proposed use of water recycling technology and the potential implications for water quality. The Council does not seek to duplicate the technical or regulatory role of the Environment Agency but considers its continued involvement in the Examination and subsequent permitting process to be important in providing assurance that the relevant environmental effects can be appropriately controlled.	The Applicant acknowledges Havant Borough Council's position regarding its continued involvement in the Examination and subsequent permitting process. The Applicant also welcomes the Council's recognition that it is not the role of the DCO process to duplicate matters under other regulatory regimes. The Applicant acknowledges the important role of the Environment Agency in this process and will continue to engage with it to develop the Statement of Common Ground (Document reference 5.8, DCO Volume 5, Version 2).
RR-127-90	The process of developing the Project	Overall, the Council's detailed comments identify a number of matters which require further consideration through the Examination.	The Applicant notes this comment and looks forward to continuing to engage with the council throughout the Examination.
RR-127-91	Socio-economic, tourism and health	The Council also welcomes the employment, skills and community benefits associated with the Project and considers that the agreed commitments/contributions should be appropriately secured and delivered through legal agreement. Yours sincerely (Redacted) Interim Head of Planning	The Applicant welcomes Havant Borough Council's support for the employment, skills and community benefits associated with the Project. The Outline Skills and Employment Plan (Document reference 7.9, DCO Volume 7, Version 1) sets out measures to support the delivery of employment, skills, training and apprenticeship opportunities for the local population, including local young people. As set out in the Case for the Project (Document reference 5.6, DCO Volume 5, Version 1) the exact mechanisms through which relevant commitments and contributions will be appropriately secured and delivered is currently being developed through legal agreements.

Table 2-12 The Applicant's response to RR-220 from National Highways

Reference	Theme	Issue raised	The Applicant's response
RR-220-1	Greeting	Relevant Representation submitted via email 1 Introduction 1.1 This relevant representation is submitted by National Highways' ("NH") to the application by Southern Water Services Limited ("Applicant") for an order granting development consent for the Hampshire Water Transfer and Water Recycling Project ("DCO"). The Applicant seeks development consent for proposed authorised development described in Schedule 1 of the draft DCO ("Authorised Development"). 1.2 This Relevant Representation is being submitted by NH in its capacity as a statutory consultee in the planning process, as Strategic Highways Authority appointed under the provisions on the Infrastructure Act 2015 with responsibility for operating, maintaining and improving the Strategic Road Network (SRN).	The Applicant notes this comment.
RR-220-2	Traffic and transport	1.3 Discussions have taken place between NH and the Applicant and constructive engagement is continuing. However, NH has unresolved concerns with the application for the DCO and the Authorised Development for the following reasons: (a) NH has unresolved concerns regarding the potential impact of the proposed development on the SRN as set out in section 4 of this relevant representation. In particular: (i) the proposed underground pipeline crossings of the SRN at the A3(M)/A27 Broadmarsh Junction (Junction 5) and the A27 Havant Bypass cannot yet be agreed in principle because an Approval in Principle from NH has not yet been obtained; (ii) the proposed direct access to the SRN from the A27 eastbound on-slip at Broadmarsh (Junction 5) for Abnormal Indivisible Loads has not yet been agreed from a safety perspective; (iii) further information is required regarding construction traffic impacts at SRN junctions, including an hourly breakdown of estimated vehicle movements at the relevant junctions;	The Applicant acknowledges the position of National Highways (NH) regarding these open matters and has provided a response to each of these points later in this document.
RR-220-3	The draft DCO	(b) NH objects to the compulsory acquisition powers sought over approximately 40 plots in which it holds interests, pending further assessment on a plot-by-plot basis as explained in section 5 of this relevant representation; (c) NH has concerns regarding certain articles in the draft DCO, as explained in section 6 of this Relevant Representation; and (d) Whilst the protective provisions included in the Applicant's draft DCO for NH's benefit include some protections for NH, these are not yet agreed, and concerns remain in relation to some of the articles as explained in section 6	The Applicant acknowledges National Highways' concerns and will continue to engage with it on the terms of the protective provisions.

Reference	Theme	Issue raised	The Applicant's response
		below. The form of protective provisions at Appendix 1 would address those concerns.	
RR-220-4	The process of developing the Project	1.4 Discussions with the Applicant will continue throughout the Examination with a view to addressing these unresolved matters.	The Applicant notes this comment and looks forward to continuing to engage with National Highways throughout Examination.
RR-220-5	Traffic and transport	2 National Highways 2.1 NH (being the statutory successor to the Highways Agency) is an arms-length government owned company responsible for the ownership, management and improvement of England's motorways and major A-roads, collectively referred to as the strategic road network ("SRN"). The SRN comprises over 4,500 miles of road sitting at the core of the national transport system, connecting all major economic and resource centres with key markets and conurbations. The SRN is the most heavily used part of the national road network, carrying a third of all traffic and two-thirds of all freight totalling approximately 4 million journeys a day. It provides businesses with the means to get products and services to their customers, gives access to labour markets and suppliers, and encourages trade and new investment. It is also a complex network of highway structures, drainage and attenuation apparatus and telemetry and electronic communication assets. In short, the SRN is a critical piece of economic infrastructure, vital to the nation's connectivity and the means for generating economic growth.	The responsibilities of National Highways (NH) are understood, including the ownership, management and improvement of England's Strategic Road Network. The importance of the Strategic Road Network to the nation's connectivity and economy is recognised and reflected in the project seeking to minimise construction traffic impacts on the Strategic Road Network, as detailed further in ES Appendix 18.1 Transport Assessment (TA) [APP-186 to APP-188 – 3 documents].
RR-220-6	Traffic and transport	2.2 NH is appointed pursuant to section 1 of the Infrastructure Act 2015 to act as the highway authority, traffic authority and street authority for the SRN. The effect of this appointment is to make NH the statutory custodian of this national asset, conferring on it the status and legislative functions of a strategic highways company.	It is noted and understood that National Highways (NH) are the statutory custodian of the Strategic Road Network.
RR-220-7	Traffic and transport	2.3 As a strategic highways company, NH must comply with a number of general and specific statutory duties[1], including to: • co-operate in so far as reasonably practicable with other persons exercising functions which relate to highways or planning; • have regard to the effect of the exercise of its functions on the environment; • have regard to the effect of the exercise of its functions on the safety of users of highways.	The statutory duties of National Highways (NH) are noted. The applicant has worked collaboratively with National Highways and discussed the safe operation of the network, as detailed further in Environmental Statement (ES) Appendix 18.1 Transport Assessment (TA) [APP-186 to APP-188 – 3 documents].
RR-220-8	Legislation, policy and permits	2.4 The Secretary of State for Transport may from time to time give a strategic highways company directions or guidance as to the manner in which it is to exercise its statutory duties and functions. For the purposes of directing the	The Applicant acknowledges this comment and understands the SoS may provide guidance.

[1] Infrastructure Act 2015, s.5

Reference	Theme	Issue raised	The Applicant's response
		functions as regards the SRN, these directions are contained within the 2015 Licence. The directions contained in the 2015 Licence are mandatory[2] and are regulated by the Office of Road and Rail. They include:	
RR-220-9	The draft DCO	2.4.1 Paragraph 4.1 - The network for which the Licence holder is responsible is a critical national asset, which the Licence holder must operate and manage in the public interest, in respect of both current activities and needs and in providing effective stewardship of its long-term operation and integrity;	The Applicant acknowledges National Highways' statutory functions.
RR-220-10	The draft DCO	2.4.2 Paragraph 4.2 - Without prejudice to the general duties on the Licence holder under section 5 of the Infrastructure Act 2015, the Licence holder must, in exercising its functions and complying with its legal duties and other obligations, act in a manner which it considers best calculated to: (a) ensure the effective operation of the network; (b) ensure the maintenance, resilience, renewal and replacement of the network; (c) ensure the improvement, enhancement and long-term development of the network; (d) ensure efficiency and value for money; (e) protect and improve the safety of the network; (f) co-operate with other persons or organisations for the purposes of co-ordinating day-to-day operations and long-term planning; (g) minimise the environmental impacts of operating, maintaining and improving its network and seek to protect and enhance the quality of the surrounding environment; (h) conform to the principles of sustainable development.	The Applicant acknowledges National Highways' obligations under its licence.
RR-220-11	The draft DCO	2.4.3 Paragraph 5.37 - The Licence holder must hold and manage land and property in line with, and as a function of, the Licence holder's legal duties as a highway authority, and solely for the purposes of operating, managing and improving the highway, unless otherwise approved by the Secretary of State for Transport.	The Applicant acknowledges National Highways' obligations under its licence.
RR-220-12	The draft DCO	2.5 More particularly sections 41 and 130 of the Highways Act 1980 contain respectively a statutory duty for NH to ensure it maintains the SRN to the appropriate/sufficient standard, free from any hazards so it is safe to use, and a statutory duty to assert and protect the rights of the public in use and enjoyment of the SRN.	The Applicant acknowledges National Highways' obligations under its licence.

[2] Infrastructure Act 2015, s.6(3)

Reference	Theme	Issue raised	The Applicant's response
RR-220-13	Traffic and transport	2.6 Section 16 of the Traffic Management Act 2004 contains a statutory Network Management Duty for NH to manage the SRN with a view to achieving, so far as may be reasonably practicable having regard to NH's other obligations, policies and objectives, securing the expeditious movement of traffic on the SRN and facilitating the same on roads where another authority is the traffic authority. In order to achieve this, the action NH may take in performing that duty includes that which NH considers will contribute to securing the more efficient use of the SRN or avoidance, elimination or reduction of disruption to the above relevant roads and may involve the exercise of any power to regulate or co-ordinate the uses made of any road (or part of a road) in the road network (whether or not the power was conferred on them in their capacity as a traffic authority).	It is noted that NH have a statutory duty to manage the Strategic Road Network. The protective provisions are being reviewed and will be considered as part of the development and refinement of the protection provisions proposed as part of the draft Development Consent Order (DCO) [APP-023].
RR-220-14	Traffic and transport	2.7 Section 17 of the Traffic Management Act 2004 requires that NH shall make such arrangements as they consider appropriate for planning and carrying out the action to be taken in performing its Network Management Duty and has to establish processes to, as far as reasonably practicable, identify things (including future occurrences) which are causing, or have potential to cause SRN congestion or other disruption to the movement of traffic on it and consider any possible action that could be taken in response to (or anticipation of) anything so identified, e.g. in the event NH considers this particular statutory duty may not be met.	It is understood that pursuant to Section 17 of the Traffic Management Act 2004 that National Highways (NH) shall make such arrangements as they consider appropriate for planning and carrying out the action to be taken in performing its Network Management Duty.
RR-220-15	The draft DCO	2.8 Supplementary to this, 4.2 of NH's statutory licence requires NH to act in a manner which it considers best calculated to ensure the effective operation of the SRN. To comply with this, Paragraph 5.1 states that NH should seek to minimise disruption to road users that might reasonably be expected to occur as a result of planned or unplanned disruption to the network, as well as proactively and reactively provide relevant, accurate and timely information about traffic and conditions on the SRN to road users, including when there is disruption. This range of duties demonstrates that NH must always protect road users/the SRN and ensure the SRN retains its integrity, is free from hazard/safe to use and is available for continual uncongested use all year round subject to precise terms of its Network Management Duty which means NH is duty bound to consider carefully any activity that has the potential to impact on any of NH's statutory duties.	The Applicant notes this comment and acknowledges National Highways' obligations under its licence.
RR-220-16	Construction impacts and effects	2.9 Under section 5(2)(b) of the Infrastructure Act 2015, NH is under a duty to have regard to the safety of highway users. Safety is at the heart of NH's function as a statutory undertaker - the safety of the travelling public, the safety of NH staff and the safety of third party contractors on the network. The SRN is inherently a dangerous network to operate on, over and under - given the very limited control that NH has on road users operating at high speeds. The potential for catastrophic damage or injury from collision is prevalent - which is precisely why NH has strict procedures for contractors operating on, over or under the SRN, particularly those which it does not itself control.	The Applicant acknowledges the statements made by National Highways. No works are planned to be conducted directly on the Strategic Road Network (SRN). Tunnelling works would be undertaken beneath the SRN at a suitable depth so as not to affect the SRN above. Likewise, the SRN would not be expected to affect the tunnelling works. The Applicant has developed the Framework Construction Traffic Management Plan [APP-415] and the Traffic Management Strategy [APP-416] as part of the Development Consent Order (DCO) application in consultation with the relevant highway authorities. These documents provide the framework for

Reference	Theme	Issue raised	The Applicant's response
			detailed, activity-specific Traffic Management Strategies to be approved post-consent through DCO requirements. There is an existing access on to the A27 on-slip that appears to be used for a number of purposes including maintenance access. It is proposed for this existing vehicular access would be used infrequently by the largest construction vehicles that require access to temporary construction compound B1-1. Discussions regarding the suitability of this access for construction access with National Highways are ongoing. Further, the Applicant has included protective provisions for the benefit of National Highways at Schedule 10, Part 6 to the draft DCO [APP-023]. These include appropriate protections for National Highways assets, including a requirement for the detailed design and construction of works within or under any highway for which National Highways is the highway authority to be subject to approval by National Highways.
RR-220-17	Traffic and transport	2.10 NH has remaining concerns that relate to the potential impact of the proposed development on the SRN (A3(M)) and A27. These concerns are explained in section 4 below.	These concerns are acknowledged by the Applicant and responses are provided in the responses to RR-220-24 to RR-220-32.
RR-220-18	The draft DCO	3 Protecting the SRN 3.1 Unlike other statutory consultees involved in the consenting of nationally significant infrastructure projects, NH is a very active promoter of development consent orders and understands keenly the pressures and requirements placed on Applicants to balance the delivery of the scheme with the protections afforded to statutory consultees. NH has been at the vanguard of DCO-consented development since the Planning Act 2008 was introduced and has offered many commitments for the protection of electricity and gas apparatus, water and drainage infrastructure, railway undertakings and other infrastructure owned by statutory consultees as a consequence of its own development consent orders. The SRN deserves the same measure of protection, proportionate to the extent of interference caused by the Authorised Development.	The Applicant notes National Highways' position.
RR-220-19	Construction impacts and effects	3.2 NH understands the need for proportionality in the context of such protections and considers that a proportionate level of protection in all cases and as a minimum standard where there is the potential for impact to the SRN should be the following: • that NH should not be adversely affected by the impact of third party development; • that NH procedures put in place for the protection of property and persons are adhered to in accordance with NH's strict requirements on network occupancy; • that any works carried out to the highway, on NH land, underneath the highway, above the highway and to apparatus forming part of the	The Applicant notes the comment from National Highways and the need for proportionality in the context of such protections and considers that a proportionate level of protection in all cases and, as a minimum standard, where there is the potential for impact to the Strategic Road Network (SRN). The Applicant has included protective provisions for the benefit of National Highways at Schedule 10, Part 6 to the draft Development Consent Order (DCO) [APP-023]. These include appropriate protections for National Highways assets, including a requirement that the detailed design and construction of works within or under any highway for which National Highways is the highway authority are subject to approval by National Highways. They also include appropriate indemnity provisions to account for any loss or damage resulting from the construction, maintenance or use of such works.

Reference	Theme	Issue raised	The Applicant's response
		highway estate should be certified by NH and approved by NH on completion of the works; • that financial provision should be put in place to ensure that in the event of the Applicant commencing works which may impact the SRN (including for example, underground works beneath the SRN or oversailing above it) and falling into financial difficulty or defaulting on completion of the works, NH has the resources needed to put the SRN and the highway estate into the position it was in before the Applicant commenced works; • that NH be indemnified for any loss or damage to the SRN or the highway estate as a result of the works; • that the Applicant requests approval from NH before exercising any powers under the DCO in relation to the SRN or the highway estate (such approval not to be unreasonably withheld) to enable proportionate rights and reservations to be secured for the protection of the SRN through private treaty; • that emergency procedures be agreed for NH to access the SRN to carry out works or remove dangerous obstacles resulting from the Authorised Development which pose a risk to life.	The Applicant will continue to work collaboratively with National Highways to progress the necessary assessments and approvals in accordance with the applicable Design Manual for Roads and Bridges (DMRB) requirements, including CD 622 and CG 300. At this stage, the Applicant does not envisage any works being carried out that would impede access to the SRN by National Highways or any other party, so no specific emergency procedures need to be developed.
RR-220-20	The draft DCO	3.3 These provisions are included in the NH protective provisions, which are appended to this document (Appendix 1 attached).	The Applicant is reviewing the differences in the protective provisions as included for the benefit of National Highways at Schedule 10, Part 6 to the draft DCO [APP-023], and the protective provisions as provided by National Highways with its relevant representation. The Applicant is engaging with National Highways in respect of any subsequent updates to the protective provisions as included within the draft DCO.
RR-220-21	The draft DCO	3.4 NH considers that without the NH protective provisions, there is a considerable risk of serious detriment to the SRN, as any damage or injury to the SRN or wider highway estate would require funding to rectify that is not within NH's budget. There is no recourse to public funding for emergency works of this nature and a reserve of funding is not available. Without prejudice to whether the Authorised Development would cause a serious detriment to the SRN, it remains the case that the public purse should not be left to meet or subsidise costs of impacts caused by third party development to the SRN.	The Applicant notes National Highways' concerns but considers, taking into account the entirety of the draft DCO [APP-023], including the protective provisions currently included for the benefit of National Highways, that there are sufficient safeguards in place to avoid any serious detriment to the SRN. As noted above, the protective provisions as already included for the benefit of National Highways at Schedule 10, Part 6 to the draft DCO [APP-023], include appropriate indemnities in respect of loss or damage arising from Project works which may impact the National Highways' assets.
RR-220-22	The draft DCO	3.5 Further, NH's estate comprises more than just the corpus of the highway (the 'top two spits'). Unlike local roads, where the local highway authority typically controls only the highway strata and sufficient vertical limits above and beneath the highway to maintain necessary apparatus and street furniture, in most cases NH controls the freehold of the land beneath the highway to the centre of the earth and to the heavens above. This estate is held for the benefit of the statutory undertaking, to ensure that the SRN is not compromised and that maintenance or improvement works at any required depth can take place free from risk of trespass or ransom. Where apparatus is co-located in the	National Highways' comments are noted, but it appears that National Highways are mistaken as to the effect of the draft DCO [APP-023]. The draft DCO [APP-023] seeks to work within the provisions of Part 3 of the News Roads and Street Works Act 1991 which is the statutory regime that balances the respective interests, and wider public interest, in the relationship between statutory undertakers and street authorities. The draft DCO [APP-023] does seek to make well precedented modifications to the operation of that regime

Reference	Theme	Issue raised	The Applicant's response
		highway (which is commonplace), that apparatus has been authorised by NH or has been installed through industry standard processes (such as under the New Roads and Street Works Act 1991), where statutory protection is afforded to NH as the highway or street authority. Whilst NH is prepared to grant a sub-surface interest or right to co-locate apparatus in the highway, where it is geotechnically possible and respecting other apparatus that is in, on, under or over the highway - the interest must be proportionate and necessary and cannot be to the detriment of NH, the SRN or other undertakers. It cannot be acceptable that apparatus is placed in, on, under or over the SRN through a DCO by disapplying statutory protections that NH has and not accepting to acquiesce to the terms which are required by NH to manage its network in accordance with regulatory requirements.	but only to the extent that National Highways, as an experienced promoter of DCOs, should be familiar. The Applicant will continue to engage with National Highways on the terms of the protective provisions for its benefit.
RR-220-23	Traffic and transport	3.6 For the sake of clarity and transparency, NH has no desire to stymy development or to impose requirements on the Applicant which are disproportionate to the potential harm that could be caused to the SRN. NH is legally obliged to co-operate with third parties exercising planning or highway functions, which includes the Applicant in this statutory process[3]. NH is prepared to engage fully and assist in whatever way is reasonable to ensure that the Authorised Development proceeds as quickly and efficiently as possible.	It is noted that National Highways (NH) is legally obliged to co-operate with third parties exercising planning or highway functions and NH is prepared to engage fully and assist in whatever way is reasonable to ensure that the Authorised Development proceeds as quickly and efficiently as possible.
RR-220-24	Location of the proposed pipeline routes	4 The Impact of the Proposed Development on the SRN 4.1 Physical Impacts - Underground Pipeline 4.1.1 The routes of two pipelines are currently proposed to cross the SRN underground in the following locations: A3(M)/A27 - Broadmarsh Junction (Junction 5): Work no. 4 A27 - Havant Bypass: Work no. 3	The Applicant notes this comment and confirms that at these locations, it is proposed to cross the A27 and London Road (A3) underground via trenchless and tunnelled construction methods respectively, as set out in Table A-2 of the Outline Construction Environmental Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3).
RR-220-25	Location of the proposed pipeline routes	4.1.2 For these sections of underground pipeline crossing the A3(M) and A27 assessments must be carried out in accordance with DMRB (CD622 and CG300). Formal agreement (and possible certification) must be obtained from NH to demonstrate that the proposed crossings are achievable without adversely impacting the SRN or its assets. Although the Applicant has initiated discussions with NH specialists on this matter, the formal process to enable NH to confirm the acceptability of the proposals is not complete. Therefore, the principle of the crossing the SRN in these locations cannot yet be agreed. Further, due to the size of the proposed pipelines, they are classified as structures and therefore an Approval in Principle is also required in accordance with DMRB (CG 300).	The Applicant acknowledges the position of National Highways in relation to the proposed underground pipeline crossings of the A3(M) and A27. As noted by National Highways, initial engagement and technical discussions with relevant National Highways specialists have commenced and remain ongoing. The Applicant will continue to work collaboratively with National Highways to progress the necessary assessments and approvals in accordance with the applicable Design Manual for Roads and Bridges requirements, including CD 622 Managing geotechnical risk and CG 300 Technical approval of highway structures. This process will be completed before the end of the Examination.

[3] Section 5(1) Infrastructure Act 2015

Reference	Theme	Issue raised	The Applicant's response
			The Applicant recognises the need to demonstrate that the proposed crossings can be delivered without adverse effects of a more than tolerable level on the Strategic Road Network or its associated assets and will continue to develop the design and supporting evidence through the relevant technical assurance processes. This will include the preparation and submission of an outline Approval in Principle, where required, together with any supporting documentation necessary to facilitate National Highways' review.
RR-220-26	Construction impacts and effects	4.1.3 NH only permits Trenchless Crossing techniques on the SRN, with Horizontal Directional Drilling the preferred method.	The Applicant confirms that pipeline crossings of the Strategic Road Network (SRN) would be undertaken using trenchless construction techniques.
RR-220-27	Construction impacts and effects	4.1.4 From the information submitted, we are unable to determine the geotechnical risks on the A3(M) and A27 and further engagement is required. Any proposed directional drilling under the SRN will require compliance with The Design Manual for Roads and Bridges (DMRB) Chapter CD622 (Managing Geotechnical Risk). We advise the Applicant to review the requirements of CD622, which can be found on the Standards for Highways website. Consideration should also be given to the potential impact of drilling upon other SRN assets, such as drainage, with evidence provided for NH's review. Additional asset impact may require further approval processes. NH's standard protective provisions (as appended in Appendix 1) secure these approvals and requirements.	Information received on highways structures, including bridges and culverts, has been incorporated into the revised Framework Construction Traffic Management Plan [APP-415] and Traffic Management Strategy [APP-416]. The Applicant will continue to engage with National Highways. The Applicant has included protective provisions for the benefit of National Highways in Schedule 10, Part 6 of the draft Development Consent Order (DCO) [APP-023]. These include appropriate protections for National Highways assets, including a requirement that the detailed design and construction of works within or under any highway for which National Highways is the highway authority are subject to approval by National Highways. They also include appropriate indemnity provisions to account for any loss or damage resulting from the construction, maintenance or use of such works. The Applicant will continue to work collaboratively with National Highways to progress the necessary assessments and approvals in accordance with the applicable Design Manual for Roads and Bridges (DMRB) requirements, including CD 622 and CG 300. National Highways have now been issued with the Applicant's Statements of Intent for the proposed trenchless crossings of the SRN. These documents set out the extent of the proposed works; identify the preliminary geotechnical risks associated with the delivery of the project; provide proposals and programme for additional studies and investigations that will be required to move the project forward in accordance with CD 622; and provide an estimated programme for further reporting and physical investigations associated with the Project.
RR-220-28	Construction impacts and effects	4.1.5 All pipeline works will require monitoring and assurance, with safety risks assessed for monitoring, and survey works within the proximity of the A3(M) and A27 live carriageways.	The Outline Construction Environmental Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3) ([APP-413] and [APP-414] for documents 2 and 3) provides guidelines for the Contractor, once appointed, to follow during construction. National Highways have now been issued with the Applicant's Statements of Intent for the proposed trenchless crossings of the SRN. These documents set out the extent of the proposed works; identify the preliminary geotechnical risks associated with the delivery of the project; provide proposals and programme for additional studies and investigations that will be required to move the project forward in accordance with CD 622; and provide an

Reference	Theme	Issue raised	The Applicant's response
			estimated programme for further reporting and physical investigations associated with the project. Information received on highways structures, including bridges and culverts, has been incorporated into the revised Framework Construction Traffic Management Plan [APP-415] and Traffic Management Strategy [APP-416]. The Applicant will continue to engage with National Highways as appropriate as the Project progresses. The Applicant has included protective provisions for the benefit of National Highways in Schedule 10, Part 6 of the Draft Development Consent Order (DCO) [APP-023]. These include the requirement for the undertaker and its contractors to permit National Highways access to pipeline works within or under any highway for which National Highways is the highway authority for the purposes of inspection and supervision.
RR-220-29	Construction impacts and effects	4.1.6 It should be noted that the location of Work no. 3 is proposed beneath a complex SRN junction location, with the crossing of multiple carriageways and slip roads. In addition, the A27 is particularly busy in this location.	Please refer to the Applicant's response to RR-220-27.
RR-220-30	Traffic and transport	4.2 Physical Impacts - Direct Access to the SRN 4.2.1 The Applicant proposes to provide direct access to and from the SRN for construction vehicles onto the A27 eastbound on-slip connection from the A3(M) at Broadmarsh (Junction 5).	There is an existing access on to the A27 on-slip that appears to be used for a number of purposes including maintenance access. It is proposed for this existing vehicular access to be used infrequently by the largest construction vehicles that require access to temporary construction compound B1-1, as set out in the Framework Construction Traffic Management Plan (CTMP) [APP-415]. Discussions regarding the suitability of this access for construction access with National Highways (NH) is ongoing.
RR-220-31	Traffic and transport	4.2.2 Accesses onto SRN slip-roads, even if temporary, are not normally permitted as they present significant operational safety risks and are in breach of DfT Circular 01/2022. From discussions with the Applicant, and paragraph 5.5.8 in the Framework Construction Traffic Management Plan (FCTMP) (APP-415), it is understood that the proposed access is for occasional use by Abnormal Indivisible Loads (AILs) only. NH has indicated that this may be permissible, subject to a satisfactory demonstration by the Applicant that the access can be used safely, including the proposed management arrangements, expected frequency and hours of use. NH would welcome further discussion with the Applicant to determine whether use of this access is acceptable from a safety perspective and that no alternative viable routes are available.	The Applicant acknowledges the concerns of National Highways (NH) and had a workshop on 7 October 2026 to discuss this matter further. NH are reviewing the information provided at the workshop and will provide a response in due course.
RR-220-32	Traffic and transport	4.2.3 It is not clear whether the proposed access arrangements require any works on the SRN. The Applicant should note that any changes to the SRN will require a Road Safety Audit 1 (RSA1) to be undertaken before the preliminary design can be agreed. If required, this should be completed and agreed by NH before the close of the Examination. Any change to the SRN for a period of more than 6 months will also require a Walking, Cycling, and Horse riding	The Applicant acknowledges National Highways' feedback regarding the need for a Road Safety Audit 1 to be undertaken before a preliminary design can be agreed, however it should be noted the Development Consent Order (DCO) application includes indicative access designs, with detailed designs secured through the draft DCO [APP-023]. Whilst some temporary works would be required to the existing access from the A27 on-slip to enable access for large

Reference	Theme	Issue raised	The Applicant's response
		Assessment and Review (WCHAR) to be undertaken or an Exemption Note provided. These are both in accordance with the Design Manual for Roads and Bridges (DMRB).	and abnormal loads, given these works would not impact the slip road and the access would only be operated under Traffic Management conditions, a Road Safety Audit (RSA) is not deemed to be required. The Applicant has discussed this matter further with NH and it was agreed that an RSA Exemption Certificate should be sought to formalise the position that an RSA would not be required.
RR-220-33	Construction impacts and effects	4.3 Physical Impacts - Landscape and Drainage 4.3.1 The proposed development may potentially have an adverse impact on either or both SRN landscaping and drainage assets. In particular, it should be noted that it is not permissible for new drainage associated with a third party development to connect into NH's drainage systems for the SRN (as stated in the DfT Circular 01/22).	The applicant acknowledges that the drainage apparatus belonging to National Highways is not a public sewer and confirms that there is no intention to make such a connection at any location. The Applicant's proposed apparatus will cross the Strategic Road Network (SRN) at a minimum of 2.5m below the road surface as specified in table 3-5 in 6.1 ES Vol I - ES Chapter 3 Description of the Proposed Development [APP-082] by trenchless methods from entry and exit points away from the SRN. There will be no visible effect on the SRN or its landscape. Details of trenchless crossings, including location of planned trenchless routes can be found in the Outline Construction Environmental Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3) ([APP-413] and [APP-414] for documents 2 and 3).
RR-220-34	The draft DCO	4.3.2 NNH will not accept any compromise to SRN drainage capacity, run-off, or maintenance access, or any detriment to landscape and/or visual compliance adjacent to SRN. It is understood that these issues may not be addressed until detailed design is undertaken. Therefore, NH's protective provisions must safeguard NH's concerns in this regard.	The Applicant will continue to engage with National Highways on the terms of the protective provisions for its benefit.
RR-220-35	Traffic and transport	4.4 Traffic and Transport - Construction Impacts 4.4.1 NH acknowledges the engagement from the Applicant regarding the assessment of construction traffic impacts on the highway network and confirms that it is content with the methodology as set out in the ES Appendix 18.1 Transport Assessment (APP-186), including the trip generation, distribution and assignment.	The methodology and findings of the construction traffic impact assessment on the highway network was informed by engagement with the relevant highway authorities, including National Highways (NH). It is welcomed that NH has confirmed acceptance of these calculations, as presented in Environmental Statement (ES) Appendix 18.1 Transport Assessment [APP-186 to APP-188 – 3 documents].
RR-220-36	Traffic and transport	4.4.2 NH confirms that there will be no impact on the SRN arising from the operation of the proposed development. As stated by the Applicant in paragraph 2.2.8 the ES Appendix 18.1 Transport Assessment (APP-186), NH is generally content that there is unlikely to be an adverse impact on the SRN as a consequence of the forecast construction traffic, in large part due to the expected workforce travel times and HGV movements being outside of the network am and pm peak hours.	The forecast traffic impacts of operational traffic are set out at section 12 of Environmental Statement (ES) Appendix 18.1 Transport Assessment (TA) [APP-186 to APP-188 – 3 documents]. As noted by National Highways (NH), there would be no impact arising from the Project on the operation of the Strategic Road Network. The construction traffic impacts of the Project are outlined in the Framework Construction Traffic Management Plan (CTMP) [APP-415] and assessed in ES Appendix 18.1 TA [APP-186 to APP-188 – 3 documents]. It is agreed that the traffic impacts of construction traffic on the strategic road network would be reduced due to expected workforce travel times being outside of the network peak hours alongside restrictions to Heavy Goods Vehicle (HGV) movements in these periods.

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RR-220-37	Traffic and transport	4.4.3 Nevertheless, to provide sufficient assurance that there is no risk to operational safety, NH requests that the Applicant provides an hourly breakdown of the total estimated number of construction vehicles expected to use each of the eight junctions listed in the Framework Construction Traffic Management Plan (APP-415) that will be used by construction traffic to join/leave the SRN. These are: (i) M3 Junction 11 Hockley Cross (ii) M3 Junction 12 Allbrook (iii) M27 Junction 7 Hedge End (iv) M27 Junction 10 North Hill (v) M27 Junction 11 Wallington (vi) M27 Junction 12 Hilsea/Paulsgrove (vii) A3(M) Junction 4 Purbrook (viii) A3(M)/A27/A2030 Junction 5 Broadmarsh (including eastbound entry slip).	The Applicant acknowledges National Highways' (NH) feedback regarding the Framework Construction Traffic Management Plan (CTMP) [APP-415]. The Environmental Statement (ES) Appendix 18.1 Transport Assessment (TA) [APP-186 to APP-188 – 3 documents] for submission at an appropriate Examination Deadline to include this information.
RR-220-38	Traffic and transport	4.4.4 NH notes that the most sensitive junction of those identified is the A3(M)/A27/A2030 Junction 5 Broadmarsh, which is a busy location and will be used by construction traffic in support of the Water Recycling Plant as well as being the location of two underground pipeline crossings, and with some planned closures of the eastbound entry slip to facilitate the movement of AILs. Paragraph 5.4.9 of the Framework Construction Traffic Management Plan (APP-415) states that a maximum of 202 HGVs and 762 LGVs are expected to use the junction per day. These are potentially significant volumes. The Applicant should therefore explain how this junction is expected to be used to demonstrate that its operation will not be adversely affected.	The Applicant acknowledges National Highways' (NH) feedback regarding the A3(M)/A27/A2030 Junction 5 Broadmarsh. As referenced by National Highways, the A3(M)/A27/A2030 Junction 5 Broadmarsh is expected to accommodate a maximum of 202 HGVs and 762 Light Goods Vehicles (LGVs) per day, however as referenced at paragraph 5.4.8 of the Framework Construction Traffic Management Plan (CTMP) [APP-415] the peak LGV and Heavy Goods Vehicles (HGVs) volumes would not necessarily take place concurrently. Section 3.6 of the Framework CTMP provides details on the timing of HGV movements, stating that these would be restricted, wherever practicable, to outside of network peak hours. Given that HGV movements would largely take place during the inter-peak period, HGV impacts on the strategic road network (SRN) including the A3(M)/A27/A2030 Junction 5 Broadmarsh are expected to be limited to periods where baseline volumes on the network are lower. LGV impacts on the A3(M)/A27/A2030 Junction 5 Broadmarsh are assessed in detail at Section 10.5 of the Environmental Statement (ES) Appendix 18.1 Transport Assessment (TA) [APP-186 to APP-188 – 3 documents], which includes junction modelling of the Rusty Cutter gyratory (which forms a part of the A3(M)/A27/A2030 Junction 5 Broadmarsh). This section of the TA concludes that temporary impacts at these junctions would be largely limited to the development peak periods and would not constitute a 'severe' impact. The Applicant is continuing to engage with National Highways regarding the temporary construction traffic impacts on the SRN.
RR-220-39	Traffic and transport	4.5 Construction Management Documents	A Framework Construction Traffic Management Plan (CTMP) [APP-415], with a Framework Construction Worker Travel Plan (CWTP) and Framework Rights

Reference	Theme	Issue raised	The Applicant's response
		4.5.1 NH welcomes the inclusion in the suite of application documents of the FCTMP and the FCWTP, to be secured by Requirement 8 in the draft DCO. Both documents are considered to be particularly detailed and comprehensive. NH is supportive of these documents, which will manage the impact of construction on the highway network. However, NH makes a number of observations which require further clarification.	of Way Management Plans (RoWMP), has been secured by Requirement 8 in the draft Development Consent Order (DCO) [APP-023]. These management plans have been shared in draft with National Highways (NH) as part of ongoing engagement and we will seek to continue working collaboratively with NH to resolve any further comments provided.
RR-220-40	Traffic and transport	4.5.2 Paragraph 3.6.2 of the FCTMP concerns the agreement with the Local Highway Authority to construction taking place outside the core working hours. Agreement should also be required, where appropriate, with National Highways.	The Applicant acknowledges National Highways' (NH) feedback regarding atypical working hours requiring their approval, where appropriate. The Framework Construction Traffic Management Plan (CTMP) [APP-415] will be updated for submission at an appropriate Examination Deadline to incorporate this as an update.
RR-220-41	Traffic and transport	4.5.3 Paragraph 5.4.9 of the FCTMP refers to the use by AILs of an agricultural access onto the A27 eastbound entry slip, which is subject to further discussions with NH (as explained in Section 4.2 above). NH would encourage this to be addressed as soon as possible.	The Applicant acknowledges National Highways (NH) feedback regarding the use of the agricultural access onto the A27 eastbound entry slip. Discussions with NH regarding the use of this access are ongoing.
RR-220-42	Traffic and transport	4.5.4 NH welcomes the hours of movement for HGVs taking place primarily outside the network peak hours. It is noted, however, that, according to paragraph 6.3.4 of the FCTMP, departures and arrivals for the Water Recycling Plant may coincide. As this is located adjacent to the SRN, NH requests that the Applicant explains the implications of this operation.	The Applicant acknowledges National Highways' (NH) feedback regarding the hours of movement for Heavy Goods Vehicles (HGVs) . National Highways reference paragraph 6.3.4 of the Framework Construction Traffic Management Plan (CTMP) [APP-415] which explains that, given the large number of HGV movements associated with the Water Recycling Plant (WRP) site during construction, HGV arrivals and departures may coincide with one another. Given that the WRP site would be subject to a large number of HGV movements during construction, a two-way access is proposed at this location to facilitate this arrangement. This arrangement, coupled with adequate space provision for HGVs within the WRP site, is anticipated to prevent queuing associated with the WRP site access on Harts Farm Way and the Tear Drop gyratory. As set out at section 3.6 of the Framework CTMP, HGV movements would be restricted to outside of network peak periods to minimise impacts on the local and strategic highway network. General HGV movements would take place between 09:00-16:00 wherever practicable. Where 24-hour or overnight working is required, including at the WRP site, some continuous HGV movements may be required for technical reasons however wherever practicable these would accord with the overarching principle of avoiding network peak periods contained in the Framework CTMP [APP-415]. As such, any HGV impact on the Strategic Road Network (SRN) adjacent to the WRP site during peak hour periods is expected to be minimal. The impact of construction vehicle arrivals and departures to/from the WRP site on the SRN is assessed in detail at Section 10 of the Environmental Statement (ES) Appendix 18.1 Transport Assessment [APP-186 to APP-188 – 3 documents]. This assessment includes a junction capacity assessment of network and development peak periods on the Rusty Cutter gyratory (A3(M) Junction 5) as well as a proportional impact assessment of the Tear Drop

Reference	Theme	Issue raised	The Applicant's response
			gyratory. The Applicant is continuing to engage with National Highways regarding the temporary construction traffic impacts on the SRN.
RR-220-43	Traffic and transport	4.5.5 It is acknowledged that construction traffic will be monitored and if there are any breaches, remedial measures will be implemented. However, it is not clear, how traffic on the highway network, particularly the SRN, will be monitored and the process (including timescale) for taking action, should unacceptable safety and congestion concerns arise. NH requests that this is clearly set out in both the FCTMP and FCWTP. Depending on the information provided by the Applicant in respect of construction traffic at SRN junctions (see paragraph 4.3.3), NH may consider it necessary to cap volumes at the forecast maximum levels and for a robust process to be documented for remedial action to be taken if a breach occurs.	The Applicant acknowledges National Highways' (NH) feedback regarding monitoring and management of construction traffic and the potential need for a cap on volumes generated at Strategic Road Network (SRN) junctions, should unacceptable safety and congestion concerns arise. Monitoring processes relating to the overall modal share target and construction traffic measures are set out within the Framework Construction Worker Travel Plan (CWTP), Appendix A to the Framework Construction Traffic Management Plan (CTMP) [APP-415] and the Framework CTMP respectively. The Applicant intends to update section 6.8 of the Framework CTMP for submission at an appropriate Examination Deadline to include the monitoring of construction traffic volumes and include processes for remedial measures should unacceptable safety and congestion concerns arise.
RR-220-44	Traffic and transport	4.6 Abnormal Indivisible Loads (AILs) 4.6.1 As stated above, and in Section 5.8 of the FCTMP (APP-415), a number of Abnormal Indivisible Loads (AIL) will be required during the construction of the proposed development. These are anticipated to be routed via the A27 eastbound entry slip at Broadmarsh (Junction 5), subject to NH's agreement. Please note that NH follows a government Water Preferred Policy, which means we would expect the loads to arrive via the nearest suitable port of entry. It is understood that the Applicant has engaged with NH's Abnormal Loads team regarding its proposed routes. It should be noted that the final AILs route strategy is subject to approval using the ESDAL system. Changes required as part of the ESDAL process and application supersede previous in principle agreements.	The process for approving Abnormal Indivisible Loads (AILs) routes via the Electronic Service Delivery for Abnormal Loads (ESDAL) process and any changes required as part of the process would supersede previous in principle agreements is noted. As noted in the Framework Construction Traffic Management Plan (CTMP) [APP-415], AIL movements would be required to the Water Recycling Plant (WRP) site, compound E-1 and potential compound B1-1 via the A27 eastbound on-slip. Initial vehicle tracking has been undertaken for the preferred routes, but as noted, these would be confirmed as part of the future ESDAL process.
RR-220-45	Traffic and transport	4.6.2 To obtain approval for AIL movements, NH must be contacted 8-10 weeks prior to the planned movement, at which point the haulier should initiate contact. During this period, route suitability will be reassessed in coordination with all relevant structure owners and highway authorities. An application must then be submitted to NH, and if approved, the permit will be valid for six months. The Applicant should note that there remains a legal obligation to notify us of the exact date and time of each movement at least 5 days in advance.	The process for seeking approval for Abnormal Indivisible Loads (AILs) movements are noted, including the programme considerations and contact requirements. The details would be developed by the Contractor, as set out in Section 5.8 of the Framework Construction Traffic Management Plan (CTMP) [APP-415].
RR-220-46	Landowner engagement	5 Land and Property 5.1 National Highways holds interests in a total of some 40 plots that are subject to the proposed compulsory acquisition powers sought by the Applicant. The Book of Reference indicates that National Highways' interests arise variously as owner or reputed owner (including in respect of the subsoil beneath the public highway), as occupier, and as highway authority.	The Applicant confirms that the respondent has an interest in plots in the Book of Reference [APP-027] as owner, reputed owner (including in respect of the subsoil beneath the public highway), occupier and highway authority.

Reference	Theme	Issue raised	The Applicant's response
RR-220-47	Landowner engagement	5.2 The plots affecting National Highways' land interests fall within three categories, as follows: 5.2.1 Acquisition of New Rights and Imposition of Restrictive Covenants - (28 plots): The rights sought over these plots relate principally to the installation, maintenance, inspection repair etc of underground pipelines, rights of access, the formation and use of means of access, support for the authorised development, the installation and maintenance of security fencing etc, environmental mitigation works and alteration of ground levels and operations which may obstruct or interfere with the authorised development or the free flow of water through the pipeline. These plots are associated with Work No. 3 (pipelines between the Water Recycling Plant and Bedhampton Springs), Work No. 4 (pipeline between the Water Recycling Plant and Otterbourne Water Supply Works), and Work No. 7 (environmental mitigation and enhancements). 5.2.2 Temporary Possession - (10 plots): These plots comprise public highway, verges, footpaths and footways. The temporary possession powers are sought for the purposes of Work No. 8 (highway and access works). 5.2.3 No Rights Sought - A further 2 plots are identified in the Book of Reference as land in which National Highways holds interests but in respect of which no rights are currently sought by the Applicant.	The Applicant confirms that the plots affecting the respondent's interests are as associated with Work No. 3 (pipelines between the Water Recycling Plant and Bedhampton Springs), Work No. 4 (pipeline between the Water Recycling Plant and Otterbourne Water Supply Works), Work No. 7 (environmental mitigation and enhancements) and Work No. 8 (highway and access works) as shown on the Works Plans [AS-008]. The Applicant counts 27 plots subject to acquisition of rights, rather than the 28 noted by the respondent. The Applicant counts 9 plots subject to temporary possession powers. The Applicant agrees that 2 plots are not subject to any compulsory acquisition or temporary possession powers. As requested by the respondent in a meeting held on the 4th September 2026, details of the plots and rights sought over the respondent's land interests was shared with the respondent on the 10th September 2026 for their review.
RR-220-48	Landowner engagement	5.3 For each plot in each of the categories above, NH requires further details. Work is required between NH and the Applicant to assess the impact for the purposed compulsory acquisition on a plot-by-plot basis. The Applicant is requested to provide shapefiles to assist NH with this task. Without such information, NH is unable to confirm the extent of its interest in the above plots. Given the current lack of clarity in relation to its land interest, NH objects to the powers of compulsory acquisition being sought by the Applicant in relation to all NH interests.	The Applicant shared a shapefile with the respondent on the 10th September 2026 with receipt confirmed on the same day.
RR-220-49	The draft DCO	5.4 The Applicant should in any event be required to obtain NH's consent before undertaking any activities affecting the SRN or any land in which NH has an interest. As a public body, NH it is under a duty to act reasonably in providing such consent, and this duty is expressly reflected in the proposed protective provisions.	The Applicant will continue to engage with National Highways on the terms of the protective provisions for its benefit.
RR-220-50	Landowner engagement	5.5 In addition, the Applicant is asked to confirm whether NH has any interest in any other plots beyond those listed.	The Applicant shared a document with the respondent on 10th September 2026 detailing all of the plots within which the respondent has an interest.
RR-220-51	The draft DCO	6 Draft DCO 6.1 Whilst the protective provisions included in the Applicant's draft DCO for NH's benefit include some protections for NH, these are not yet agreed and concerns remain in relation to some of the articles. The form of protective	The Applicant will continue to engage with National Highways on the terms of the protective provisions for its benefit.

Reference	Theme	Issue raised	The Applicant's response
		provisions at Appendix 1 would address those concerns. The Applicant's draft DCO includes the following provisions which are of specific concern to NH:	
RR-220-52	The draft DCO	Article/Schedule - Article 11: Street Works The Applicant's drafting - This Article provides that the undertaker may, for the purposes of the authorised development, enter on so much of any of the streets as are within the Order limits and may - (a) break up or open the street, or any sewer, drain or tunnel under it; (b) drill, tunnel or bore under the street; (c) place and keep apparatus under the street; (d) maintain apparatus under the street, change its position or remove it; (e) repair, replace or otherwise alter the surface or structure of the street; and (f) execute any works required for or incidental to any works referred to in sub-paragraphs (a) to (e).	Please refer to the Applicant's response to RR-220-53 below.
RR-220-53	The draft DCO	Suggested amendments - This article gives the Applicant the power to break open the streets, place and keep apparatus in or under the street etc to any street within the order limits without the consent of the street authority. As the highway authority for the A27 and the A3(M) NH must have control over the operations being carried out on and under its network in order to comply with its duty to co-ordinate the execution of works of all kinds (including works for road purposes) under section 59 of the New Roads and Street Act 1991. These works need to be subject to NH's protective provisions and NH need to approve the details of the works and impose other conditions in respect of such works. Road space booking will also be required in connection with these works so NH can comply with its duty under section 59 of the New Roads and Street Act 1991. This is critical from a safety perspective and to protect the structure of the street and the integrity of apparatus in it. Therefore, the Applicant should be required to obtain NH's consent in the event the activities affect the strategic road network or any land NH has an interest in enabling NH to apply conditions to that consent. As a public body, NH is under a duty to act reasonably in providing such consent and this is expressly provided in paragraph 7(4) of NH's proposed protective provisions at Appendix 1. Inclusion of paragraph 7(2) of NH's proposed protective provisions would address NH's objection to this article, which requires the Applicant to obtain NH consent before exercising their right under this article.	This is a standard provision which is well precedented and included in National Highways' DCOs. The effect of the provision is to give statutory authority to the conduct of street works carried out under the DCO for the purposes of Part 3 of the New Roads and Street Works Act 1991. As previously noted, Parliament has already carried out the exercise of balancing the respective interests of street authorities and undertakers, and the wider public interest, through the enactment of that legislation. It should be noted that the Applicant already possesses such statutory rights but the inclusion of the provision is merited to ensure that it remains clear that street works carried out under the DCO benefit from that statutory right and are subject to Part 3 of the New Roads and Street Works Act 1991, as modified by the terms of the draft DCO. The Applicant will continue to engage with National Highways on the terms of the protective provisions for its benefit.
RR-220-54	The draft DCO	Article/Schedule - Article 12 Application of the 1991 Act	Please refer to the Applicant's response to RR-220-55 below.

Reference	Theme	Issue raised	The Applicant's response
		The Applicant's drafting - This article provides that the following provisions of the 1991 Act do not apply in relation to any works executed under the powers conferred by this Order - (a) section 56 (power to give direction as to timing of street works); (b) section 56A (power to give directions as to placing of apparatus); (c) section 58 (restriction on works following substantial road works); (d) section 58A (restriction on works following substantial street works); (e) section 73A (power to require undertaker to re-surface street); (f) section 73B (power to specify timing etc. of re-surfacing); (g) section 73C (materials, workmanship and standard of resurfacing); (h) section 78A (contributions to costs of re-surfacing by undertaker); and (i) Schedule 3A (restrictions on works following substantial street works).	
RR-220-55	The draft DCO	Suggested amendments - NH object to the automatic disapplication of the provisions on the 1991 Act as listed in Article 12. The Applicant should be required to obtain NH's consent in the event the activities effect the strategic road network or any land NH has an interest in (and these sections should continue to apply to the SRN).	The Applicant notes National Highways concerns and will continue to engage with it in relation to the terms of the protective provisions. With respect to the drafting of the article, it reflects drafting routinely included by National Highways' in its own DCOs in relation to street works (i.e. the placing of apparatus in a street) it conducts and its inclusion in the Applicant's DCO shares the same justification; it is necessary to ensure the timely delivery of the public benefits associated with a project of national significance.
RR-220-56	The draft DCO	Article/Schedule - Article 13: Application and modification of a permit scheme The Applicant's drafting - This article deals with the relationship between the Order powers and the traffic management permit schemes operated by Hampshire County Council has made a permit scheme pursuant to Part 3 of the Traffic Management Act 2004 for its area.	Please refer to the Applicant's response to RR-220-57 below.
RR-220-57	The draft DCO	Suggested amendments - NH would welcome confirmation that permit schemes for the purposes of this article do not apply to NH.	The Applicant has not identified any relevant permit scheme adopted by National Highways and would welcome confirmation from National Highways that this is correct through its ongoing engagement.
RR-220-58	The draft DCO	Article/Schedule - Article 14: Power to alter layout of streets etc The Applicant's drafting - This Article includes a general power permitting the Applicant, for the purposes of the authorised development, to alter the layout of any street or carry out works in streets to: (a) alter the level or increase the width of any kerb, footway, cycle track or verge; (b) layout passing places; (c) carry out works to maintain street user visibility; and	Please refer to the Applicant's response to RR-220-59 below.

Reference	Theme	Issue raised	The Applicant's response
		(d) alter, remove, replace or relocate any street furniture, including but without limitation any bollards, lighting columns or street signs. The powers must not be exercised without the consent of the relevant street authority.	
RR-220-59	The draft DCO	Suggested amendments - The Applicant has the power with the consent of the street authority to alter or undertake works on any street. To the extent that the activities affect the strategic road network or any land NH has an interest in, the exercise of this power needs to be listed in paragraph 7(2) of NH's template protective provisions as this enables NH to impose conditions in giving its consent in line with the protective provisions. Conditions would include a requirement for NH to approve the detailed design and for the Applicant to secure road space booking in advance of exercising the powers in Article 10. As a public body, NH is under a duty to act reasonably in providing such consent and this is expressly provided in paragraph 7(4) of NH's proposed protective provisions at Appendix 1.	The general power is well precedented, included routinely in National Highways' DCOs and is required by the Applicant to facilitate unforeseen alterations to streets. It contains appropriate safeguards by being subject to the consent of the relevant street authority. The Applicant will continue to engage with National Highways in respect of the terms of the protective provisions for its benefit.
RR-220-60	The draft DCO	Article/Schedule - Article 15 Construction and maintenance of new, altered and diverted streets The Applicant's drafting - This article provides for the permanent and temporary alterations to certain streets listed in Schedule 3. The A27 Slip Road is included in part 2 (temporary alteration of layout of streets) of Schedule 3. In relation to the temporary alteration of streets listed in Part 2 of Schedule 3, these works must be carried out to the reasonable satisfaction of the street authority and be maintained by the undertaker for the duration of the temporary alterations.	Please refer to the Applicant's response to RR-220-61 below.
RR-220-61	The draft DCO	Suggested amendments - See section 4.2 above regarding NH's concern with arrangements for the A27 Slip Road. To the extent that activities affect the strategic road network or any land NH has an interest in, the exercise of this power needs to be listed in paragraph 7(2) of NH's template protective provisions as this enables NH to impose conditions in giving its consent in line with the protective provisions. Conditions would include a requirement for NH to approve the detailed design and for the Applicant to secure road space booking in advance of exercising the powers in Article 15. As a public body, NH is under a duty to act reasonably in providing such consent and this is expressly provided in paragraph 7(4) of NH's proposed protective provisions at Appendix 1.	The Applicant will continue to engage with National Highways in respect of the terms of the protective provisions for its benefit.
RR-220-62	The draft DCO	Article/Schedule - Article 18 Access to works The Applicant's drafting - This Article allows the Applicant for the purposes of the authorised development to:	Please refer to the Applicant's response to RR-220-63 below.

Reference	Theme	Issue raised	The Applicant's response
		(a) form and lay out the permanent means of access, or improve existing means of access, in the locations specified in Part 7 (permanent means of access) of Schedule 3 (streets); (b) form and lay out the temporary means of access, or improve existing means of access, in the locations specified in Part 8 (temporary means of access to works) of Schedule 3; and (c) with the approval of the relevant planning authority after consultation with the street authority, form and lay out such other means of access or improve existing means of access, at such locations within the Order limits as the undertaker reasonably requires for the purposes of the authorised development.	
RR-220-63	The draft DCO	Suggested amendments - NH's network, forms part of that order limits and the A27 slip road is listed in Part 8 (temporary mean of access to works). See section 4.2 above regarding NH's concern with arrangements for the A27 Slip Road. NH must have control over the operations being carried out on its network and accesses from its high speed network. This is critical from a safety perspective and to maintain the integrity of the asset. Inclusion of paragraph 7(2) of NH's proposed protective provisions would address NH objection to this article, which requires the Applicant to obtain NH consent before exercising their right under this article and enables NH to impose conditions in giving its consent in line with the protective provisions. Conditions would include a requirement for NH to approve the detailed design and for the Applicant to secure road space booking in advance of exercising the powers in Article 18. As a public body, NH is under a duty to act reasonably in providing such consent and this is expressly provided in paragraph 7(4) of NH's proposed protective provisions at Appendix 1.	The Applicant will continue to engage with National Highways in respect of the terms of the protective provisions for its benefit.
RR-220-64	The draft DCO	Article/Schedule - Article 19: Traffic regulation measures The Applicant's drafting - This article allows the Applicant to make provision for the purposes of the authorised development - (a) as to the speed at which vehicles may proceed along any road; (b) permitting, prohibiting or restricting the stopping, waiting, loading or unloading of vehicles on any road; (c) as to prescribed routes for vehicular traffic or the direction or priority of vehicular traffic on any road; (d) permitting, prohibiting or restricting the use by vehicular traffic or non-vehicular traffic of any road; and (e) suspending or amending in whole or in part any order made, or having effect as if made, under the 1984 Act. Before exercising the powers conferred the Applicant must consult the chief officer of police in whose area the road is situated and obtain the written consent of the traffic authority. "	Please refer to the Applicant's response to RR-220-65 below.

Reference	Theme	Issue raised	The Applicant's response
RR-220-65	The draft DCO	Suggested amendments - NH must have control over the operations being carried out on its network. This is critical from a safety perspective and to maintain the integrity of the asset. To the extent that the activities affect the strategic road network or any land NH has an interest in, the exercise of this power needs to be listed in paragraph 7(2) of NH's template protective provisions as this enables NH to impose conditions in giving its consent in line with the protective provisions. As a public body, NH is under a duty to act reasonably in providing such consent and this is expressly provided in paragraph 7(4) of NH's proposed protective provisions at Appendix 1.	National Highways appear to have misconstrued the purpose and effect of this standard provision that is routinely included in its own, and many other, DCOs. It provides a general power to make measures that are equivalent to Traffic Regulation Orders made under the Road Traffic Regulation Act 1984. The power is exercisable only with the consent of the traffic authority concerned after following the prescribed consultation process. The power is necessary to ensure the proper regulation of traffic as a consequence of the authorised development. As its exercise is already subject to the traffic authority's consent, no additional consent is required in the protective provisions.
RR-220-66	The draft DCO	Article/Schedule - Article 21: Discharge of Water The Applicant's drafting - This article sets out the circumstances in which the undertaker is entitled to discharge water into a watercourse, public sewer or drain. Essentially, this can be undertaken with the consent of the owner of the sewer, watercourse or drain (such consent not to be unreasonably withheld or delayed).	Please refer to the Applicant's response to RR-220-67 below.
RR-220-67	The draft DCO	Suggested amendments - This article allows the Applicant to use any watercourse, public sewer or drain for the drainage of water in connection with the authorised development. It is unclear whether or not this article applies to NH's drainage system as drafted or whether this applies to public drains only. NH's drainage system is not a public drain and connection to it is not permitted. NH is concerned this provision potentially allows the Applicant to make use of highway drainage infrastructure for the benefit of their authorised development. Paragraph 59 of the Draft Circular 01/2022 which contains government guidelines NH are required to comply with, sets out the following: 59. To ensure the integrity of the highway drainage systems, no new connections into those systems from third party development and proposed drainage schemes will be accepted. Where there is already an existing informal or formal connection into the highway drainage system from a proposed development site, the right for a connection may be allowed to continue provided that the flow, rate and quality of the discharge into the highway drainage system remains unaltered or results in a betterment. The company may require a drainage management and maintenance agreement to be entered into to secure this requirement in perpetuity. Please also see our comments at the end of this table in relation to deemed consent.	It is clear from the definition of the term in article 16(9) that National Highways' drainage system is not a 'public sewer or drain' as National Highways is a company wholly owned by the Secretary of State for Transport and is not 'Homes England, the Environment Agency, an internal drainage board, a joint planning board, a local authority, a sewerage undertaker or an urban development corporation.' In any event, the power to discharge water is by virtue of article 21(3) subject to the consent of the person to whom it belongs.
RR-220-68	The draft DCO	Article/Schedule - Article 22 Protective Works to Buildings The Applicant's drafting - This article provides that the Applicant may at their expense carry out such protective works to any building which may be affected by the authorised development. For the purpose of determining how the functions under this article are to be exercised the Applicant may enter and	Please refer to the Applicant's response to RR-220-69 below.

Reference	Theme	Issue raised	The Applicant's response
		survey any building falling within paragraph (1) and any land within its curtilage, and place on, leave on and remove from the building and any land within its curtilage any apparatus and equipment for use in connection with the survey.	
RR-220-69	The draft DCO	Suggested amendments - This article provides the Applicant with the power to carry out protective works to any building within the order limits. NH must have control over the operations being carried out on its network and land. This is critical from a safety perspective and to maintain the integrity of the asset. Therefore, the Applicant should be required to obtain NH's consent in the event any access or works under this article affect the SRN or any land NH has an interest in. NH must ensure the safety of its road users and provide prior to approval to those accessing its network. As a public body, NH is under a duty to act reasonably in providing such consent and this is expressly provided in paragraph 7(4) of NH's proposed protective provisions at Appendix 1. Inclusion of paragraph 7(2) of NH's proposed protective provisions would address NH objection to this article, which requires the Applicant to obtain NH consent before exercising their right under this article.	The Applicant will continue to engage with National Highways in respect of the terms of the protective provisions for its benefit.
RR-220-70	The draft DCO	Article/Schedule - Article 23: Authority to survey and investigate the land The Applicant's drafting - This article allows the Applicant to enter any land within the order limits affected by the authorised development in order to: (a) survey or investigate the land (including any watercourses, groundwater, static water bodies or vegetation on the land); (b) without limitation on the scope of sub-paragraph (a), make any excavations, trial holes, boreholes and other investigations in such positions on the land as the undertaker thinks fit to investigate the nature of the surface layer, subsoil, groundwater, underground structures, foundations and plant and apparatus and remove soil and water samples and discharge water from sampling operations on to the land; (c) without limitation on the scope of sub-paragraph (a), carry out ecological or archaeological investigations on such land, including making any excavations or trial holes on the land for such purposes; and (d) place on, leave on and remove from the land apparatus for use in connection with the survey and investigation of land and making of trial holes and boreholes. No trial holes or boreholes are to be made under this article – (a) in land located within the highway boundary without the consent of the highway authority; or (b) in a private street without the consent of the street authority.	Please refer to the Applicant's response to RR-220-71 below.
RR-220-71	The draft DCO	Suggested amendments - This article allows the Applicant to enter any land within the order limits affected by the authorised development or enter on any	The Applicant will continue to engage with National Highways in respect of the terms of the protective provisions for its benefit.

Reference	Theme	Issue raised	The Applicant's response
		land upon which entry is required in order to carry out monitor or survey in respect of the authorised development and, carry out surveys or investigations, trial holes, bore holes, ecological or archaeological investigations and place leave or remove apparatus on land in this regard. Whilst it is noted consent is required from the highway authority for any trial holes for land located within the highway boundary, consent is not required for the wider use of the powers granted within this article such as access to land for surveys etc. Consent is also not required for any land NH own that is outside of the highway boundary and the Applicant is only required to serve notice on the landowner prior to exercising this right. This is also a right that extends beyond the order limits. NH must have control over the operations being carried out on its network and land it has an interest in. This is critical from a safety perspective and to maintain the integrity of the asset. Therefore, the Applicant should be required to obtain NH's consent in the event any access or works under this article affect the SRN or any land NH has an interest in. NH must ensure the safety of its road users and provide prior to approval to those accessing its network. As a public body, NH is under a duty to act reasonably in providing such consent and this is expressly provided in paragraph 7(4) of NH's proposed protective provisions at Appendix 1. Inclusion of paragraph 7(2) of NH's proposed protective provisions would address NH objection to this article, which requires the Applicant to obtain NH consent before exercising their right under this article. This paragraph also enables and enables NH to impose conditions in giving its consent in line with the protective provisions. Conditions would include a requirement for the Applicant to secure road space booking in advance of exercising the powers in Article 23.	
RR-220-72	The draft DCO	Article/Schedule - Article 25 Felling or lopping of trees The Applicant's drafting - This article allows any tree, shrub, shrubbery, hedgerow or important hedgerow that is within or overhanging land within the authorised development to be felled, removed, lopped, pruned, coppiced, pollarded, or reduced in height or width, or have its roots cut back, if it is considered to obstruct the construction, operation or maintenance of the authorised development or endanger anyone using, constructing, operating or maintaining it. Compensation is payable for any loss or damage caused. Paragraph (2) also makes provision for works to be carried out to the trees and hedgerows described in Schedule 4 (works to trees and hedgerows). Paragraph (4) provides deemed consent where the works authorised by this article are to trees under a tree preservation order and confirms that the duty to replace trees does not apply.	Please refer to the Applicant's response to RR-220-73 below.
RR-220-73	The draft DCO	Suggested amendments - NH is subject to certain environmental mitigation commitments. If works undertaken to trees affect any NH commitments a replacement tree or trees would need to be provided to satisfy that existing commitment at a location to be agreed. NH require the inclusion of this article in paragraph 7(2) of NH's proposed protective provisions. This would address NH objection to this article, which	The Applicant will continue to engage with National Highways in respect of the terms of the protective provisions for its benefit.

Reference	Theme	Issue raised	The Applicant's response
		requires the Applicant to obtain NH consent before exercising their right under this article and would permit NH to impose conditions which could include replacement of tress or hedgerows to be removed.	
RR-220-74	The draft DCO	Article/Schedule - Article 26: Compulsory acquisition of land The Applicant's drafting - This article authorises the compulsory acquisition of the Order land. This is expressly subject to articles that include a limit or restriction on the power of compulsory acquisition, including articles 28 (time limit for exercise of powers to possess land temporarily or to acquire land compulsorily), 29(2) (compulsory acquisition of rights and restrictive covenants), 37 (temporary use of land for constructing the authorised development)	Please refer to the Applicant's response to RR-220-75 below.
RR-220-75	The draft DCO	Suggested amendments - NH objects to the inclusion of the plots in the DCO and to Compulsory Powers for the acquisition of land (whether operational or otherwise) being granted in respect of them. Please refer to our comments in section 5 above. NH must have control over the operations being carried out on its network. This is critical from a safety perspective and to maintain the integrity of the asset. Therefore, the Applicant should be required to obtain NH's consent in the event the activities affect the strategic road network or any land NH has an interest in. As a public body, NH is under a duty to act reasonably in providing such consent and this is expressly provided in paragraph 7(4) of NH's proposed protective provisions at Appendix 1. Inclusion of paragraph 7(2) of NH's proposed protective provisions would address NH's objection to this article, which requires the Applicant to obtain NH consent before exercising their right under this article.	The Applicant will continue to engage with National Highways in respect of the terms of the protective provisions for its benefit.
RR-220-76	The draft DCO	Article/Schedule - Article 29: Compulsory acquisition of rights and imposition of restrictive covenants The Applicant's drafting - This article allows the undertaker to acquire rights (and impose restrictions) over the Order land, including by creating new rights for the purpose of the authorised development.	Please refer to the Applicant's response to RR-220-77 below.
RR-220-77	The draft DCO	Suggested amendments - As noted in section 5 above, the Book of Reference includes 28 plots in which National Highways are noted to have an interest and which the powers under article 29 would apply. The rights sought over these plots relate principally to the installation, maintenance, inspection repair etc of underground pipelines, rights of access, the formation and use of means of access, support for the authorised development, the installation and maintenance of security fencing etc, environmental mitigation works and alteration of ground levels and operations which may obstruct or interfere with the authorised development or the free flow of water through the pipeline. These plots are associated with Work No. 3 (pipelines between the Water Recycling Plant and Bedhampton Springs), Work No. 4 (pipeline between the Water Recycling Plant and Otterbourne Water Supply Works), and Work No. 7	The Applicant will continue to engage with National Highways in respect of the terms of the protective provisions for its benefit.

Reference	Theme	Issue raised	The Applicant's response
		(environmental mitigation and enhancements). NH must have control over the operations being carried out on its network. This is critical from a safety perspective and to maintain the integrity of the asset. Therefore, the Applicant should be required to obtain NH's consent in the event the activities affect the strategic road network or any land NH has an interest in. As a public body, NH is under a duty to act reasonably in providing such consent and this is expressly provided in paragraph 7(4) of NH's proposed protective provisions at Appendix 1. Inclusion of paragraph 7(2) of NH's proposed protective provisions would address NH's objection to this article, which requires the Applicant to obtain NH consent before exercising their right under this article.	
RR-220-78	The draft DCO	Article/Schedule - Article 30: Private rights The Applicant's drafting - This Article provides for the extinguishment of private rights over land subject to compulsory acquisition and the extinguishment of private rights over land subject to the compulsory acquisition of rights (in so far as the continuance of the existing right would be inconsistent) from the date of the acquisition of the land or rights, or the date of entry, whichever is earliest.	Please refer to the Applicant's response to RR-220-79 below.
RR-220-79	The draft DCO	Suggested amendments - NH must have control over the operations being carried out on its network. This is critical from a safety perspective and to maintain the integrity of the asset. Therefore, the Applicant should be required to obtain NH's consent in the event the activities affect the strategic road network or any land NH has an interest in. As a public body, NH is under a duty to act reasonably in providing such consent and this is expressly provided in paragraph 7(4) of NH's proposed protective provisions at Appendix 1. Inclusion of paragraph 7(2) of NH's proposed protective provisions would address NH's objection to this article, which requires the Applicant to obtain NH consent before exercising their right under this article.	The Applicant will continue to engage with National Highways in respect of the terms of the protective provisions for its benefit.
RR-220-80	The draft DCO	Article/Schedule - Article 33: Acquisition of subsoil, etc., only The Applicant's drafting - This article allows the undertaker to compulsorily acquire land, rights or both, below the surface as required for the Project instead of acquiring all of the land up to and including the surface.	Please refer to the Applicant's response to RR-220-81 below.
RR-220-81	The draft DCO	Suggested amendments - NH must have control over the operations being carried out beneath its network and in land that it has an interest. This is critical from a safety perspective and to maintain the integrity of the asset. Therefore, the Applicant should be required to obtain NH's consent in the event the activities affect the strategic road network or any land NH has an interest in. As a public body, NH is under a duty to act reasonably in providing such consent and this is expressly provided in paragraph 7(4) of NH's proposed protective provisions at Appendix 1. Inclusion of paragraph 7(2) of NH's proposed protective provisions would address NH's objection to this article, which requires the Applicant to obtain NH consent before exercising their right under this article.	The Applicant will continue to engage with National Highways in respect of the terms of the protective provisions for its benefit.

Reference	Theme	Issue raised	The Applicant's response
RR-220-82	The draft DCO	Article/Schedule - Article 34: power to override easements and other rights The Applicant's drafting - This article provides a power to override easements and other rights and reflects the terms of section 120(3) and (4), and paragraphs 2 and 3 of Part 1 of Schedule 5 to the 2008 Act. It provides a statutory authority for carrying out any authorised activity that interferes with any of the interests listed in paragraph (2) including restrictions on user of land arising by the virtue of a contract. Paragraph (3) provides for compensation to be payable where the interests listed in paragraph (2) are overridden. It is necessary in order to override easements and other rights that may conflict with the exercise of a power that is not otherwise addressed by article 30 (private rights over land), for example, in relation to the power to survey land under article 23 (authority to survey and investigate land).	Please refer to the Applicant's response to RR-220-83 below.
RR-220-83	The draft DCO	Suggested amendments - This article permits the Applicant to interfere with any statutory easement or other right NH may have in relation to the Order (within the order limits). This raises a concern. NH must have control over the operations being carried out on its network. This is critical from a safety perspective and to maintain the integrity of the asset. Therefore, the Applicant should be required to obtain NH's consent in the event the activities affect the strategic road network or any land NH has an interest in. As a public body, NH is under a duty to act reasonably in providing such consent and this is expressly provided in paragraph 7(4) of NH's proposed protective provisions at Appendix 1. Inclusion of paragraph 7(2) of NH's proposed protective provisions would address NH's objection to this article, which requires the Applicant to obtain NH consent before exercising their right under this article.	The Applicant will continue to engage with National Highways in respect of the terms of the protective provisions for its benefit.
RR-220-84	The draft DCO	Article/Schedule - Article 36: Rights under or over streets The Applicant's drafting - This article provides that the Applicant may enter upon and appropriate and use so much of the subsoil of, or airspace over, any street within the Order limits as may be required for the purposes of the authorised development and may use the subsoil or air-space for those purposes or any other purpose ancillary to the authorised development.	Please refer to the Applicant's response to RR-220-85 below.
RR-220-85	The draft DCO	Suggested amendments - NH note, however, that this provision does not apply to any street which is part of the strategic road network which is welcomed.	The Applicant notes this comment.
RR-220-86	The draft DCO	Article/Schedule - Article 37: Temporary use of land The Applicant's drafting - This article allows the land set out in Schedule 7 to be occupied temporarily by the Applicant in connection with the carrying out of the authorised development, as well as any other Order land which may be subject to compulsory acquisition of land or rights but in respect of which the Applicant has not yet served a notice of entry or made a general vesting declaration.	Please refer to the Applicant's response to RR-220-87 below.

Reference	Theme	Issue raised	The Applicant's response
RR-220-87	The draft DCO	Suggested amendments - As noted in section 5 above, the Book of Reference includes 10 plots in which National Highways are noted to have an interest and which the powers under article 37 would apply. These plots comprise public highway, verges, footpaths and footways. The temporary possession powers are sought for the purposes of Work No. 8 (highway and access works). NH objects to the inclusion of the plots in the DCO and to Compulsory Powers for the acquisition of rights (whether operational or otherwise) being granted. Please refer to our comments above. NH must have control over the operations being carried out on its network. This is critical from a safety perspective and to maintain the integrity of the asset. Therefore, the Applicant should be required to obtain NH's consent in the event the activities affect the strategic road network or any land NH has an interest in. As a public body, NH is under a duty to act reasonably in providing such consent and this is expressly provided in paragraph 7(4) of NH's proposed protective provisions at Appendix 1.Inclusion of paragraph 7(2) of NH's proposed protective provisions would address NH's objection to this article, which requires the Applicant to obtain NH consent before exercising their right under this article.	The Applicant notes that the provisions of this article which deal with private rights in land; public rights, such as that of highway user, would remain unaffected. Nonetheless, the Applicant will continue to engage with National Highways in respect of the terms of the protective provisions for its benefit.
RR-220-88	The draft DCO	Article/Schedule - Article 38: Temporary use of land for maintaining the authorised development The Applicant's drafting - This article provides that the undertaker may take temporary possession of land within the Order limits required for the purpose of maintaining the authorised development and to construct such temporary works as may be reasonably necessary for that purpose. Owners and occupiers of the land must be given not less than 28 days' notice, save that where Southern Water has identified a potential risk to the safety of the authorised development, the public or the surrounding environment, where as much notice as is reasonably practicable in the circumstances must be given. The notice must include details of the purpose for which Southern Water requires the land.	Please refer to the Applicant's response to RR-220-89 below.
RR-220-89	The draft DCO	Suggested amendments - This article grants the Applicant with the right to take temporary possession of any land for the purposes of maintaining the authorised development within the order limits without the consent of NH. NH must have control over the operations being carried out on its network. This is critical from a safety perspective and to maintain the integrity of the asset. Therefore, the Applicant should be required to obtain NH's consent in the event the activities affect the strategic road network or any land NH has an interest in. As a public body, NH is under a duty to act reasonably in providing such consent and this is expressly provided in paragraph 7(4) of NH's proposed protective provisions at Appendix 1.Inclusion of paragraph 7(2) of NH's proposed protective provisions would address NH's objection to this article, which requires the Applicant to obtain NH consent before exercising their right under this article.	The Applicant will continue to engage with National Highways in respect of the terms of the protective provisions for its benefit.

Reference	Theme	Issue raised	The Applicant's response
RR-220-90	The draft DCO	Article/Schedule - Article 39: Statutory undertakers The Applicant's drafting - This article allows the Applicant to extinguish rights of statutory undertakers and remove and reposition their apparatus. Reference is made to the Order land so that this power is not restricted to apparatus which has been specifically shown on the Land Plans and described in the Book of Reference.	Please refer to the Applicant's response to RR-220-91 below.
RR-220-91	The draft DCO	Suggested amendments - NH object to the principle of inclusion of this article and seek to protect its interest by the inclusion of this article in paragraph 7(2) of NH's proposed protective provisions. This would address NH objection to this article, which requires the Applicant to obtain NH's consent in the event the activities affect apparatus on the strategic road network or any land NH has an interest in. As a public body, NH is under a duty to act reasonably in providing such consent and this is expressly provided in paragraph 7(4) of NH's proposed protective provisions at Appendix 1.	The Applicant notes that this provision is in fact necessary to enable the extinguishment of such rights and is a provision routinely included in DCOs, including those promoted by National Highways. The Applicant will continue to engage with National Highways in respect of the terms of the protective provisions for its benefit.
RR-220-92	The draft DCO	Article/Schedule - Article 40: Apparatus and rights of statutory undertakers in stopped-up streets The Applicant's drafting - This article governs what happens to statutory undertakers' apparatus (pipes, cables, etc.) under the streets that are to be permanently stopped up pursuant to the Order. Without the article, any statutory undertaker with apparatus in that street would not have access to the apparatus, since there would no longer be a right of way along the street. The undertaker may require such a statutory undertaker to relocate the apparatus elsewhere, although it will compensate the statutory utility for doing so. Paragraph (6) discounts from this compensation the increase in value to the statutory utility of having new rather than old (i.e. older than 71/2 years) apparatus.	Please refer to the Applicant's response to RR-220-93 below.
RR-220-93	The draft DCO	Suggested amendments - The Order does not appear to provide for permanent stopping-up. NH otherwise object to the principle of inclusion of this article and seek to protect its interest by the inclusion of this article in paragraph 7(2) of NH's proposed protective provisions. This would address NH objection to this article, which requires the Applicant to obtain NH consent before exercising their right under this article.	The Order [APP-023] does provide for permanent stopping-up and diversion of public rights of way, see article 17 (permanent diversion of public rights of way). As such, the provisions of this article are necessary to protect the interests of any statutory undertakers with apparatus that would be 'stranded' by the exercise of that power. National Highways has no interest in either the stopping up of the relevant public rights of way (which do not form part of its network) or the apparatus concerned and so the Applicant would hope that its objection in respect of this article can be withdrawn.
RR-220-94	The draft DCO	Article/Scheduling - Article 48 (Application of Landlord and Tenant) The Applicant's drafting - This article provides that landlord and tenant law will be overridden so as not to prejudice the operation of any agreement entered into under article 9 (consent to transfer benefit of Order). It is based on a Model Provision and is required to be included in the Order so as to prevent landlord and tenant law interfering with the operation of any agreement to transfer the benefit of the Order.	Please refer to the Applicant's response to RR-220-95 below.

Reference	Theme	Issue raised	The Applicant's response
RR-220-95	The draft DCO	Suggested amendments - NH do not have sufficient information to understand whether this article is likely to affect NH. In any event, NH would object to the principle of inclusion of this article and, if necessary, will be seeking to protect its interest by the inclusion of this article in paragraph 7(2) of NH's proposed protective provisions. This would address NH objection to this article, which requires the Applicant to obtain NH consent before exercising their right under this article.	This article would apply should the undertaker enter into an agreement or lease with a third party. As is noted by National Highways, it is well precedented having been included in the Model Provisions and the vast majority of DCOs to date and its inclusion is important to ensure that nationally significant infrastructure and projects of national significance are not encumbered by rules of landlord and tenant law. Accordingly, the Applicant would hope that National Highways can withdraw its objection in respect of this article.
RR-220-96	The draft DCO	Article/Schedule - Article 56 Consents, agreements and approvals The Applicant's drafting - This article provides for the mechanics of certain consents, agreements and approvals that need to be obtained by Southern Water under the Order. It states that any consents, agreements or approvals required under the listed provisions, namely: articles 13 (application and modification of a permit scheme), 14 (power to alter layout, etc., of streets), 15 (construction and maintenance of new, altered and diverted streets), 16 (temporary closure, etc., of streets), 17 (permanent diversion of public rights of way), 18 (access to works), 19 (traffic regulation measures), 21 (discharge of water) and 23 (authority to survey and investigate land); (a) cannot be unreasonably withheld or delayed; and (b) are deemed to be granted after a period of 28 days if no decision is made, beginning with the day any application for a consent, agreement or approval is made. Any application for a consent, agreement or approval must include a written statement that the 28 day 'guillotine' provision is in force.	Please refer to the Applicant's response to RR-220-97 below.
RR-220-97	The draft DCO	Suggested amendments - 28 days is not considered a reasonable period of time to consider every application that may come through under the DCO, some may be more involved than others. 8 weeks would be considered reasonable. NH is concerned with the deemed consent given the safety implications of works being carried out to or under the strategic road network that may have bypassed its approval processes. This is a fundamental issue of public safety that should not be compromised to enable a private developer to achieve a quicker build programme. NH has statutory obligations to behave reasonably and support sustainable development and so it should not be forced to work under the pressure of deemed consent. The potential implications from a safety perspective of something going wrong far outweigh the Applicant's case for such a provision. NH's position is that after 28 days, further correspondence should be provided to NH noting the deeming provisions and then deemed consent would only apply after a further period of 28 days.	The Applicant considers 28 days to be sufficient and is consistent with the periods of time that National Highways affords other bodies under its own DCOs. Such provisions have long been accepted as being necessary in order to facilitate the prompt progress of important national infrastructure. Similarly, National Highways routinely includes deemed consent provisions in its development consent orders and similar justifications apply for the inclusion of such provisions in the Applicant's DCO.
RR-220-98	The draft DCO	Article/Schedule - Article 57: Certification of Documents	Please refer to the Applicant's response to RR-220-99 below.

Reference	Theme	Issue raised	The Applicant's response
		The Applicant's drafting -	
RR-220-99	The draft DCO	Suggested amendments - NH reserve the ability to request the addition of any required plans/documents etc to the plans and documents identified in Schedule 16.	It is assumed that the reference to Schedule 16 is intended to be a reference to Schedule 11. As is explained in paragraph 12.34 of the Explanatory Memorandum [APP-24] "*This article provides for various plans and other documents to be certified by the Secretary of State as true copies of those documents referred to in the Order... It is necessary to provide legal certainty in connection with the documents referenced in the Order*." It is not clear what purpose would be served by adding additional documents to the list.
RR-220-100	The draft DCO	Requirements (Schedule 2) Article/Schedule - 4. Landscape and Ecology Management Plan The Applicant's drafting - This requirement is concerned with securing the provision of the environmental mitigation described in the Design Principles Documents (5.11) and its associated plans. The principles for the establishment and management of the associated landscaping and ecological management are set out in the Outline Landscape and Ecology Management Plan (7.5). 13.15 Sub-paragraph (1) requires, before the commencement of any part of the authorised development, the relevant planning authority's approval of a landscape and ecology management plan for that part in consultation with Natural England. In relation to those parts of the authorised development within the setting of the South Down National Park. Suggested amendments - NH would want to be consulted where the authorised development is within or next to the SRN or on land which NH has an interest due to NH's own environment commitments.	The Applicant does not consider National Highways to have a proper role in the discharge of this requirement. To the extent that landscaping has an impact on the Strategic Road Network those are matters for which National Highways has relevant protections already in its draft protective provisions in Schedule 10 to the draft Development Consent Order [APP-023].
RR-220-101	The draft DCO	Article/Schedule - 5. Biodiversity Net Gain The Applicant's drafting - This requirement is concerned with securing the delivery of a minimum of ten percent biodiversity net gain. Sub-paragraph (1) requires before any part of the authorised development is commenced, the relevant planning authority's approval of a detailed biodiversity gain plan for that part. Sub-paragraph (2) requires the detailed biodiversity gain to be substantially in accordance with the Biodiversity Gain Plan (7.11) and its appended Outline Habitats Management and Monitoring Plan. Suggested amendments - NH would want to be consulted where the authorised development is within or next to the SRN or on land which NH has an interest due to NH's own environment commitments.	The Applicant considers that National Highways does not have an interest in the discharge of the Biodiversity Net Gain requirement. To the extent that landscaping has an impact on the Strategic Road Network those are matters for which National Highways has relevant protections already in its draft protective provisions in Schedule 10 to the draft Development Consent Order [APP-023].
RR-220-102	The draft DCO	Article/Schedule - 6. Construction and Environmental Plan	The Applicant considers that National Highways does not have an interest in the discharge of detailed Construction Environmental Management Plan(s). To the extent that such matters covered by the Outline Construction

Reference	Theme	Issue raised	The Applicant's response
		The Applicant's drafting - The purpose of this requirement is to secure the delivery of the mitigation set out in the Outline Construction Environmental Management Plan (7.1). It requires the relevant planning authority's approval of a construction environmental management plan before a part of the authorised development may commence. The construction environmental management plan must substantially accord with the Outline Construction Environmental Management Plan and must be implemented as approved. Suggested amendments - Given the measures that are being dealt with in this plan NH would want to be consulted whether or not they relate to highway works in relation to construction works in the vicinity of the SRN or land which NH has an interest."	Environmental Management Plan [APP-412] are relevant to the Strategic Road Network, those are matters for which National Highways has relevant protections already in its draft protective provisions in Schedule 10 to the draft Development Consent Order [APP-023].
RR-220-103	The draft DCO	Article/Schedule - 13. Operational Environmental Management Plan The Applicant's drafting - The purpose of this requirement is to secure, during the operation and maintenance of the authorised development, compliance with the measures contained in the Operational Environmental Management Plan (7.7). Suggested amendments - Given the measures that are being dealt with in this plan NH would want to be consulted in relation to the operation and maintenance of the authorised development which is to take place in the vicinity of the SRN or land which NH has an interest.	The Applicant notes that the Operational Environmental Management Plan [APP-422] is not subject to a subsequent approval under requirement 13, so it is not reasonable or practicable to include National Highways as a consultee to this requirement.
RR-220-104	The draft DCO	Part 2 Discharge of Requirements Article/Schedule - Paragraph 21 to 24 The Applicant's drafting - This Part provides a clear procedure for the discharge of Requirements by the relevant planning authority. It sets out a time limit for decisions to be made within, with the ability to extend this period by agreement between the relevant planning authority and the undertaker, and a power for the relevant planning authority to request further information from the undertaker. Deemed consent provisions come into effect when decisions are not made during this time, but this cannot apply where that could be inappropriate taking into account the environmental impacts of the authorised development. Suggested amendments - See NH's comments regarding deemed consent above. NH would want its deemed consent provisions to also be applicable here. (In paragraph 22, reference to 14 days to request further information should also be deleted. This is too short and disproportionate in the overall timescale for approvals).	National Highways are not a discharging authority and so have no standing in relation to this drafting and so the Applicant would hope that its objection to these provisions can be withdrawn. In any event, Part 2 of Schedule 2 of the draft DCO [APP-025] is widely precedented and is based upon the Planning Inspectorate's template.
RR-220-105	The process of developing the Project	7 Statement of Common Ground 7.1 To date, NH has not yet entered into discussions concerning an SOCG.	The Applicant notes and agrees with this comment. A draft Statement of Common ground has been prepared between the Applicant and National Highways which has been submitted at Deadline 1. This will be subject to ongoing development between the parties during the examination period.

Reference	Theme	Issue raised	The Applicant's response
RR-220-106	The draft DCO	8 Protective Provisions 8.1 In order to address a number of NH's concerns regarding the DCO and Authorised Development, NH has requested that the Applicant includes the NH protective provisions at Appendix 1 on the face of the draft Order. The form of the protective provisions included in the draft DCO is not currently agreed as they do not fully align with NH's template protective provisions in a number of respects. Discussions are, however, continuing with the Applicant in this regard. 8.2 A full justification for each of the key provisions and definitions is set out below:	The Applicant will continue to engage with National Highways in respect of the terms of the protective provisions for its benefit.
RR-220-107	The draft DCO	Paragraph – 1 Heading – Application Justification - This provision has effect to preserve the statutory powers and duties of NH except where expressly amended by the Order.	The Applicant will continue to engage with National Highways in respect of the terms of the protective provisions for its benefit.
RR-220-108	The draft DCO	Paragraph – 2 Application – Interpretation Justification - Key provisions: 'as built information' - contains the relevant information required by NH in order to issue the provisional certificate, certifying that works in, on under or over the SRN are satisfactorily complete and safe from NH's perspective. 'bond sum'- this provides that a bond sum required is 200% of the cost of the specified works in, on under or over the SRN. The bond required is not the total cost of the works but rather the section of works specifically impacting the SRN. Much in the same way as a section 278 agreement, bonding is required to protect NH from financial liability in the event that the Applicant defaulted on the works which impact the SRN. 'commuted sum' - provision of financial security to NH for any assets which require ongoing maintenance. Where the authorised development includes works which will require ongoing maintenance, this should be funded by the Applicant and not become a burden on the public purse. 'detailed design information' - contains the relevant information required by NH in order to approve the commencement of the specified works affecting the SRN. In the experience of NH's highway engineers, this definition includes all necessary drawings, specifications and calculations required for signing off works in, on, under or over the SRN but may need to be supplemented depending on the nature of the project. 'road space booking' - NH has a strict procedure for managing network occupancy to ensure that they are aware of who is working on the SRN at any given point. It also ensures that sections of the SRN are not subject to conflicting or multiple sets of maintenance work.	The Applicant will continue to engage with National Highways in respect of the terms of the protective provisions for its benefit.

Reference	Theme	Issue raised	The Applicant's response
		'specified works' - any work authorised by the order (including maintenance) which is on, in, under or over the strategic road network. Importantly, this covers the highway estate as well as the operational highway land to ensure that works beneath the highway or above it are subject to the same requirements as work to the highway stratum itself. Critically, works which occur under or over the SRN can still have a detrimental operational impact to the functioning of the undertaking and can result in significant safety impacts. 'strategic road network' includes all operational land of NH within the order limits and also the highway estate itself to protect the safe functioning of the SRN.	
RR-220-109	The draft DCO	Paragraph – 3 Heading – General Justification - Parts of the SRN are routinely managed by design build finance and operate contractors, who have primary responsibility for managing the asset. The purpose of these provisions is to ensure that, where the road subject to the specified works is managed under a DBFO contract, the highway operations and maintenance contractor can take the benefit of the protective provisions. Otherwise, any claim that the highway operations and maintenance contractor had against the Applicant by virtue of its stewardship of the asset would need to be through a claim made by NH and sub-recovered by the DBFO contractor. This is unnecessary, inefficient and creates a contractual risk to NH, as the DBFO contract does not cater for risks occasioned by third party development.	The Applicant will continue to engage with National Highways in respect of the terms of the protective provisions for its benefit.
RR-220-110	The draft DCO	Paragraph - 4 Heading - General Justification - To ensure that routine maintenance work to the highway does not compromise the integrity of any assets co-located in the subsoil.	The Applicant will continue to engage with National Highways in respect of the terms of the protective provisions for its benefit.
RR-220-111	The draft DCO	Paragraph - 7 Heading - Prior approvals and security Justification - To ensure that the specification of the specified works and all associated processes inc. traffic management, financial provision for ongoing maintenance liabilities, scope of maintenance, condition surveys and road safety audits are addressed prior to commencement of works affecting the SRN. All of this information is required whether the specified works comprise of works to the highway or not. For example, scaffolding erected either side of the highway to install overhead lines would require a scheme of traffic management, as it would not be safe to carry out such dangerous works over an online part of the SRN. Likewise, undergrounding a pipeline or cable via horizontal directional drilling could not take place without condition surveys of the SRN taking place prior to commencement of works, as without this it would be impossible to know whether the specified works had caused subsidence or	The Applicant will continue to engage with National Highways in respect of the terms of the protective provisions for its benefit.

Reference	Theme	Issue raised	The Applicant's response
		displacement in the carriageway. NH also requires collateral warranties from any contractor and designer of the specified works affecting the SRN, to ensure appropriate contractual liabilities are recoverable. No exercise of any article set out in 7(2) should take place without the express consent of NH, to ensure that NH is aware of the progress of the specified works affecting the SRN, the scope of those operations, the potential impact to road users and to ensure that compulsory acquisition is managed appropriately and proportionately.	
RR-220-112	The draft DCO	Paragraph – 8 Heading - Construction of the specified works Justification - The construction of the specified works must be carried out in accordance with NH's road space booking procedures to ensure the safety of road users and other contractors on the network. They must also be carried out in accordance with the relevant technical standards where relevant to the works, to ensure consistency with the SRN. Emergency access is to be granted to NH in the event of or to prevent the occurrence of danger to the public.	The Applicant will continue to engage with National Highways in respect of the terms of the protective provisions for its benefit.
RR-220-113	The draft DCO	Paragraph – 9 Heading – Payments Justification - The reasonable costs incurred by NH in the administration of the design approval process, the transfer of land, supervision of works, legal costs and VAT should be payable by the Applicant. But for the Applicant's scheme, NH would not have to expend resources on the specified works.	The Applicant will continue to engage with National Highways in respect of the terms of the protective provisions for its benefit.
RR-220-114	The draft DCO	Paragraph – 10 Heading - Provisional Certificate Justification - Where any specified work is proposed to the SRN, on, over or under the highway, the requirements of NH's design checking and approval process is required to be discharged. Works underneath the highway or oversailing it have significant potential to cause damage both to the highway itself and to road users and it is critical to the safe and efficient operation of the SRN that works are signed off by NH engineers as safe, where there is an interface with the SRN. This provision is also required for the purposes of the Applicant as it has the effect of reducing the bond sum to 20% on the issue of the provisional certificate.	The Applicant will continue to engage with National Highways in respect of the terms of the protective provisions for its benefit.
RR-220-115	The draft DCO	Paragraph – 11 Heading – Opening	The Applicant will continue to engage with National Highways in respect of the terms of the protective provisions for its benefit.

Reference	Theme	Issue raised	The Applicant's response
		Justification - This is relevant only where the SRN has been subject to traffic management orders or temporary closure as a result of the Authorised Development.	
RR-220-116	The draft DCO	Paragraph – 12 Heading - Final Condition Survey Justification - Where specified works include horizontal directional drilling, as part of the approval of works and prior to commencement, a condition survey of the highway is required. A final condition survey is required on completion of the horizontal directional drilling works, to identify any settlement of the carriageway in accordance with the threshold levels set out in technical standard DMRB CD622. If any settlement beyond tolerance is identified, this would pose a safety risk to road users, as part of the carriageway would have collapsed to unsafe levels. NH would require this defect to be remedied. This provision also applies to works to the SRN itself as any final condition survey would inform the decision on issue of the final certificate.	The Applicant will continue to engage with National Highways in respect of the terms of the protective provisions for its benefit.
RR-220-117	The draft DCO	Paragraph – 13 Heading - Defects Period Justification - On the issue of the provisional certificate, the Applicant will be required to remedy any defect in the SRN caused by the specified works for a period of 12 months. Where NH's network is damaged by works carried out pursuant to the DCO, it is for the Applicant to remedy that damage.	The Applicant will continue to engage with National Highways in respect of the terms of the protective provisions for its benefit.
RR-220-118	The draft DCO	Paragraph – 14 Heading - Final Certificate Justification - This provision is required in order to release the bond in full, to ensure that the NH costs are paid by the Applicant and to ensure that NH is given a final opportunity to inspect the SRN and be satisfied that the specified works have not resulted in damage to the statutory undertaking.	The Applicant will continue to engage with National Highways in respect of the terms of the protective provisions for its benefit.
RR-220-119	The draft DCO	Paragraph – 15 Heading – Security Justification - The Applicant is proposing to carry out works to the highway/above the highway/beneath the highway and in land owned by NH. These works may be commenced and not completed, may be constructed contrary to the approved design or may be suspended due to the dissolution of the Applicant. In such cases, NH is exposed to a potentially significant financial burden in removing the works from the highway estate. Outside the Planning Act 2008, payment for any works which an authority are authorised to execute (i.e. not just works to the highway itself) may be secured under a section 278 agreement, with such a payment being secured through a bond or cash deposit. In the absence of any commitment by the Applicant to enter into a	The Applicant will continue to engage with National Highways in respect of the terms of the protective provisions for its benefit.

Reference	Theme	Issue raised	The Applicant's response
		section 278 agreement containing provisions to put security in place for the benefit of NH, the NH protective provisions require security in a manner which is consistent with the measures applying to developments carried out under the Town and Country Planning Act 1990, applying the provisions of the Highways Act 1980. The NH protective provisions are an appropriate mechanism to assure security such as a bond and without this, NH would be faced with potentially significant financial liabilities for which it is not funded and has no budget.	
RR-220-120	The draft DCO	Paragraph – 16 Heading - Commuted Sum Justification - Where the Applicant proposes to install apparatus on the highway, a commuted sum is required to contribute to the maintenance of the apparatus. It is not for the public purse to pay for maintenance of apparatus that is added to the highway estate as a consequence of third party development, without contribution.	The Applicant will continue to engage with National Highways in respect of the terms of the protective provisions for its benefit.
RR-220-121	The draft DCO	Paragraph – 17 Heading – Insurance Justification - Insurance is required of all contractors working on the SRN and this should extend to operations carried on over and under the highway due to the potential for damage to infrastructure, highway assets and road users.	The Applicant will continue to engage with National Highways in respect of the terms of the protective provisions for its benefit.
RR-220-122	The draft DCO	Paragraph – 18 Heading – Indemnity Justification - NH must be held harmless for the construction, maintenance and operation of the Authorised Development and any resultant impacts and it is common practice for statutory undertakers to be indemnified in such circumstances. It should not be for the public purse to cover instances of loss or damage occasioned by third party works.	The Applicant will continue to engage with National Highways in respect of the terms of the protective provisions for its benefit.
RR-220-123	The draft DCO	Paragraph – 19 Heading - Maintenance of the specified works Justification - To ensure that where maintenance to a specified work is required, the relevant road space booking procedures are complied with to ensure the safety of contractors and road users.	The Applicant will continue to engage with National Highways in respect of the terms of the protective provisions for its benefit.
RR-220-124	The draft DCO	Paragraph – 20 Heading – Land Justification -To ensure that matters of compulsory acquisition are directed to the legal team at NH and to ensure that powers are not exercised by way of GVD circumventing NH's ability to impose restrictions and controls on the use	The Applicant will continue to engage with National Highways in respect of the terms of the protective provisions for its benefit.

Reference	Theme	Issue raised	The Applicant's response
		of the land in a way which would impact on the SRN or be detrimental to safety.	
RR-220-125	The draft DCO	Paragraph – 21 Heading - Expert Determination Justification - Expert determination is preferred due to the speed of the process and the often technical nature of the points in dispute being more suited to determination by an Engineer or other highway professional.	The Applicant will continue to engage with National Highways in respect of the terms of the protective provisions for its benefit.
RR-220-126	The draft DCO	Attached Appendix 1 – National Highway's proposed protective provisions	The Applicant has responded to the issues raised regarding protective provisions in National Highways' Relevant Representation in turn above.

Table 2-13 The Applicant's response to RR-222 from Natural England

Reference	Theme	Issue raised	The Applicant's response
RR-222-1	Greeting	Natural England have submitted our full relevant representations to HampshireWaterProject@planninginspectorate.gov.uk Dear Sir/Madam, NSIP Reference: WA010002 Natural England's comments on the proposed Hampshire Water Transfer and Water Recycling Project Examining authority's submission deadline: 24th August 2026 Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. Please find our Relevant Representations below. For any further advice on this consultation please contact the case officers (redacted) ((redacted)@naturalengland.org.uk) and (redacted) ((redacted)@naturalengland.org.uk) and copy to consultations@naturalengland.org.uk. Yours faithfully, Dr. Aldous Rees Senior Officer Thames Solent Area Team	The Applicant notes this comment.
RR-222-2	Greeting	Natural England's Relevant Representations	The Applicant notes this comment.

Reference	Theme	Issue raised	The Applicant's response
		PART I: Natural England's Advice on matters relevant to the Natural Environment (Pages 2-16) PART II: Natural England's detailed comments on the Development Consent Order (DCO) (Page 17) Part I: Natural England's Advice on matters relevant to the Natural Environment	
RR-222-3	Terrestrial and freshwater biodiversity	Summary of Natural England's Advice The proposal is located in an environmentally sensitive area and supported by a large volume of documents assessing potential impacts to a range of environmental features. We recognise that it is a key water resource option to allow less abstraction from the River Itchen SAS, SSSI and the River Test SSSI. In principle, Natural England has no major issues with the development proposal, but we have provided detailed advice on the Habitats Regulations Assessment, highlighting areas where we think more clarity can be provided as well as correcting some minor issues. The proposal includes the direct loss of a site which is functionally linked to nearby Special Protection Areas. There is a bespoke mitigation strategy in development to mitigate for this impact, the principles of which Natural England agrees with. We welcome the project's commitment to providing biodiversity net gain, and for their early engagement with Natural England to discuss potential environmental impacts. This early engagement and the various technical working groups have been valuable in allowing us to provide early advice, and to get a better understanding of the Project's potential impacts. Natural England's advice in these relevant representations is based on information submitted by Southern Water Services Limited (the Applicant) in support of its application for a Development Consent Order (DCO) in relation to the development of a Water Transfer and Water Recycling Project (HWTWRP) ('the Project'). Part I of these representations details what Natural England considers the main issues [FOOTNOTE: 1 PINS NSIP Advice Note 11 Annex C sets out Natural England's role in infrastructure planning. [https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2015/10/PINS-Advice-Note-11_AnnexC_20150928.pdf] to be in relation to the DCO application and indicates the principal submissions that it wishes to make at this point. Natural England will develop these points further as appropriate during the examination process. We may have further or additional points to make, particularly if further information about the project becomes available.	The Applicant notes the summary of Natural England's advice and has provided responses within the relevant references below.

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RR-222-4	Terrestrial and freshwater biodiversity	Our comments are set out against the following sub-headings which represent the key areas of our statutory remit: • Internationally designated sites • Nationally designated sites • Protected species • Biodiversity Net Gain • Nationally designated landscapes • Soils and best and most versatile agricultural land • Ancient woodland and ancient/veteran trees • Our comments are flagged as red, amber or green: • RED are those where there are fundamental concerns which it may not be possible to overcome in their current form. • AMBER are those where further information is required to determine the effects of the project and allow the Examining Authority to properly undertake its task and or advise that further information is required on mitigation/compensation proposals in order to provide a sufficient degree of confidence as to their efficacy. • GREEN are those which have been successfully resolved (subject always to the appropriate requirements being adequately secured) Part II of these representations contains our detailed comments on the draft Development Consent Order (DCO). Natural England has been engaged by the applicant via our Discretionary Advice Service (DAS) for this project. We have also provided comment at the statutory EIA Scoping and Section 42 consultation stages of the project. We have been engaged on the development of a Statement of Common Ground (SoCG) and Letters of No Impediment (LoNI).	The Applicant notes and understands how Natural England has flagged their comments.
RR-222-5	Terrestrial and freshwater biodiversity	2. Natural Features Potentially Impacted by the Application Internationally Designated Sites - AMBER Twelve internationally designated sites have been identified within the draft consent order boundary, and additional hydrologically connected sites have been screened into the further stages of assessment in the Habitats Regulations Assessment - Stage 2 Appropriate Assessment [APP-053] (the shadow HRA or 'sHRA').	The Applicant notes Natural England's comment on the number of internationally designated sites and hydrologically connected sites. As Natural England states, these sites have been screened into further stages of assessment within the Habitats Regulations Assessment - Stage 2 Appropriate Assessment (Document reference 5.2, DCO Volume 5, Version 2).
RR-222-6	Water environment	River Itchen Special Area of Conservation (SAC) River crossings	The Applicant welcomes Natural England's conclusion that, based on the mitigation measures described in ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1) and the Outline Construction Environmental Management Plan (Document reference 7.1, DCO

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		The River Itchen catchment is crossed by the proposed pipeline via trenchless methods. Natural England has worked with SWS to ensure impacts will not occur during these works. Based on the methodology and mitigation as outlined in Environment Statement (ES) Chapter 19 Water Environment [APP-098] and the outline Construction Environmental Management Plan [APP-412, 413, 414] (oCEMP), Natural England would agree with the sHRA conclusions of no adverse effect.	Volume 7, Version 1 for document 1 of 3), the Project would not result in adverse effects on the River Itchen Special Area of Conservation (SAC).
RR-222-7	Terrestrial and freshwater biodiversity	White clawed crayfish is a feature of the River Itchen SAC. Whilst Natural England agrees with the conclusion to screen white clawed crayfish in and the documentation has assumed they are present within the River Itchen catchment, the data presented in paragraph 8.7.210, Chapter 8: Terrestrial and freshwater biodiversity [APP-087] is not accurate. It states that no known records have been recorded for the catchment, however there is a known population of white clawed crayfish present upstream of Winchester (outside of the draft order limits). The same applies for Southern Damselfly where this has been screened in, but text in ES Chapter 8: section 8.7.212 implies they are not present with the catchment from desk studies and surveys, which is not the case. This said, we would agree impacts to both white clawed crayfish and southern damselfly with the proposed construction methods are low. Other features We have also discussed potential impacts to water vole, brook lamprey and bullhead with the applicant through technical working group meetings. We are satisfised risks to these species are low should the proposed mitigation be implemented.	The third-party sources, comprising Hampshire Biodiversity Information Centre and the Environment Agency Ecology and Fish Data Explorer, did not return any records for white clawed crayfish and southern damselfly in the desk study area of the Itchen in the past 10 years, and surveys undertaken for the purposes of the Project did not return any positive results for either species (see ES Appendix 8.9 Freshwater Ecology [APP-135]). The Applicant recognises that 8.7.210 and 8.7.212 of the ES Chapter 8 Terrestrial and freshwater biodiversity [APP-087] were not sufficiently clear in referring to the study area relevant to the Project within each catchment, and this has been updated in Document reference 6.1, DCO Volume 6, Version 1 for submission at Deadline 1. The assessment assumes that both species are present in the catchment given their listing in citation and anecdotal evidence of introduced or established populations elsewhere in the catchment. The Applicant would be pleased to receive any records held by Natural England and not available from the above sources so they can be included in the assessment, if appropriate. The Applicant notes Natural England's satisfaction that risks to water vole, brook lamprey, bullhead, white clawed crayfish and southern damselfly are low with the mitigation and construction methods proposed.
RR-222-8	Water environment	River Meon Compensatory SAC Habitat River crossings The River Meon has been identified as compensatory SAC Habitat, so per the National Policy Planning Framework (NPPF), it is given the same level of protection as a SAC. The River Meon catchment is crossed by the proposed pipeline via trenchless methods. Natural England has worked with the company to ensure impacts will not occur during these works. Based on the methodology and mitigation as outlined in ES Chapter 19: Water Environment and the oCEMP, Natural England would agree with the sHRA conclusions of no adverse effect.	The Applicant welcomes Natural England's conclusion that, based on the mitigation measures described in ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1) [APP-098] and the Outline Construction Environmental Management Plan (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), the Project would not result in adverse effects on the River Meon Compensatory SAC Habitat.
RR-222-9	Terrestrial and freshwater biodiversity	Features of the River Meon compensatory SAC habitat There are a number of inconsistent references to the River Meon compensatory SAC habitat within the documentation. ES Chapter 8 refers to brook lamprey being a feature of the River Meon compensatory habitat, which	The Applicant notes the references to brook lamprey as a feature of the River Meon compensatory SAC were incorrect in paragraphs 8.3.8 and 8.7.143 of ES Chapter 8 Terrestrial and freshwater biodiversity [APP-087]. The Applicant has updated these paragraphs in ES Chapter 8 Terrestrial and freshwater

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		is not the case. The compensatory SAC only has Atlantic Salmon and chalk stream river habitat as features. We note the sHRA has correctly screened the features of this site.	biodiversity (Document reference 6.1, DCO Volume 6, Version 1) for submission at Deadline 1.
RR-222-10	Terrestrial and freshwater biodiversity	Chichester and Langstone Harbours Special Protection Area (SPA) and Ramsar Functionally Linked Land - Direct Impacts The proposals will lead to the direct loss of land functionally linked to the SPA. These functionally linked sites form part of a network of terrestrial sites (mapped as part of the Solent Wader and Brent Goose Strategy) (SWBGS) form part of a network of terrestrial sites located outside of the Solent SPAs boundaries used by SPA species (including qualifying features and assemblage species) as alternative areas for roosting and foraging. These sites support the functionality of the designated sites and are therefore protected in this context. [FOOTNOTE: 2 Functional linkage: How areas that are functionally linked to European sites have been considered when they may be affected by plans and projects - a review of authoritative decisions (Natural England Commissioned Research 207)] The site which would be lost is classed as low use area H08 and supports Brent Goose and Turnstone. The loss of this functionally linked land has been considered in the sHRA. We welcome the inclusion of Table 5-11 (overview of SWBGS sites) which is helpful. The proposed mitigation for the direct loss of the whole of SWBGs Site H08 is detailed in paragraph 4.1.12 (onwards) of the sHRA. It states that a mitigation strategy has been agreed in principle with Natural England which is correct. We also agree that the sHRA has assessed the appropriate area of loss. The mitigation strategy has not yet been submitted to support the DCO. We recommend that this is provided to the Examining Authority as soon as possible. To provide the decision maker with maximum certainty, the strategy should include details of; the exact area and location, details of how the site will be managed, who will undertake the management, how the habitat will be monitored, any necessary remedial measures, and details of how all of this will be secured and funded. Natural England expect that this information can and will be provided before the closure of examination. The underlying principles behind the intended mitigation scheme are included in paragraphs 4.1.12 - 4.1.17 of the sHRA and Natural England agree that, in principle, the proposed measures are suitable. We welcome the inclusion of a specific requirement to address this strategy in the draft DCO.	The Applicant welcomes Natural England's comments that in principle the proposed mitigation measures set out in the Habitats Regulations Assessment - Stage 2 Appropriate Assessment and Marine Conservation Zone - Stage 1 Assessment (the HRA; Document reference 5.2, DCO Volume 5, Version 1, [AS-012]) are suitable. Since the submission of the application and raising of the Relevant Representations, there has been ongoing engagement and progress on these matters. Requirement 17 of the draft DCO [APP-023] secures the delivery of the Solent Waders and Brent Goose mitigation identified in the HRA before any part of Work No. 1 (water recycling plant) is able to commence. It requires, before any part of Work No. 1 (water recycling plant) may commence, the relevant planning authority's approval of details demonstrating that the undertaker has secured land to enable the provision of that mitigation, together with the details of a regime of management measures and timetable for the implementation of those measures. The relevant planning authority must consult Natural England before giving its approval. The details submitted must substantially accord with the description of the Solent Waders and Brent Goose mitigation in the HRA, and the mitigation must be provided and maintained in accordance with the approved timetable and details. This is to ensure that the assessed outcomes that are required are delivered. The Applicant is actively engaging a specialist natural capital provider who will deliver and manage the mitigation on a suitable site. The specialist provider will enter into a Conservation Covenant with a responsible body. The Conservation Covenant will oblige the specialist provider to deliver and comply with an approved habitat management and monitoring plan (HMMP), which will set out the regime of management for the site so as to ensure that it is suitable for use by brent geese and is in accordance with the description of the Solent Waders and Brent Goose mitigation contained in the HRA. This will include the monitoring obligations and provision for any necessary remedial measures. Details will be approved by the responsible body before being submitted to the relevant planning authority for approval, and the relevant planning authority must consult with Natural England before approving the details. Responsible bodies are bodies designated by the Secretary of State under s.119 of the Environment Act 2021 and may only be designated as such if (for those bodies that are not local authorities) the Secretary of State is satisfied that at least some of the body's main purposes, functions or activities relate to conservation, and that they are suitable to be a responsible body. Defra has published criteria for becoming a responsible body, which include criteria relating to financial security, operational capacity and capability, and ongoing

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			suitability. The responsible body will have enforcement powers under the Conservation Covenant and also statutory remedies under s.125 of the Environment Act 2021, including injunction and specific performance. The Applicant advised Natural England on 16 November 2026 that commercial negotiations are at an advanced stage but remain ongoing, and as such the Applicant is not currently in a position to share the details of the site on which the mitigation is expected to be delivered or the specialist provider who will undertake the management. The proposed mitigation approach has already been shared with Natural England and they have agreed with the principles set out in the Habitats Regulations Assessment – Stage 2 Appropriate Assessment and Marine Conservation Zone – Stage 1 Assessment (Document reference 5.2, DCO Volume 5, Version 1), as set out in the draft Statement of Common Ground; (Document reference 5.8, DCO Volume 5, Version 1). The updated HRA (Document reference 5.2, DCO Volume 5, Version 2) includes additional information about the mitigation approach such as the securing of the ownership and management of the site through a specialist provider to ensure consistent availability of habitat in good condition for the birds. It also confirms that the mitigation site would be managed as high quality, optimal habitat (i.e., permanent grassland of short, lush grass with a varied sward) suitable not only for brent goose but also waders in line with the requirements of the Solent Waders and Brent Goose Strategy. The Applicant will continue to update the Examination as matters progress and additional information can be shared in the public domain.[APP-023]
RR-222-11	Terrestrial and freshwater biodiversity	Functionally Linked Land - Indirect Impacts The sHRA also considers potential impacts to eight other functionally linked sites. Site H90 is classified as a primary support area in the SWBGS and there are records for Oystercatcher, Green Sandpiper, Redshank, Curlew, Redshank and Brent Goose. Further, the Applicant's surveys showed use of the site by Pintail, Shoveler, Teal and Widgeon. It is notable that the Applicant's surveys have recorded species which are (presumably) on the open water, but the historic records for the site suggest there may have been use of the terrestrial parts of the site. The sHRA (paragraph 5.3.121) states that around 0.21ha of site H90 will be temporarily lost to a construction compound. The compound is only intended to be in place for one year, with the habitat being re-instated post-construction. The sHRA states (5.3.124) that this temporary loss will be mitigated by measures 'set out in section 4'. It is not clear which measures will mitigate exactly for this construction impact, and this is a running theme of the sHRA. It often states that the 'mitigation measures are set out in Section 4', which is not always helpful when the potential impacts and associated mitigation might be extremely specific.	The Applicant notes Natural England's feedback on the clarity of the submitted Habitats Regulations Assessment - Stage 2 Appropriate Assessment and Marine Conservation Zone - Stage 1 Assessment (the HRA; Document reference 5.2, DCO Volume 5, Version 2AS-012). The Applicant agrees that a summary table to include details of the impact pathway and mitigation measures for each site would provide clarity. The Applicant confirms that a new table (Table 5.16) has been added to the HRA (Document reference 5.2, DCO Volume 5, Version 2) to present mitigation measures and clearly link them to potential impacts. The updated assessment will be submitted at Deadline 1 to ensure the conclusions for SWBGS sites H07A, H07B, H07C, H04C and H03 are clearly presented. This will include the potential impacts and exact mitigation measures now listed in Table 5.16 and will provide more information regarding the construction compound in this location and the phasing of development in this area. Mitigation measures for H90, as now set out in Table 5.16, include habitat reinstatement following construction and watching briefs for at least two hours either side of high-tide to ensure disturbance of qualifying bird species is avoided. If 1% or more of the estimated population of any one qualifying species are present, works estimated to produce noise levels above 50dB

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		We recommend that further clarity is provided regarding the potential impact to site H90, more information is provided about the exact mitigation measures which will avoid impacts, further information is provided regarding the construction compound and for more information on the phasing of the development here. We agree with the conclusion regarding site H130 (Hermitage Stream) and W03G (Southwick), but as above, we recommend that more clarity could be provided on the exact mitigation measures. A number of measures such as an ornithological watching brief are considered in Section 4. Section 4.1 is titled 'Embedded and good practice measures', but a number of the mitigation measures, in particular those beginning from paragraph 4.1.22 (point 13) and onwards are measures which may be better described as bespoke measures and may be better placed in Section 5 of the assessment. Sites H07A, H07B, H07C, H04C and H03 are referred to in the assessment, but there does not appear to be conclusions about whether or not impacts have been avoided or mitigated in relation to these sites. We recommend that a summary table is produced, expanding on Table 5-11 which includes details of the proposed mitigation measures for any negative impacts. This summary table is likely to overcome the majority of our concerns regarding a lack of clarity on this element of the scheme. Natural England have agreed the principles of the mitigation for the loss of functionally linked land in H08 with the Applicant, but we were unaware that this was also meant to potentially mitigate for impacts to other currently unspecified parcels of functionally linked land (which is suggested in paragraph 5.3.124). It is important that further detail is provided on this matter as the proposed strategy may not be appropriate for all potentially impacted qualifying features.	LAeq, or a noise level above baseline that has been agreed with Natural England, will cease. Construction activities that will produce noise levels above above 50dB LAeq, or a noise level above baseline that has been agreed with Natural England, will also cease if air temperatures of 0°C or lower are forecast. These measures will also be applied at the Water Recycling Plant site to ensure there is no disturbance at sites H07A, H07B and H07C and therefore no effects to these SWBGS sites. This mitigation is secured in Outline Construction Environmental Management Plan (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3). The Applicant welcomes Natural England's agreement with the principles of the mitigation for the loss of functionally linked land in H08 and confirms that additional consultation has been undertaken with Natural England. The updates the Applicant has made to the HRA include updating 5.3.124 to ensure it is clear that the off-site mitigation is for H08 only. The updated HRA (Document reference 5.2, DCO Volume 5, Version 2) will be submitted at Deadline 1.
RR-222-12	Terrestrial and freshwater biodiversity	Washout Valves While the sHRA considers operational impacts of the washout valves, the potential construction impacts are less detailed. Paragraph 5.3.434 of the sHRA notes the potential impacts from habitat loss which may arise from this construction, but only considers potential impacts on bat habitat. Further consideration of the environmental impacts of the washout valves is provided in paragraph 8.9.2 of ES Chapter 8. We would welcome further information on the design of these washout valves, the permanent loss of 'up to 10m^2 habitat' could be significant if this is above-ground infrastructure.	The Applicant recognises Natural England's concern about the potential loss of habitat due to the construction of washout, isolation or air valves and can confirm that these will not be located within internationally designated sites or functionally linked land (SWBGS sites). The Habitats Regulations Assessment - Stage 2 Appropriate Assessment and Marine Conservation Zone - Stage 1 Assessment (Document reference 5.2, DCO Volume 5, Version 2) confirms that washout valves will not be located within the Havant Bechstein's Bat Area and the Applicant has updated this submission at Deadline 1 to reflect this confirmation. A worst case scenario approach to the assessment of washout, isolation and air valves is contained within ES Chapter 8 Terrestrial and freshwater biodiversity (Document reference 6.1, DCO Volume 6, Version 1), which considers a maximum size of permanent habitat loss. More detail is provided in section 3.3 of ES Chapter 3 Description of the Proposed Development [APP-082], with paragraphs 3.3.67 to 3.3.69 stating:

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			"*Isolation valves and washout valves would be contained with below-ground chambers sized to ensure access around the pipework and fittings to enable future operation and maintenance and might equate to approximately a 3x3x3m chamber. The chambers would be ventilated and the top would stand at least 300mm above-ground level in open land, finished with an appropriately security rated chamber cover."* *"Air valves would be contained within below-ground chambers and might equate to a 1.5m diameter chamber. The chambers would be ventilated and stand at least 300mm above-ground level in open land."* *"All types of valve chambers would be located to allow for maintenance access and would be marked with an indicator post with an approximate height of 1.1m for identification*."
RR-222-13	Terrestrial and freshwater biodiversity	Disturbance As discussed above, paragraphs 4.1.22 (from point 13 and onwards) include a number of mitigation measures which have been defined in the sHRA as 'embedded good practice measures'. While we agree that the proposed measures would be appropriately mitigate potential harm to the qualifying features of nearby SPAs, these measures resemble bespoke mitigation measures more so than embedded practice. It is not clear whether the measures in this part of section 4 will be included in a relevant 'control document'. For example, it is not clear whether the project can be required to carry out works in line with 'measures specified in the HRA Stage 2 assessment'. We would usually expect specifications to be contained in a control document like the oCEMP. Some mitigation measures are specified in the oCEMP (e.g. TBF 23), but it is not clear if every measure (e.g. visual screening, non-winter working) is embedded in the oCEMP. The sHRA could be updated to include specific reference to the oCEMP references or measures to aid clarity. We recommend the sHRA is updated with a new table similar to table 3-1 of the HRA or Table 8-18 in ES Chapter 8, which set out the site, impact pathway and mitigation measure for ease of reference. If this could also include how/where the mitigation measure is secured, this would provide maximum clarity.	The Applicant welcomes Natural England's feedback and has updated the HRA (Document reference 5.2, DCO Volume 5, Version 2) for submission at Deadline 1, to ensure the embedded mitigation measures and good practice measures clearly link to the relevant control document references. The Applicant agrees that a summary table to include details of the impact pathway and mitigation measures for each site would provide clarity. The mitigation measures presented in the HRA are secured in the Outline Construction Environmental Management Plan (Document reference 7.1, DCO Volume 7, Version 1) and [APP-413 and APP-414], the Outline Landscape and Ecology Management Plan (Document reference 7.5, DCO Volume 7, Version 1) and the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1) and the new Table 5.16 links each measure with the relevant securing document. In addition, the mitigation for potential impacts on land functionally linked to the costal SPAs and Ramsar sites is secured by Requirement 17 under Schedule 2 of the draft Development Consent Order [APP-023].
RR-222-14	Water environment	Other Pathways Natural England agrees with the conclusions relating to construction: Direct impacts (SuDS outlet), Hydrology, and Nutrients.	The Applicant welcomes Natural England's confirmation that it agrees with the findings of ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1) that construction-stage impacts (direct impact from the SuDS outlet, changes to hydrology and nutrient supply) would not result in adverse effects on the Chichester and Langstone Harbours SPA and Ramsar and functionally linked land.

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RR-222-15	Land quality and ground conditions	The water recycling plant is located on the site of a former landfill which poses potential risks to this site through leaching, construction methods should ensure the lining of this site is not breached and chemicals and leachates leached which could impact this site further. Suitable mitigation will be needed during construction and operation to ensure impacts do not occur. This impact pathway has been considered and the mitigation proposals appear appropriate, but it should be noted that Natural England are unable to provide detailed technical comments on the Waterborne pollution element as this falls outside of our area of technical expertise.	The Applicant notes that Natural England considers the pathway for the migration of chemicals and leachates from the historical Harts Farm Way landfill, where the Water Recycling Plant is to be located, has been considered and that the proposed mitigation measures are appropriate. The Applicant also notes that Natural England are unable to provide detailed technical comments on waterborne pollution as it falls outside of their area of technical expertise.
RR-222-16	Air quality and odour	We provide our standard advice on air quality within this letter, and offer no further bespoke comments.	The Applicant acknowledges Natural England's feedback regarding the assessment of air quality and odour and this has been applied to the assessment as outlined in section 6.5 of ES Chapter 6 Air quality and odour (Document reference 6.1, DCO Volume 6, Version 1), where relevant.
RR-222-17	Water environment	Operational Impacts We largely agree with the conclusions regarding operational impacts, however more information could be provided regarding the 'operational measures' which will be put in place to prevent hydrological impacts (via pollution release). It does not appear that the oCEMP will be updated to specify these measures, as it is not related to construction.	The Applicant welcomes Natural England's conclusions and notes that measures to mitigate impacts during the operational phase are described in the Operational Environmental Management Plan [APP-422]. This includes several measures designed to manage hydrological and pollution impacts: • OEMP2: Water released from pipeline drawdown, testing and routine maintenance of washout valves will be collected directly by tanker and taken to a suitable off-site location for disposal. • OEMP5: Appropriate soil protection measures from the Soul Resources Management Plan will be implemented for maintenance activities where appropriate. • OEMP8: The Contractor will prepare a Pollution Management Plan in line with requirements set out in the Water Industry Act 1991 and the Water Act 1989. The plan will detail the practical measures that will be implemented to avoid pollution incidents and will have regard to good practice measures and guidance. The plan will also detail procedures to deal with pollution incidents that may occur.
RR-222-18	Terrestrial and freshwater biodiversity	Other Internationally Designated Sites Provided the relevant mitigation for impacts is secured, Natural England has no further concerns relating to the potential impacts on the: • Solent Maritime SAC • Portsmouth Harbour SPA and Ramsar • Solent and Dorset Coast SPA • Solent and Southampton Water SPA and Ramsar • South White Maritime SAC • Isle of Wight Lagoons SAC	The Applicant welcomes Natural England's confirmation that it has no further concerns relating to the potential for impacts on the Solent Maritime Special Area of Conservation (SAC), Portsmouth Harbour Special Protection Area (SPA) and Ramsar, Solent and Dorset Coast SPA, Solent and Southampton Water SPA and Ramsar, South Wight Maritime SAC, Isle of Wight Lagoons SAC and Singleton and Cocking Tunnels SAC.

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		• Singleton and Cocking Tunnels SAC The majority of impact pathways for the above sites have been considered in detail in assessing impacts to Chichester and Langstone SPA as this is the closest site to the main construction element of the project.	
RR-222-19	Terrestrial and freshwater biodiversity	Nationally Designated Sites - GREEN 13 Sites of Special Scientific Interest (SSSI) have been identified to be in within the draft order limits, a number of sites outside of the draft order limits have been assessed only for air quality impacts. • 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 We do not anticipate any impacts to the interest features of any SSSIs outside of those already considered in the sHRA. Provided that the best practice construction methods are utilised, and all mitigation measures have been secured and are implemented, we have no further comments or concerns. We would highlight, for awareness, that the Langstone Harbour SSSI condition assessment has recently been updated which has downgraded many of the condition categories compared to what is presented in the ES. Additionally, the Maerl beds (paragraph 6.2.1) are not in favourable condition.	The Applicant notes this GREEN response from Natural England and that there are, subject to implementation of good practice mitigation as secured via the Outline CEMP – 1 of 3 documents (Document reference 7.1, DCO Volume 7, Version 1), no further comments or concerns. The Applicant thanks Natural England for bringing to the Applicant's attention the change in condition within Langstone Harbour SSSI although this information would not result in a change to the assessments presented in ES Chapter 8 Terrestrial and freshwater biodiversity (Document reference 6.1, DCO Volume 6, Version 1) or ES Chapter 9 Marine biodiversity (Document reference 6.1, DCO Volume 6, Version 1).
RR-222-20	Air quality and odour	Air Quality Standard Advice Natural England provides the following standard advice on air quality. This advice relates to the protection of protected sites under the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations) and the Wildlife and Countryside Act 1981. This standard advice is applicable to all stages of the NSIP process and may be used by the applicant for NSIP pre application stages, by the Examining Authority (ExA) during the statutory	The Applicant acknowledges Natural England's feedback regarding the assessment of air quality and odour and the air quality standard advice has been applied to the assessment outlined in ES Chapter 6 Air quality and odour (Document reference 6.1, DCO Volume 6, Version 1), where relevant.

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		stages of the NSIP and by the relevant Secretary of State as the competent authority. Protected sites are 'sites of special scientific interest' (SSSIs) and 'habitats sites' (also called 'European sites'). For the purposes of this advice, Habitats Sites are Special Areas of Conservation (SACs), possible SACs, Special Protection Areas (SPAs), Potential SPAs, Ramsar sites, and sites identified, or required, as compensatory measures for adverse effects on Habitats Sites. Although their regulatory frameworks differ, the general principles and approach for air pollution assessment outlined for Habitats Sites are also relevant for SSSIs. Where the following advice applies to both, we use the term protected sites. Where the advice or approach differs, the individual terms are used. This includes advice on information that is required to assess this and how to interpret the results of air quality modelling for the decision maker to conclude whether air quality impacts would have an adverse effect on the integrity of a Habitat site or a SSSI. The Examining Authority (ExA) should also consider any relevant caselaw that could affect how you carry out any air quality assessments.	
RR-222-21	Air quality and odour	Air Pollutants This advice covers the following air pollutants from the construction, operation and decommissioning phases of a proposal: • ammonia (NH3) • nitrogen oxides (NO, NO2 or NOx) • nitrogen deposition • acid deposition • sulphur dioxide (SO2) Standing advice on air pollution and development is also available online [FOOTNOTE: 3 https://www.gov.uk/guidance/air-pollution-and-development-advice-for-local-authorities.] Whilst the standing advice does not cover NSIPs, it does include additional technical advice which may prove useful. However, in summary, Table 1 provides the steps that we advise should be taken to assess air quality impacts on protected sites. The applicant should provide their own assessment containing the information and detailed modelling you need. The ExA will need to review this and make your own conclusion.	The Applicant acknowledges Natural England's feedback regarding the assessment of air quality and odour and the air quality standard advice has been applied to the assessment outlined in section 6.5 of ES Chapter 6 Air quality and odour (Document reference 6.1, DCO Volume 6, Version 1), where relevant.
RR-222-22	Air quality and odour	Table 1: Sequential approach to air quality assessments Stage - Initial screening for credible risk of an effect Step 1 - Check Distance criteria - could significant emissions reach a protected site? Yes = move to Step 2 No = no further HRA required	The Applicant acknowledges Natural England's feedback regarding the assessment of air quality and odour and has assessed SSSIs using the same approach as that which was used to assess Habitats Sites as outlined in section 6.5 of ES Chapter 6 Air quality and odour (Document reference 6.1, DCO Volume 6, Version 1), where relevant.

Reference	Theme	Issue raised	The Applicant's response
		Supplemental evidence/ basis for judgment - The [REDACTED] (APIS) includes an introduction to air pollution. APIS provides site specific information on the interest features of individual protected sites and the sensitivity to air quality impacts of those features. Please see Table 2 for industrial air pollution screening distances. For road traffic impacts, roads on the affected road network that lie within 200m of a designated site should be considered. Use Magic Map to check the location of designated sites. Search for the location then select the 'Designations' option. Stage - Initial screening for credible risk of an effect Step 2 - Check if the qualifying habitats or supporting habitat of qualifying species are sensitive to air quality impacts. Yes = move to Step 3 No = no further HRA required APIS Site relevant Critical Loads and Levels (based on literature and professional judgement) [REDACTED] Some habitats may not have a critical load because there is not enough data. In these cases, you should find the critical load for a similar habitat type or feature. Supplemental evidence/ basis for judgment - The qualifying features of Habitats Sites can be identified in the relevant Site Conservation Objectives and Supplementary advice packages, which include a definitive list of legally qualifying features. These objectives are available here. Alternatively, a list of qualifying features can also be found by searching for the Habitats Site and SSSIs on Designated Sites View , alongside Conservation Objectives and Supplementary Advice for Habitats Sites. The above links will also show whether any of the qualifying features for Habitats Sites have a Restore or Maintain Conservation Objective in relation to air quality thresholds (critical levels or loads). If the site is a SPA or an SAC/SSSI designated for an animal species (as opposed to a habitat), determine whether the predicted pollution effects on the supporting habitat will have a negative effect on the notified species. Stage - Detailed AQ modelling Step 3 - Undertake detailed modelling using a recognised dispersal model - i.e. Atmospheric Dispersion Modelling System (ADMS) Unless robust site-specific evidence is provided, we advise the lower range of the critical load should be used in modelling. If there are site specific reasons why it is more appropriate to use the higher end of the range, then this should be clearly evidenced. Supplemental evidence/ basis for judgment - Air Quality modelling should include relevant scenarios that are clearly identified. One such example of scenarios is a baseline plus future forecasts as follows: Baseline, a construction year, and future operational year(s), do nothing (without	

Reference	Theme	Issue raised	The Applicant's response
		proposal), do something (with proposal); taking into account background trends for each pollutant). For proposals that will emit pollutants from a point source, it is helpful to provide isopleths of the dispersion modelling results, showing the predicted contours of pollutant concentration and deposition of the development. These may be assessed against the locations of protected sites and sensitive features within those sites. At least 3 years of meteorological data should be included within the AQ modelling for sources other than for road transport modelling The Institute of Air Quality Management (IAQM) has produced the following document to assist its members in the assessment of the air quality impacts of development on designated nature conservation sites: [REDACTED TEXT] Stage - Applying screening thresholds Step 4a - Apply Screening Threshold Alone If below threshold alone, move to step 4b. If above = move straight to step 5 Supplemental evidence/ basis for judgment - Ascertain the Process Contribution (PC) from the plan or project (emissions and predicted deposition). Apply Screening threshold (1% of critical level or load) alone using the [REDACTED TEXT] If the process contribution is less than 1% of the relevant long-term benchmark (Environmental Assessment Level, Critical Level or Critical Load), the emission is not likely to have a significant effect alone irrespective of the background levels. Stage - Applying screening thresholds Step 4b - Apply Screening Threshold In-combination. If below threshold in-combination = no LSE/significant risk of damage etc and no further assessment required. If above = move straight to step 5 Applicants might use the Joint Nature Conservation Committee (JNCC) 'decision-making thresholds' as a reason for not completing an in-combination assessment.	
RR-222-23	Air quality and odour	Table 2: Industrial air pollution screening distances Emission source - Industrial developments Distance for SSSIs - 2km Distance for NSN sites - 5km Emission source - General combustion processes (under 20MW energy input) Distance for SSSIs - 500m Distance for NSN sites - 500m	The Applicant acknowledges Natural England's feedback regarding the assessment of air quality and odour and has provided relevant information from the air quality modelling undertaken as part of the ES in ES Appendix 6.5 Construction road vehicle exhaust emissions assessment - ecological features transects results - nitrogen oxides [APP-113].

Reference	Theme	Issue raised	The Applicant's response
		Emission source - General combustion processes (20MW to 50MW energy input) Distance for SSSIs - 2km Distance for NSN sites - 2km Emission source - General combustion processes (over 50MW energy input) Distance for SSSIs - 2km Distance for NSN sites - 10km Emission source - Mechanical and biological waste treatment Distance for SSSIs - 500m Distance for NSN sites - 500m Emission source - Landfill waste Distance for SSSIs - 2km Distance for NSN sites - 2km Emission source - Compost (under 500 tonnes maximum annual operational throughput) Distance for SSSIs - 500m Distance for NSN sites - 500m Emission source - Compost (500 to 75,000 tonnes maximum annual operational throughput) Distance for SSSIs - 1km Distance for NSN sites - 1km Emission source - Compost (over 75,000 tonnes maximum annual operational throughput) Distance for SSSIs - 2km Distance for NSN sites - 2km Emission source - Airports, helipads and other aviation proposals Distance for SSSIs - 5km Distance for NSN sites - 5km Emission source - Oil and gas exploration and extraction Distance for SSSIs - 500m Distance for NSN sites - 500m Emission source - Quarries Distance for SSSIs - 200m Distance for NSN sites - 200m	

Reference	Theme	Issue raised	The Applicant's response
		Emission source - Other industrial developments causing air pollution Distance for SSSIs - 500m Distance for NSN sites - 500m	
RR-222-24	Air quality and odour	Additional Advice Common Standards Monitoring [FOOTNOTE: 4 "https://jncc.gov.uk/our-work/common-standards-monitoring/" Common Standards Monitoring | JNCC - Adviser to Government on Nature Conservation] is used to define the ecological condition of a protected site. It is undertaken on a broader level and does not currently consider air quality impacts. The relevant benchmark for assessing impacts is the critical thresholds. Therefore, the existing status of a designated site should not be the sole reason for judgement on potential impact. For many protected sites, the current background pollution may already be exceeding the relevant critical load/level from a different source type to the project being assessed (e.g. where the main source of background exceedance is due to agriculture, but the proposal is an industrial project). Proposals must consider their own impacts against the relevant environmental thresholds. There are many reasons why background levels are high, but the conservation objective is to 'maintain or restore' air pollutants to within these benchmarks. The objective would be undermined by proposals that add further emissions, including if it compromises any strategic initiatives to reduce air pollution levels. You must determine if there is evidence that the increased emissions represent a measurable risk and could compromise the strategic initiatives. You would need to consider information on: • the extent to which any declining national trends in air pollution, or strategic initiatives to tackle emissions affecting the site more locally, might otherwise lead to improvements • the rate at which such improvements are anticipated • the extent of the impacts of a plan or project, and whether those impacts can properly be considered temporary and reversible If the affected area is small, consider the risk to site integrity proportionally. For example, how important is the area in terms of rarity, location, distribution, vulnerability to change and ecological structure. If it is a supporting habitat, consider its importance to the designated species on the site. Consider any site survey information that may provide evidence of existing impacts.	The Applicant acknowledges Natural England's feedback regarding the assessment of air quality and odour which has been applied to the assessment as outlined in section 6.5 of ES Chapter 6 Air quality and odour (Document reference 6.1, DCO Volume 6, Version 1), where relevant.
RR-222-25	Air quality and odour	Emissions from road transport Emissions from road transport may be an operational impact or be limited to the construction phase of proposals. Roads on the affected road network that lie within 200m of a designated site should be considered. If all affected roads	The Applicant acknowledges Natural England's feedback regarding the assessment of air quality and odour which has been applied to the assessment of emissions from road transport, as outlined in section 6.5 of ES Chapter 6 Air

Reference	Theme	Issue raised	The Applicant's response
		are further than 200m from a protected site, then there is no likely significant effect (habitats sites) or no impact (SSSIs) on protected sites from air pollution Improvements in vehicle technology and a move to further electrification of the vehicle fleet will, over time, result in lower background levels of nitrogen deposition and nitrogen oxide pollution near to roads. As most sites are currently over the relevant thresholds and have a 'restore' objective, this should be noted as a 'retardation' of the restore objective and expressed in months and years. Retardation of less than one year is acceptable as air quality is considered against an annual average. Please note that ammonia impacts cannot be assessed in this manner as there is no certainty of a declining trend.	quality and odour (Document reference 6.1, DCO Volume 6, Version 1), where relevant.
RR-222-26	Air quality and odour	DEFRA Emissions Factor Toolkit The Defra Emission Factor Toolkit (EFT) allows for gradual introduction of electric vehicles into the fleet (cars and LGVs) up to 2050. These are the emission factors we advise that NSIPs should be using (which we advise should also consider ammonia emissions as well as NOx - using one of three sets of emission factors available). However, the User Guide to the EFT highlights that calculation tools only support assessment years 2018 up to 2030, reflecting that predictions and assumptions beyond then become less certain. Where EFT calculated emissions are to be used after 2030 to inform air quality assessments, the EFT indicates that appropriate caveats around the limitations of the analysis must be included to accompany the assessment. We therefore advise that emission factors no later than 2030 are used for HRA - which would mean percentages of EVs are at predicted 2030 levels. A key concern is that, although EVs themselves have no tailpipe emissions, and the percentage of them will increase, the remaining combustion engine vehicles on the road may become more polluting as they age as selective catalytic reduction technology may create 'ammonia slip' over time. Ammonia slip is the unreacted ammonia (NH3) that escapes from a selective catalytic reduction (SCR) or selective non-catalytic reduction (SNCR) system used to reduce NOx in exhaust gases.	The Applicant acknowledges Natural England's feedback regarding the assessment of air quality and odour which includes the use of Defra's Emissions Factors Toolkit and the Calculator for Road Emissions of Ammonia and has been applied to the assessment as outlined in ES Chapter 6 Air quality and odour (Document reference 6.1, DCO Volume 6, Version 1), where relevant. Emissions factors for 2023 have been used in the baseline and verification year assessment and emissions factors for 2028 (the first year of construction) have been used across all future year scenarios.
RR-222-27	Terrestrial and freshwater biodiversity	Motorways within the affected road network There is potentially an added complexity to the need for in-combination assessments when considering traffic on motorways, as including these roads can mean that the assessment takes account of traffic growth related to strategic factors or long range (external) trips that are independent of the specific plan or project and neighbouring plans or projects. These roads are strategically important and tend to have high volumes of traffic as well as being well represented in traffic models. The air quality assessment should therefore include traffic flows on these roads, but the external trips can be excluded from the initial screening assessment. A justification and explanation of which journeys are included and excluded in the traffic model should be provided.	The Applicant understands that Natural England requests that traffic flows along motorways within the affected road network, including in-combination flows, are included in the air quality assessment of road traffic emissions. The Applicant can confirm that traffic data between Junctions 10 and 12 of the M3 motorway were included in the air quality assessment. This included existing and projected M3 traffic, as well as traffic flows from the Project and in-combination traffic data from nearby plans and projects. The Project-alone traffic data and in-combination traffic data was screened and the corresponding scenarios were modelled in the air quality assessment. In-combination traffic data was provided within a 3km Zone of Influence (ZoI) for plans or projects that are the most influential in nature (EIA projects and development plan allocations >150 dwellings, as well as those specifically put

Reference	Theme	Issue raised	The Applicant's response
		The conclusions reached on the air pollution impacts of the HRA must be incorporated into the wider HRA conclusions for other impact pathways identified for the proposals.	forward by the Local Planning Authorities). Therefore, traffic flow data was included for the most influential committed development, plans and projects within a 3km radius of the traffic study area. Traffic outside of the ZoI was included as part of the existing and projected traffic flow data. As such, external trips (i.e. those outside of the ZoI), were excluded from the initial screening assessment. Whilst the flows associated with these external trips were included in the dispersion modelling (represented by TEMPro growth factors), these external trips do not contribute to the calculated Process Contribution (PC) or Predicted Environmental Concentration (PEC). This approach was adopted to ensure that the in-combination assessment only considers projects and development allocations of most direct relevance and avoids potential double counting of some of the larger Local Plan allocations (i.e. those which appear in both the TEMPro growth and the Short-listed cumulative developments). This approach was discussed with Natural England at the HWTWRP Technical Working Group meeting on 13th February 2025 and was agreed through email correspondence on 21st March 2025 and 28th April 2025. The ZoI was chosen in-line with Institute of Environmental Management and Assessment guidelines on [Environmental Assessment of Traffic and Movement (July 2023)]: ***"Determining the appropriate scope of an assessment*** ***"Geographic extent (spatial scope)*** *"2.13 An important prerequisite of the environmental assessment is to determine the geographical boundaries of the assessment (the 'study area'). This is not an easy task, as projects tend to give rise to different levels of traffic growth and composition and vary in the geographical extent of their traffic and impact. Early engagement with relevant stakeholders is recommended to benefit from local knowledge and understand key sensitivities."* A ZoI of 3km was considered appropriate and agreed with Hampshire County Council. The ZoI and consideration of the most influential in-combination plans or projects was also discussed with Natural England at the HWTWRP Technical Working Group meeting on 13th February 2025 and was agreed through email correspondence on 21st March 2025 and 28th April 2025, along with agreement on the approach to cumulative effects and in-combination assessment (including for both road traffic projects and non-road traffic projects). A summary of this Technical Working Group meeting is included in section 6.3 of the ES Chapter 6 Air quality and odour [APP-085]. To provide further context on how motorway traffic flows were derived, the Applicant can confirm that the initial study area for the road traffic assessment did not include motorways. During screening of the preliminary traffic data against DMRB LA105 Air quality criteria (for both the Project alone and in-combination), it was identified that the Applicant would likely need traffic data along stretches of the M3 motorway within proximity of ecological receptors.

Reference	Theme	Issue raised	The Applicant's response
			This was provided on a supplementary basis using Department for Transport count point data, TEMPro traffic growth factors and committed development traffic flows. The traffic flows were worked up based on the following worst-case high-level assumptions: • the number of trips that would route to each junction of the strategic road network (SRN) were calculated; • for light goods vehicles (LGVs), the construction worker distribution profile was applied to distribute LGVs north, south, east or west on the SRN, calculating how many would pass through J10-12 of the M3; and • for heavy goods vehicles (HGVs), as the origin/ destination was not known, a worst case assumption was made that all HGVs would route north on the M3 through the section that was assessed. As the M3 road links were outside of the scope of the traffic study area, the distribution and traffic data for the slip roads and motorway links were not as detailed as for the rest of the modelled road network. However, given that they were based on worst case assumptions, this traffic data, along with that provided for the rest of the modelled road network, was used in the air dispersion modelling assessment to assess impacts at ecological features for both the Project-alone and Project in-combination. Details of this assessment can be found in ES Chapter 6 Air quality and odour (Document reference 6.1, DCO Volume 6, Version 1). The following ecological features along the M3 were included in the air dispersion model: • St Catherine's Hill SSSI • River Itchen SAC/ SSSI • Hockley Golf Course SINC • Shawford Down SINC • Two unnamed Ancient Woodland sites • Freemantles/ Great Moorlands Ancient Woodland • Otterbourne Primary School Meadow SINC • Long Mead SINC • Great Moorlands Copse Complex SINC • Otterbourne Hill Common SINC • Castle/ Woodend Copses Ancient Woodland • Pitmore Copse (West) SINC/ Unnamed Ancient Woodland • Pitmore Copse/ Pitmore Gulley Copse Ancient Woodland and SINC The Applicant can confirm that air pollution impacts have been considered for all Habitats sites covered by the Habitats Regulations Assessment - Stage 2 Appropriate Assessment and Marine Conservation Zone - Stage 1

Reference	Theme	Issue raised	The Applicant's response
			Assessment (Document reference 5.2, DCO Volume 5, Version 2). The assessment concluded no adverse effects on integrity from air pollution impacts.
RR-222-28	Terrestrial and freshwater biodiversity	Protected Species - GREEN Licensing Natural England has provided Letters of No Impediment (LoNI) for Hazel dormouse, badger, and bat. Providing that the survey data is maintained and up to date, these LoNIs remain applicable. In addition to the above, Natural England has produced standing advice for protected species [FOOTNOTE: 5 https://www.gov.uk/guidance/protected-species-and-development-advice-for-local-planning-authorities] which is available online.	The Applicant notes Natural England's comment on ensuring survey data is maintained and up to date. The Outline CEMP – 1 of 3 documents (Document reference 7.1, DCO Volume 7, Version 1) includes the requirement for the Contractor to carry out pre-construction surveys for protected habitats and species to confirm and update the baseline survey findings and ensure the current mitigation proposals remain appropriate (TFB5). The Applicant notes the link to standing advice for protected species and confirms that this website was reviewed when undertaking the assessment. The Applicant wishes to clarify that LoNIs were only issued by Natural England for badger and hazel dormouse. The current Project design and ecological baseline indicate that there would be no need for a protected species licence for bats. If this were to change as a result of localised detailed design updates or following pre-construction surveys, a licence application would be made.
RR-222-29	Terrestrial and freshwater biodiversity	Biodiversity Net Gain We welcome the commitment to delivering Biodiversity Net Gain (BNG) and the provision of the Biodiversity Gain Plan [APP-426] for this project. BNG will become mandatory for NSIPs in November 2026. The Environment Act 2021 includes NSIPs in the requirement for BNG, with the biodiversity gain objective for NSIPs defined as at least a 10% increase in the pre-development biodiversity value of the on-site habitat. The new (June 2026) Biodiversity Gain Statements6 [FOOTNOTE: 6 NSIPs: biodiversity gain statement for national networks - GOV.UK] set out how national network NSIPs must calculate, deliver and report on BNG. Please note that Natural England do not carry out detailed reviews of net gain metrics or calculations.	The Applicant notes that Natural England welcomes the Project's commitment to delivering BNG. As outlined in the Biodiversity Gain Plan [APP-426], an updated Biodiversity Gain Plan will be produced and submitted to the relevant authority for approval post-consent, as secured in requirement 5 in Schedule 2 of the draft DCO [APP-023].
RR-222-30	Landscape and visual	Nationally Designated Landscapes - GREEN The proposed development is not located within any nationally designated landscapes, but the proposal has the potential to impact the setting of the South Downs National Park or the Chichester Harbour National Landscape. The examining authority should have regard for the landscape character and consider any potential impacts to the setting of national landscapes in the area. Chapter 13 of the ES [APP-092] considers these impacts and shows that the applicant has been in discussions with the relevant landscape boards. Natural England have reviewed this chapter and have no detailed comments to raise at this time. We would encourage that weight is lent to the relevant representations from the SDNPA and Chichester Harbour Conservancy.	Paragraph 4.9.5 of the National Policy Statement for Water Resources Infrastructure (NPSWRI) states that legislation provides a high degree of protection for National Parks and National Landscapes (areas of outstanding natural beauty). Environmental Statement (ES) Chapter 4 Consideration of alternatives [APP-083] explains how the Project has been designed to avoid physical impacts on the South Downs National Park (SDNP) and the Chichester Harbour National Landscape, by routing the proposed underground pipeline outside of nationally designated landscapes. There is also recognition in NPSWRI that development outside of nationally designated landscapes might affect them. Section 13.8 of ES Chapter 13 Landscape and visual [APP-092] has identified that construction of the Project would result in some short-term, temporary effects on the setting and Special Qualities of the SDNP. This includes through the removal of vegetation on field boundaries and construction activity in proximity. Some effects would persist into year 1 of

Reference	Theme	Issue raised	The Applicant's response
			operation, when planting carried out to reinstate field boundaries would not have established. However, the assessment concludes that by year 15 of operation the application of the design principles within the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1) and the proposed planting would assist in sensitively integrating the proposed structures into the landscape, such that the Project would not be perceptible from the majority of the designated area and that the Statutory Purposes of the designation would not be compromised. Further detail is provided in ES Appendix 13.3 Landscape baseline and effects [APP-173]. With respect to the Chichester Harbour National Landscape, paragraph 13.8.49 of ES Chapter 13 Landscape and visual [APP-092] explains that there would not be any perceptible change to the character of the designation or its setting, Special Qualities or Statutory Purposes during construction, operation or decommissioning of the Project.
RR-222-31	Land use and agriculture	Soils and Best and Most Versatile Agricultural Land - GREEN The permanent sealing of agricultural soils such as through infrastructure development represents an irreversible loss of vital soil functions and ecosystem services. Once soils are covered by impermeable surfaces like concrete or tarmac, their ability to support plant growth, regulate water flow, store carbon, and sustain biodiversity is effectively eliminated. Unlike other environmental impacts that may be offset or restored over time, the sealing of soil results in a complete and permanent disconnection from its natural processes. As such, this form of land take cannot be meaningfully mitigated, and its long-term consequences must be fully accounted for in land-use planning and policy decisions.	Environmental Statement (ES) Chapter 12 Land use and agriculture [APP-091] considers the effects of the Project on agricultural land quality. The assessment includes consideration of the temporary and permanent use of land required for the Project. Permanent losses of agricultural land are restricted to the sites of the Above Ground Plant (AGP), which collectively amount to less than five hectares across four sites, and therefore the permanent loss is assessed as negligible.
RR-222-32	Land use and agriculture	An Agricultural Land Classification (ALC) survey [APP-305] has been carried out with reference to the 1988 MAFF Guidelines and NE TIN049. [FOOTNOTE: 7 Agricultural Land Classification: protecting the best and most versatile agricultural land - TIN049] We note that the proposal would result in the permanent loss of less than 5ha of agricultural land, and agree with the conclusions in ES Chapter 12 [APP-091].	The Applicant notes that Natural England agrees with the conclusions of Environmental Statement (ES) Chapter 12 Land use and agriculture [APP-091] in relation to the permanent losses of agricultural land.
RR-222-33	The draft DCO	We note that a Soil Resource Management Plan (SRMP) has been appended to the oCEMP. Requirement 6 of the draft Development Consent Order (DCO) relates to the securing of the CEMP, but there is no specific mention of the appended SRMP. Natural England are not expert in legal matters relating to the structure or format of the DCO, but in our experience, other projects have had a standalone requirement which covers a Soil Management Plan, SRMP, or similar. We would invite the Examining Authority to consider whether or not the proposed DCO wording includes enough certainty in relation to the management and protection of soil resource.	The Applicant confirms that the Outline CEMP [APP-412, 1 of 3 documents] requires that a Soil Resource Management Plan (SRMP) be produced post-consent. The Outline SRMP, appended to the Outline CEMP [APP-412, 1 of 3 documents], provides the overall approach to managing soil resources affected by the construction, operation and maintenance of the Project. Requirement 6 requires that a construction environmental management plan must be substantially in accordance with the Outline CEMP and will therefore secure the production of the SRMP. The Applicant does not consider it necessary to include the SRMP in an additional requirement as this would be duplication. In respect of consultation, please see the Applicant's response to RR-222-36 below.

Reference	Theme	Issue raised	The Applicant's response
RR-222-34	Landscape and visual	Ancient Woodland and Ancient/Veteran Trees - GREEN Natural England advise that impacts on ancient woodland and ancient and veteran trees should be considered in line with paragraph 5.63 of the Networks National Policy Statement. Natural England and the Forestry Commission have also produced standing advice for planning authorities in relation to ancient woodland and ancient and veteran trees. We note the commitment to no or loss or deterioration of Ancient Woodland or ancient/veteran trees within the proposed development as per the oCEMP. If this commitment is adhered to there will be no impact on Ancient Woodland or ancient/veteran trees from this scheme.	The Applicant welcomes Natural England's acknowledgement that, subject to the commitment secured through measure LVI2 of the Outline Construction Environmental Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3) ([APP-413] and [APP-414] for documents 2 and 3), there would be no loss or deterioration of ancient woodland or ancient and veteran trees.
RR-222-35	Public Rights of Way (PRoW)	Rights of Way, Access Land, National Trails - GREEN There do not appear to be any National Trails, Open Access Land or Coast paths within the order limits. As such, no impacts to these features are likely.	The Applicant notes the comment from Natural England regarding Open Access Land and Coast paths. As detailed in the Framework Rights of Way Management Plan (RoWMP), Appendix B to the Framework Construction Traffic Management Plan (CTMP) [APP-415], there are no Open Access Land or Coast paths directly impacted by the Project. It is therefore agreed with Natural England that no impacts to these features are likely.
RR-222-36	The draft DCO	Natural England's Relevant Representations PART II: Natural England's detailed comments on the Development Consent Order (DCO) Page - 52 DCO or omission ref - Requirement 6 (CEMP) Natural England's comments - Requirement 6 states that the relevant planning authority will discharge the requirement. Ordinarily, we understand that the local planning authority would be responsible for consulting relevant bodies as part of the discharge process. We would like to explore whether Natural England could be specifically added into the requirement as a statutory consultee given how many of the mitigation measures which are relied upon for HRA conclusions will be secured in this document. Further, we would recommend that the MMO consider whether or not they need to also be included in this as the CEMP will play a major role in preventing impacts to marine biodiversity. Risk (Red/Amber/Green) - AMBER	The Applicant has made updates to the Outline Construction Environmental Management Plan (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3) submitted at Deadline 1, to include Natural England as a consultee on the detailed Construction Environmental Management Plan(s) in respect of matters relevant to Natural England's functions. The draft DCO [APP-023] has included a deemed marine licence at Schedule 9, which contains conditions that are relevant to the areas within the MMO's jurisdiction.
RR-222-37	Terrestrial and freshwater biodiversity	Page - 54 DCO or omission ref - Requirement 17 (SWBGS) Natural England's comments - We welcome the inclusion of the specific requirement relating to the mitigation strategy for impacts to the Solent Wader and Brent Goose Strategy sites. Risk (Red/Amber/Green) - GREEN	The Applicant notes that Natural England welcomes the inclusion of the specific requirement relating to the mitigation strategy for impacts to the Solent Wader and Brent Goose Strategy sites.

Table 2-14 The Applicant's response to RR-224 from Network Rail Infrastructure Limited

Reference	Theme	Issue raised	The Applicant's response
RR-224-1	The draft DCO	Application by Southern Water Services Limited for an Order granting Development Consent for the Hampshire Water Transfer and Water Recycling Project Network Rail Written Representations Project Reference: WA010002 1. Introduction 1.1 Network Rail owns, operates and maintains the railway infrastructure of Great Britain. Network Rail operate the railway infrastructure pursuant to a network licence (the Network Licence) granted under section 8 of the Railways Act 1993. The Network Licence contains a set of conditions under which Network Rail must operate. Network Rail's duties under the Network Licence are enforceable by the Office of Rail Regulation (ORR).	The Applicant notes this comment and Network Rail's statutory duties.
RR-224-2	The draft DCO	1.2 Network Rail objects to any compulsory acquisition of rights over, under and across operational railway land and its assets or extinguishment of the rights held by Network Rail over operation railway land or any of its assets. Network Rail also objects to the seeking of powers to carry out works in the vicinity of the operational railway without first securing appropriate protections for Network Rail's statutory undertaking. 1.3 Network Rail considers there is no compelling case in the public interest for the compulsory acquisition of rights over its land and the Applicant should negotiate matters by private agreement to secure the necessary powers.	The Applicant notes this comment and is engaging with Network Rail in relation to voluntary agreements to secure necessary land rights, as set out in the Land and Rights Negotiations Tracker (Document reference 4.4, DCO Volume 4, Version 1).
RR-224-3	The draft DCO	Protective Provisions and relevant agreements 1.4 Network Rail has provided the Applicant with draft protective provisions, but no comments have been received. Network Rail's standard protective provisions have been widely incorporated in other Development Consent Order and provide the necessary protections for Network Rail's statutory undertaking ensuring the Applicant does not exercise any rights under the DCO until the necessary agreements and consents are in place. 1.5 Despite providing a copy of the protective provisions, the current draft Order does not contain any protective provisions for Network Rail. 1.6 If the DCO is granted, it would permit the Applicant to acquire rights over operational railway or Network Rail's land and extinguish any rights Network Rail has over land which the Applicant seeks to acquire permanently. Under the book of reference Network Rail has an interest in over 30 plots as set out in the table below. Plot No. Description Rights or Land Plan	The Applicant confirms that it has received Network Rail's preferred protective provisions. The Applicant returned comments on these to Network Rail in September 2026, and seeks further response from Network Rail before including these in the current draft DCO. The Applicant notes the plots set out by Network Rail and has been engaging with Network Rail on these plots with the intention of securing voluntary agreements for access and the acquisition of land and rights wherever possible.

Reference	Theme	Issue raised	The Applicant's response
		1. 03-033 105 square metres of railway (Hilsea station and Bedhampton station) and works (south of Chadswell Meadow) No right or land take Sheet 3 of 30 2. 03-048 3906 square metres of grassland (west of Mill Lane) Acquisition of rights Sheet 3 of 30 3. 04-044 94 square metres of verge and hedgerow (east of Mill Lane) Acquisition of rights Sheet 4 of 30 4. 04-006 83 square metres of verge (west of Mill Lane) and public footpath (108/34/3) Acquisition of rights Sheet 4 of 30 5. 04-012 1943 square metres of agricultural land, access track and hedgerow (North of Havant Bypass, A27) Temporary Possession Sheet 4 of 30 6. 04-052 4580 square metres of agricultural land, copse and access track (north of Havant Bypass, A27 Acquisition of rights Sheet 4 of 30 7. 04-060 262 square metres of copse (west of A3 Motorway) Acquisition of rights Sheet 4 of 30 8. 04-061 1337 square metres of bridges carrying public highway (A3 Motorway over railway (Hilsea and Bedhampton) and works Acquisition of rights Sheet 4 of 30 9. 04-063 2037 square metres of railway (Hilsea and Bedhampton) and works (east of A3 Motorway) Acquisition of rights Sheet 4 of 30 10. 04-064 345 square metres of copse and railway (Hilsea and Havant) and works (west of A2030) Acquisition of rights Sheet 4 of 30 11. 04-065 40 square metres of copse (west of A2030) Acquisition of rights Sheet 4 of 30 12. 04-066 21 square metres of hardstanding and rail apparatus (west of Havant Bypass, A27) Acquisition of rights Sheet 4 of 30 13. 04-067 8 square metres of copse, hardstanding and footbridge (west of Havant Bypass, A27) Acquisition of rights Sheet 4 of 30 14. 04-068 182 square metres of public highway, verges and footways (A2030)	

Reference	Theme	Issue raised	The Applicant's response
		Acquisition of rights Sheet 4 of 30 15. 04-069 233 square metres of bridge carrying public highway, verges and footway (A2030) over railway (Hilsea Station and Bedhampton Station) Acquisition of rights Sheet 4 of 30 16. 04-070 182 square metres of bridge carrying public highway, verges and footways (A2030) over railway (Hilsea Station and Bedhampton Station) Acquisition of rights Sheet 4 of 30 17. 04-071 2 square metres of verge (east of A2030) Acquisition of rights Sheet 4 of 30 18. 04-072 8 square metres of copse (east of A2030) Acquisition of rights Sheet 4 of 30 19. 04-074 1795 square metres of railway (Hilsea Station and Bedhampton Station) and works Acquisition of rights Sheet 4 of 30 20. 13-032 2410 square metres of golf course (Wickham Park Golf Course) Temporary Possession Sheet 13 of 30 21. 13-034 4590 square metres of golf course and verge (Wickham Park Golf Course), public Footpath (251/5/1) and public bridleway (251/501/1) (south of Tanfield Lane) Temporary Possession Sheet 13 of 30 22. 13-035 6197 square metres of golf course (Wickham Park Golf Course), public footpath (251/5/1) and public bridleway (251/501/1) Acquisition of rights Sheet 13 of 30 23. 13-040 42 square metres of private road and verge (Tanfield Lane), grassland (Wickham Park Golf Course) and public footpath (251/5/1) Acquisition of rights Sheet 13 of 30 24. 13-043 121661 square metres of golf course, private road, car park, hardstanding, and buildings (Wickham Park Golf Course) and public footpath (251/5/1) Acquisition of rights Sheet 13 of 30 25. 14-003 117569 square metres of private road, hardstanding, buildings and golf course (Wickham Golf Course) Temporary Possession Sheet 14 of 30 26. 14-004 8 square metres of access splay (Titchfield Lane) Temporary Possession Sheet 14 of 30 27. 14-005 5 square metres of public highway and access splay (Titchfield Lane) Temporary Possession Sheet 14 of 30 28. 14-006 530 square metres of access track, verges, access splay and copse (south of Titchfield Lane) Acquisition of rights Sheet 14 of 30 29. 18-008 56 square metres of woodland (west of Botley Road, B3035) Acquisition of rights Sheet 18 of 30	

Reference	Theme	Issue raised	The Applicant's response
		30. 25-017 332 square metres of copse (south west of Otterbourne Manor) and railway (Eastleigh Station and Shawford Station) Acquisition of rights Sheet 25 of 30	
RR-224-4	Landowner engagement	1.7 Network Rail is content to grant an easement (subject to agreed Heads of Terms and any other consents or approvals that may be required) to the Applicant. 1.8 Network Rail would welcome further engagement from the Applicant to progress the property agreements so that the rights can be acquired via a private agreement instead of the use of compulsorily acquisition powers under the proposed DCO.	The Applicant notes the respondent's comments and welcomes continued engagement regarding Heads of Terms. The Applicant has been engaging with the respondent's land and property representative since 2024 and the most recent meeting to discuss Heads of Terms was on the 17th September 2026. The Applicant remains committed to working collaboratively with the respondent and its clear preference is to secure voluntary agreements for access and the acquisition of land and rights wherever possible.
RR-224-5	The draft DCO	1.9 In order to facilitate the works, Network Rail will require the following agreements to be in place: a) Network Rail's standard protective provisions for inclusion in the DCO, to ensure the relevant protections are in place and agreements are entered into; b) Property agreement(s): any easements, licences, and/or transfers for acquisition of freehold land and/or rights (subject to Network Rail's clearance process) The form of agreements are yet to be negotiated between the parties and will be required to regulate the grant of the required rights from Network Rail to the Applicant. c) Asset protection agreements: These will be in the form of a basic asset protection agreement (BAPA), asset protection agreement , structures agreement or other engineering documents required for the benefit and protection of Network Rail's assets. d) Framework agreement: which describes and attaches the documents referred to above including any clearance conditions. Network Rail considers a Framework Agreement to be the most effective way of; agreeing the inclusion of Protective Provisions required by Network Rail, asset protection agreement, providing for the grant of rights through an option for an easement, providing Network Rail with the comfort of retaining its existing rights, providing for the recovery of Network Rail costs and governing the relationship between the parties.	The Applicant notes this comment and has been, and will continue to, engage with Network Rail in respect of the protective provisions and property agreements.
RR-224-6	The draft DCO	1.10 Network Rail is trying to engage with the Applicant to enter into private agreements to govern the carrying out of the proposed works. 1.11 Without those agreements and satisfactory protective provisions being in place Network Rail considers the proposed development, if carried out, would have a detrimental impact on the safe, efficient, and economic operation of the	The Applicant notes this comment and will continue to engage and negotiate with Network Rail on these matters.

Reference	Theme	Issue raised	The Applicant's response
		railway and in accordance with its Network Licence. Until such agreements are in place, Network Rail is unable to withdraw its objection to the DCO.	
RR-224-7	The draft DCO	s127 and s138 Planning Act 2008 1.12 In relation to the acquisition of rights only, section 127 (5) and (6) of the Planning Act 2008 apply. As you are aware compulsory acquisition of rights over statutory undertaker's land can only be acquired if the Secretary of State is satisfied there will not be any serious detriment to the undertaker's carrying on of its undertaking. Network Rail strongly maintains that the works proposed will impede Network Rail's ability to ensure the continued safe, efficient and economical operation of the operational railway, if the works are carried out without the necessary protections in place. As such Network Rail requires robust Protective Provisions and protections in additional agreements as discussed above.	The Applicant notes Network Rail's statutory duties and is negotiating with Network Rail in relation to the protective provisions and additional agreements described. It is not the Applicant's position that the works proposed will impede Network Rail's ability to ensure the continued safe, efficient and economical operation of the operational railway and is not the Applicant's intention to impede Network Rail's operations in this way.
RR-224-8	The draft DCO	1.13 Similarly, under section 138 of the Planning Act, compulsory acquisition powers over Network Rail's rights or apparatus can only be granted where the Secretary of State is satisfied that the removal or relocation will not impair Network Rail from carrying out its statutory functions. The current protective provisions do not provide for sufficient safeguards to be put in place before such rights are extinguished.	As noted, the Applicant is negotiating with Network Rail in relation to the protective provisions and any necessary additional agreements.
RR-224-9	The draft DCO	1.14 Given the national significance of the railway network, Network Rail require their standard provisions to ensure compliance with its licence conditions. Without the relevant provisions, Network Rail does not consider that the draft DCO as currently drafted satisfies the requirements of sections 127 and 138 of the Planning Act 2008, and consequently, compulsorily powers should not be exercises without further safeguards being incorporated. 1.15 Network Rail hopes to have all the necessary agreements in place prior to the end of the Examination. 1.16 Network Rail will also need to undertake a two-stage clearance process; business clearances and technical clearances, which be subject to conditions, which will need to be complied with by the Applicant.	The Applicant notes this comment and is negotiating with Network Rail in relation to the protective provisions and any necessary additional agreements. The Applicant is also engaging with Network Rail in respect of its clearance process and the conditions involved.
RR-224-10	The draft DCO	2. Conclusions 2.1 Network Rail does not object to the project in principle. However, Network Rail is under a statutory duty to protect the operational railway and associated railway infrastructure. Network Rail wishes to continue to seek an agreement on the protections and agreements in a form that is well precedented and acceptable to Network Rail before the close of the examination. 2.2 In the event, that insufficient progress is made regarding the protective provisions and private agreements, Network Rail would like to reserve its position to request to be heard in an appropriate hearing to explain the impact of the proposals on its railway undertaking.	The Applicant notes this comment and will continue to negotiate protective provisions and other necessary agreements with Network Rail in relation to its assets.

Reference	Theme	Issue raised	The Applicant's response
		24 August 2026	

Table 2-15 The Applicant's response to RR-232 from Ofwat (Water Services Regulation Authority)

Reference	Theme	Issue raised	The Applicant's response
RR-232-1	Greeting	APPLICATION BY SOUTHERN WATER SERVICES LTD FOR THE HAMPSHIRE WATER TRANSFER AND WATER RECYCLING PROJECT SECTION 56 PLANNING ACT 2008: RELEVANT REPRESENTATION OF THE WATER SERVICES REGULATION AUTHORITY (OFWAT) Following the Planning Inspectorate's acceptance of the application for a Development Consent Order (DCO) for the Hampshire Water Transfer and Water Recycling Project (the Project), Ofwat requests to be registered as an Interested Party at the Examination.	The Applicant notes this comment.
RR-232-2	The process of developing the Project	Ofwat's role Under the Water Industry Act 1991, Ofwat has a duty to ensure that water and wastewater companies can finance their regulated functions and maintain the long-term resilience of water services. Water companies primary function is the delivery of resilient water supplies, both now and in the future. A company's long- term plan for doing this is set out in a Water Resource Management Plan, which is approved by the Secretary of State. The Project is set out within Southern Water's plan and once approved, Southern Water will have a statutory obligation to deliver the Project. Ofwat determines the extent to which, and the conditions under which, water companies can recover the costs of service provision and investment through their charges to customers. It does this primarily through five yearly price determinations, a process that is regulated by the conditions of appointment (licences) of water companies. In carrying out its functions as the economic regulator for the sector, Ofwat has a number of general duties which include: ensuring that the functions of water companies are properly carried out; securing that companies are able to finance the proper carrying out of their functions; and ensuring the long-term resilience of water companies' systems, enabling them to meet, in the long term, the need for a supply of water to customers.	The Applicant notes this comment. The Project forms part of the Applicant's emerging WRMP24, and is a key component of responding to future water supply needs in its western supply area.
RR-232-3	The process of developing the Project	Major Water Infrastructure Programme (MWIP) The Major Water Infrastructure Programme (MWIP) consists of 30 large scale water infrastructure projects which aim to meet the national shortfall in water	The Applicant notes this comment. The Project is progressing through the RAPID gated process and achieved its Gate 4 submission to RAPID on 23

		by 2050. Funding for the early development of these projects was approved by Ofwat at its 2024 Price Review (PR24) but subject to a gated approval process. This gated process provides a structured regulatory and assurance framework to support the end-to-end lifecycle of the projects. Approval by Ofwat and the Regulators' Alliance for Progressing Infrastructure Development (RAPID) at various stages of development ensures that projects progress through defined gates, with clear evidence provided on need, deliverability and value for money for customers. The programme is designed to provide confidence to investors and stakeholders while maintaining strategic alignment with national water resilience objectives, strong oversight of risk, and minimising the impact on customer bills. Please see the attached link to the major projects approved for funding through the 2024 Price Review 11.-PR24-final-determinations-Major-Projects-development-and-delivery.pdf. The Hampshire Water Transfer and Water Recycling Project is one of the projects going through this gated process so is subject to detailed scrutiny by both RAPID and Ofwat. We are satisfied that the project has been sufficiently developed for this stage of the projects lifecycle. The project will continue to develop as it progresses through Ofwat's gated process.	July 2026, following the submission of its DCO application to the Planning Inspectorate in May 2026.
RR-232-4	Project finance and cost	DPC Delivery Model The Hampshire Water Transfer and Water Recycling Project will be delivered under a regulatory framework which requires water companies to competitively tender for a third party provider (a 'Competitively Appointed Provider' or CAP) to undertake one or more elements of designing, building, financing, operating and maintaining an infrastructure asset. Under the framework, which is called "Direct Procurement for Customers' (DPC), Ofwat regulates DPC projects under a water company's licence conditions - Condition U (Direct Procurement for Customers.) Under this condition. Water companies must obtain Ofwat's consent at various stages during the development and delivery of a project. This ensures that procurement and delivery are aligned with customer interests and that charges passed on to customers are justified and value for money.	The Applicant notes this comment.
RR-232-5	Project finance and cost	Licence conditions also provides the mechanisms for water companies to recover costs associated with payments to the Competitively Appointed Provider (CAP) from customers. These costs are set in the procurement process and are collected by the water company from customers via an Allowed Revenue Direction (ARD) which Ofwat issues. More detailed information about DPC can be accessed via this link - Direct Procurement for Customers (DPC) - Ofwat.	The Applicant notes this comment.
RR-232-6	Portsmouth Water proposal	The Hampshire Water Transfer and Water Recycling Project is dependent on the delivery of another strategic water infrastructure asset which is also regulated by Ofwat, the Havant Thicket Reservoir. The Havant Thicket	The Applicant notes this comment.

		Reservoir project is a live construction project and has followed the Town and Country Planning route, receiving its substantive consent in July 2021. This project is being delivered by Portsmouth Water for the benefit of Southern Water's customers, is anticipated to be completed by 2034.Water from the Hampshire Water Transfer and Water Recycling Project will feed into and settle in the reservoir before being used to supply Southern Water customers.	
RR-232-7	Consultation	We are happy to answer any questions on the above, or any other aspects of the project relevant to our statutory functions, powers and duties outlined above. Please send any questions to infrastructureplanning@ofwat.gov.uk.	The Applicant notes this comment.

Table 2-16 The Applicant's response to RR-252 and AS-029 from Portsmouth City Council

Reference	Theme	Summary of issue raised	The Applicant's response
RR-252-1	Principle of development	Please see report submitted separately by E-Mail to: hampshirewaterproject@planninginspectorate.gov.uk Introduction This document is Portsmouth City Council's 'Relevant Representation' as defined by S102(4) of the Planning Act 2004 and Regulation 4 of the Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015. A Relevant Representation (RR) is defined as the principal submission and, where practicable, the full particulars of the case which the person proposes to make in respect of the application (Regulation 4(2)(b) of the IPMPP Regulations 2015). In this regard Portsmouth City Council is broadly supportive of the development proposed recognising that the National Policy Statement for Water Resources Infrastructure confirms that additional water resource infrastructure is required to supplement demand management measures to meet future water needs. This need arises from a combination of climate change, population growth, and the need to protect and enhance the water environment. The Environment Agency's (EA) National Framework for Water Resources identifies that the water industry must plan for more resilient water supplies by developing additional water supply capacity and it must maintain this in the face of pressures from climate change, population growth and the need to improve environmental protection.	The Applicant welcomes the Council's confirmation of broad support for the Project.
RR-252-2	Attitudes to water recycling	However, in reaching that conclusion and as set out below PCC must be satisfied that the following issues are addressed: • That the technology is safe and that Southern Water are a responsible operator	Water recycling is a well-established and internationally proven technology that has been successfully implemented in countries such as the United States, Australia and Singapore for over 40 years. The development of the Project has included input from specialists who have worked on or collaborated with others on these well-established international schemes, ensuring that best practice has been embedded throughout the design and development of the Project.

Reference	Theme	Summary of issue raised	The Applicant's response
			As stated in section 19.8 of Environmental Statement (ES) Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1), the Applicant has conducted extensive testing through its water recycling pilot plant with experts from the University of Brighton, who also published an independent review (Mayor-Smith, 2024). Testing has included analysis of pharmaceuticals and personal care products, pesticides, trace organic contaminants, including forever chemicals, and volatile organic compounds. Data from the Applicant's pilot plant trials has shown that the highly treated recycled water produced would provide a safe and sustainable source of supply that, following further treatment to drinking water standards, would continue to meet the strict water quality standards required by the Drinking Water Inspectorate (DWI). The Applicant has adopted a globally acceptable and proven process, with over 40 years operational record in the United States, Singapore and Australia, to produce high-quality recycled water. The Full Advanced Treatment (FAT) process comprises micro-filtration and reverse osmosis membranes and an ultraviolet advanced oxidation and disinfection process to remove chemicals and biological contaminants from treated wastewater. In addition, the treatment process proposed for the Project goes beyond those employed at the referenced schemes in Orange County, Singapore and Australia, through the inclusion of an additional Granular Activated Carbon (GAC) treatment stage following reverse osmosis. GAC, as a standard treatment stage in water treatment, including at Otterbourne Waste SW, is included to provide an adsorptive mop up stage for the retention of low levels of any residual compounds post the ultraviolet dosed advanced oxidation process to be adopted upstream of the GAC and downstream of the Reverse Osmosis membranes. For further information on the water recycling process, please refer to Graphic 3-17 in ES Chapter 3 Description of the Proposed Development [APP-082]. The Environment Agency is the regulatory body responsible for the control of any discharge of potentially polluting substances into the environment. The water quality of the output from the water recycling plant will be controlled by and managed in accordance with the environmental permit. It is not the role of the Development Consent Order (DCO) process to speculate about how such substances will be regulated in the future. The Applicant will comply with the conditions of the environmental permit, ensuring that there are no unacceptable impacts to the environment.
RR-252-3	EIA approach and methodology	• Construction impacts other than construction traffic	The Applicant notes the comment regarding the assessment of construction effects (other than construction traffic effects) in the DCO documentation. Information regarding the construction of the Project is provided within ES Chapter 3 Description of the Proposed Development [APP-082] and information on the assessment of construction effects is provided in ES Chapter 5 Environmental Impact Assessment (EIA) approach and

Reference	Theme	Summary of issue raised	The Applicant's response
			methodology [APP-084]. This information forms the basis of the assessment of construction effects contained in the ES. Construction-related mitigation measures for the Project described in the ES are contained in the Outline Construction Environmental Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3) which is secured by a requirement in Schedule 2 to the draft DCO [APP-023].
RR-252-4	Traffic and transport	• Construction Traffic	Responses regarding construction traffic can be found adjacent to relevant issues raised in this document.
RR-252-5	Design of AGP	• The design of the above ground plant particularly BPT / IPS-E on Portsdown Hill	The Break Pressure Tank/Intermediate Pumping Station E (BPT/IPS-E) has been sited primarily to meet operational requirements, as it is located at one of the highest topographic points between the Water Recycling Plant (WRP) site and Otterbourne Water Supply Works (Otterbourne WSW), which is necessary for the function of the BPT/IPS-E within the transfer system. The location was then refined considering the various environmental sensitivities in the surrounding area. This process is set out in the Scheme Development Report [APP-073 to APP-075 - 3 documents]. The Applicant notes that Portsmouth City Council have not raised any in principle objection to the location of this above ground component of the Project subject to details relating to design and mitigation. The design of BPT/IPS-E will be controlled by the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1), which ensures that the visual impact of the site is reduced, and that environmental mitigation and enhancement is delivered. The design principles have been developed through extensive engagement with Portsmouth City Council, as acknowledged by the Council and documented in the Draft Statement of Common Ground with Portsmouth City Council (Document reference 5.8, DCO Volume 5, Version 1). The Applicant will continue to engage proactively with the Council in relation to the controls relating to future detailed design.
RR-252-6	Archaeology and cultural heritage	In addition, the applicant will have to demonstrate that adequate mitigation is afforded to the scheme given the route of the proposed tunnel (Works No. 4) are in close proximity to Heritage Assets at Fort Purbrook and Fort Widley and that harm if classed as 'less than substantial harm' is clearly outweighed by the public benefits of the scheme (NPPF, paragraph 215).	The Applicant notes the Council's comments regarding Works No.4 (Works Plans - 2 of 3 documents [AS-008]) and the proximity of the proposed tunnel to designated heritage assets at Fort Purbrook and Fort Widley. The Applicant considers that the potential effects on the significance of the heritage assets have been appropriately assessed within ES Chapter 7 Archaeology and cultural heritage [APP-086], including consideration of the relevant policy tests. The assessment concludes that any harm to Fort Purbrook and Fort Widley would be temporary and less than substantial, arising from change to setting during construction (paragraphs 7.8.46 and 7.8.49 of ES Chapter 7 Archaeology and cultural heritage [APP-086]). The justification of any harm to the significance of designated heritage assets in terms of the public benefits of the scheme is set out at paragraph 4.4.196 of

Reference	Theme	Summary of issue raised	The Applicant's response
			the Planning Policy Statement (Document reference 5.5, DCO Volume 5, Version 2).
RR-252-7	Location of the proposed pipeline routes	Site Location and Description (Portsmouth City Council area) The site, insofar as it passes through Portsmouth City Council's administrative area is as depicted on the following plans submitted with the application: • Location Plan - WA010002-000517-2.1 Location Plan.pdf • Land Plan Sheets 5, 6 & 7 - WA010002-000518-2.2 Land Plans - 1 of 3 documents.pdf and Land Plans Sheets 28, 29 & 30 -WA010002-000520-2.2 Land Plans - 3 of 3 documents.pdf in respect of the Eastney LSO. • Works Plans Sheets 5, 6 & 7 - WA010002-000522-2.3 Works Plans - 2 of 3 documents.pdf • Access and Public Rights of Way Plans Sheets 5, 6 & 7 - WA010002-000524-2.4 • Access and Public Rights of Way Plans - 1 of 2 documents.pdf • Crown Land Plans Sheets 5, 6 & 7 - WA010002-000526-2.5 Crown Land Plans - 1 of 2 documents.pdf & WA010002-000527-2.5 Crown Land Plans - 2 of 2 documents.pdf • Special Category Land Plans Sheet 6 - WA010002-000528-2.6 Special Category Land Plans.pdf • Plans of statutory and non-statutory sites or features Sheets 2 & 3 - Other Reports Template • Plans showing statutory or non-statutory historic or scheduled monument sites Sheets 2, 3, 6 & 7 - WA010002-000530-2.8 Plans showing statutory or non-statutory historic or scheduled monument sites.pdf	The Applicant notes this comment and confirms the Council's understanding.
RR-252-8	Principle of development	The Scheme The details of the scheme are as set out in the covering letter submitted by the applicant dated 21 May 2026 (WA010002-000222-1.2 Application Cover Letter.pdf). The project comprises the following elements: • Water Recycling Plant and associated pumping stations. • Pipelines between Budds Farm Wastewater Treatment Works and the Water Recycling Plant site. • Pipelines between the Water Recycling Plant site and Bedhampton Springs, connecting to pipelines being delivered by Portsmouth Water between Bedhampton Springs and Havant Thicket Reservoir.	The Applicant notes this comment and confirms the Council's understanding.

Reference	Theme	Summary of issue raised	The Applicant's response
		• Pipeline between the Water Recycling Plant site and Otterbourne Water Supply Works. • Above Ground Plant comprising Intermediate Pumping Stations and Break Pressure Tanks located along the Pipeline between the Water Recycling Plant site and Otterbourne Water Supply Works.	
RR-252-9	Portsmouth Water proposal	The Project would also comprise the use of the following infrastructure: • Havant Thicket Reservoir (which has been consented separately by Portsmouth Water and is currently under construction) for the storage of recycled water. • The existing Eastney Long Sea Outfall, Eastney Pumping Station, and associated Eastney Transfer Tunnel • Pipelines and other related works (which have been consented separately by Portsmouth Water) for the transfer of recycled water and source water between Bedhampton Springs and Havant Thicket Reservoir.	The Applicant notes this comment and confirms the Council's understanding. The Applicant is and will continue to engage and work closely with Portsmouth Water on its delivery of Havant Thicket Reservoir and its associated infrastructure and the Environment Agency (EA) and Budds Farm Operations on the Long Sea Outfall (LSO) discharge consent applications.
RR-252-10	Principle of development	Having regard to the Works Plans and Table 3-12 of Chapter 3 of the Environmental Statement, the proposed development within the PCC administrative area comprises the following elements: • Section D of the pipeline between the WRP site and Otterbourne WSW, • Break Pressure Tank / Intermediate Pumping Station E (BPT/IPS-E) • Release from the Eastney Long Sea Outfall These are described in Chapter 3 of the ES.	The Applicant confirms that the Project components listed by the Council are situated within Portsmouth City Council's administrative area.
RR-252-11	The process of developing the Project	Key Issues The key planning issues and the ones that Portsmouth City Council are keen to be explored through the examination of this application are as set out in the 'Potential Main Issues for the Examination' and comprise the following: • Need for new water infrastructure - PCC generally recognise the overarching need for new water supply infrastructure. • Principle of water recycling - PCC note the need for Southern Water to convince local authorities and the public that the technology is safe and that they are a responsible operator. • The interface with Portsmouth Water Assets including the draft provisions in respect of Portsmouth Water's use of the Havant Thicket Reservoir	The Applicant welcomes the input from Portsmouth City Council into the preparation of the Potential Main Issues for the Examination document [APP-058], which reflects the extensive pre application engagement as also demonstrated in the draft Statement of Common Ground with Portsmouth City Council (Document reference 5.8, DCO Volume 5, Version 1). The Applicant notes the areas of outstanding concern and will continue to work with the Council during the pre-Examination and Examination periods and which be reflected in updates to the Statement of Common Ground in due course.

Reference	Theme	Summary of issue raised	The Applicant's response
		• Water quality - PCC share the concerns of Havant Borough Council namely a concern relating to potential for water quality deterioration and ecological harm from the proposed Project. • Flexibility / optionality - PCC have raised concern that aspects of detailed design are not to be provided in the DCO application. • Control of construction impacts • Control of construction traffic • Good design - PCC are keen to ensure that the impact of BPT / IPS-E on the landscape and visual amenities is mitigated effectively. • Landscape and visual impacts - PCC is concerned that the development of BPT / IPS-E would result in temporary and residual likely significant landscape and visual impacts during construction and operation. Measures to mitigate these impacts will need to be teased out during examination. • Archaeology and heritage • Carbon • Control of operational impacts - PCC concerns focus on ensuring that construction and operational access on the Public Right of Way network is safely managed, concerns regarding procedures in the event of system failure, and the operational impacts on local watercourses, the Solent, and the Havant Thicket Reservoir • Environmental mitigation and enhancement areas - PCC concerns relate to needing clarity on where mitigation planting and improvement measures interact with highway land; concerns regarding the potential conflicts with archaeological remains in these areas; opportunities to provide habitat connectivity • Scope of project benefits • Securing mechanisms - PCC's concerns are that there is uncertainty regarding the mitigation requirements, and unknowns which risk failure to demonstrate compliance with other regulatory regimes, namely highway safety; concerns regarding the level of detail expected in submissions following DCO consent • Secondary consenting Set out below are comments from the specialist teams within PCC engaged with this scheme:	
RR-252-12	Legislation, policy and permits	Planning Policy Background The development plan for Portsmouth comprises the following documents: • The Portsmouth Plan, adopted in 2012	The Applicant acknowledges the Portsmouth City Council (PCC) development plan documents which is consistent with the position set out at paragraph 6.5.37 of the Planning Policy Statement (PPS) (Document reference 5.5, DCO Volume 5, Version 2).

Reference	Theme	Summary of issue raised	The Applicant's response
		• Saved policies from the Portsmouth City Local Plan 2001-2011 (adopted 2006) The policies relevant to the consideration of this scheme, as shown on Figure 1 below comprise • Portsmouth Plan Policy PCS13 - A Greener Portsmouth • Portsmouth City Local Plan Policy CM8 Portsdown Hill: Policy CM8: Portsdown Hill is a saved policy from the Portsmouth City Local Plan 2001-2011 (adopted 2006). The area covered by this policy is shown in the map above. Policy CM8 indicates that 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 landscape value of the Hill. Proposals for development of previously-developed sites will be permitted provided that the new use is compatible with its location and does not detract from the landscape value of the Hill having regard to matters of visual impact and prominence. Development will also be evaluated against the following criteria: the merits of the design both of itself and in relation to its surroundings; the degree and nature of landscaping and the retention of natural features; the impact on nature conservation; the impact on archaeological sites.	The Applicant addresses PCC local policy at Section 6.5 and Appendix D of the PPS (Document reference 5.5, DCO Volume 5, Version 2). The Applicant acknowledges that Policy CM8, although of some age, remains a relevant policy which is reflected in the PPS (Document reference 5.5, DCO Volume 5, Version 2). Discussions have been held between PCC and the Applicant in relation to Portsdown Hill including the landscape and visual receptors for the Landscape and Visual Impact Assessment and the development of design principles for BPT/IPS-E.
RR-252-13	Legislation, policy and permits	Policy PCS13: a greener Portsmouth, from the Portsmouth Plan (2012) is a policy for protecting, enhancing and developing Portsmouth's green infrastructure network. Within the area shown shaded green on map 1, any 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 would be refused planning permission. Development within the area shaded green should retain and protect the biodiversity value of the development site and produce a net gain in biodiversity wherever possible. Any negative impacts on biodiversity as a result of development should be appropriately mitigated. Development should be informed and influenced by the presence of trees on site, particularly those protected by a TPO or within a conservation area. If the removal of any tree is unavoidable because it would be in best arboricultural practice to do so, a replacement tree of at least equal value to that lost should be planted on site unless it is shown impractical to do so.	The Applicant addresses Policy PCS13 at Appendix D of the Planning Policy Statement (Document reference 5.5, DCO Volume 5, Version 2) - page 319. The Project has sought to avoid and minimise effects on Portsmouth's green infrastructure network through the iterative design process and the incorporation of embedded mitigation measures. Potential effects on biodiversity, trees, habitats and landscape character have been assessed in ES Chapters 8 Terrestrial and freshwater biodiversity (Document reference 6.1, DCO Volume 6, Version 1) and 13 Landscape and visual [APP-092], with mitigation and enhancement measures secured through the Design Principles Document (Document reference 5.11, DCO Volume 5, version 1), Outline Landscape and Ecology Management Plan (LEMP) (Document reference 7.5, DCO Volume 7, version 1) and Biodiversity Gain Plan [APP-426]. The Outline Construction Environmental Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3) also mitigates negative impacts on biodiversity [APP-412, APP-413 and APP-414]. The Project commits to delivering a minimum of 10% Biodiversity Net Gain and includes habitat creation and enhancement measures within the Environmental Mitigation and Enhancement Areas, including opportunities for chalk grassland enhancement associated with the Portsdown SSSI. The Project would therefore retain and enhance biodiversity value and contribute positively to the green infrastructure network. Existing trees, hedgerows and woodland have informed route and site selection, and the Project has sought to avoid impacts on these features wherever practicable. Where vegetation removal is required, reinstatement,

Reference	Theme	Summary of issue raised	The Applicant's response
			replacement planting and habitat restoration measures are secured through the Outline LEMP (Document reference 7.5, DCO Volume 7, version 1) and Design Principles Document (Document reference 5.11, DCO Volume 5, version 1). The assessment concludes that no significant adverse residual effects on biodiversity would arise following mitigation.
RR-252-14	Legislation, policy and permits	Policy PCS13 is also specific about the approach to local wildlife sites. There are small areas of the proposed development which sit within local wildlife site designations (also known as Sites of Importance for Nature Conservation (SINCs) - see Map 2 for the extent of these), for the areas affected by the local wildlife site designation, the policy indicates that the habitat value of these sites should be retained or enhanced through development proposals, and that development in these areas would be allowed only if it clearly outweighs the substantive nature conservation value of the site, and if impact on the site cannot be avoided or mitigated, compensatory measures must be provided. (Figure 1 - Adopted Local Plan Policies)	Biodiversity and nature conservation is set out within the 'ENG' section 4.2.25 and 'Biodiversity and Nature Conservation' section 4.3.56 of the Planning Policy Statement (Document reference 5.5, DCO Volume 5, Version 2). The Project has assessed potential impacts on Sites of Importance for Nature Conservation (SINCs) and other non-statutory designated sites through ES Chapter 8 Terrestrial and freshwater biodiversity (Document reference 6.1, DCO Volume 6, Version 1). Following mitigation, no significant adverse residual biodiversity effects are identified. Where habitat impacts cannot be avoided, mitigation and habitat reinstatement are secured through the Outline LEMP (Document reference 7.5, DCO Volume 7, version 1) and Environmental Mitigation and Enhancement Areas. The Project also commits to delivering a minimum 10% Biodiversity Net Gain.
RR-252-15	Legislation, policy and permits	In addition to the adopted plans above the city council has submitted the 'Portsmouth Local Plan for examination. The examination process has commenced for that plan.	The Applicant acknowledges this response and is aware that the Portsmouth Local Plan has been submitted for examination.
RR-252-16	Legislation, policy and permits	As such having regard to Policy DM4 in the NPPF published on 17 August 2026, policies in emerging local plans may be given weight according to the stage of preparation with the more advanced the preparation the greater the weight that may be given (Policy DM4 (a)). As such the following polices are relevant: • Core Policy PLP2(f): Climate Emergency, which seeks to maximise water reuse and the protection of water resources. Supporting text to this policy states: *'3.66 Development proposals will need to take opportunities to maximise water efficiency and use of water resources. This could include the use of water efficiency measures such as tap aerators, water saving appliances and metering. Rainwater harvesting also has significant water saving potential including water butts for householders and larger storage tanks as part of larger schemes. Grey water recycling also has the potential to provide significant water savings.* *3.67 Development that impacts the Source Protection Zone on Portsdown Hill should be designed to ensure that no pollutants from the development are able to percolate into the aquifer. Further detail on Source Protection Zones can be found on the Government's website.*	The Applicant provides consideration of each of these draft policies at Appendix D of the Planning Policy Statement (Document reference 5.5, DCO Volume 5, Version 2).

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		• Development Management Policy PLP32: Sustainable Drainage Systems. Supporting text to this policy states: *'8.54 The City's water supply is provided by Portsmouth Water, with wastewater treatment managed by Southern Water. Water resources should be managed prudently and sustainably for the future, and with consideration of the wider Southeast region, which is identified as an area of serious water stress. Portsmouth Water is looking to improve resilience through the Havant Thicket Reservoir and Southern Water is looking to improve water quality and resilience through its Water for Life programme.* • Strategic Policy PLP38: Green Infrastructure • Strategic Policy PLP39: Biodiversity - the proposed development has the potential to impact a Site of Nature Conservation Importance • Strategic Policy PLP46: Local Green Spaces	
RR-252-16	Legislation, policy and permits	As such having regard to Policy DM4 in the NPPF published on 17 August 2026, policies in emerging local plans may be given weight according to the stage of preparation with the more advanced the preparation the greater the weight that may be given (Policy DM4 (a)). As such the following polices are relevant: • Core Policy PLP2(f): Climate Emergency, which seeks to maximise water reuse and the protection of water resources. Supporting text to this policy states: *'3.66 Development proposals will need to take opportunities to maximise water efficiency and use of water resources. This could include the use of water efficiency measures such as tap aerators, water saving appliances and metering. Rainwater harvesting also has significant water saving potential including water butts for householders and larger storage tanks as part of larger schemes. Grey water recycling also has the potential to provide significant water savings.* *3.67 Development that impacts the Source Protection Zone on Portsdown Hill should be designed to ensure that no pollutants from the development are able to percolate into the aquifer. Further detail on Source Protection Zones can be found on the Government's website.* • Development Management Policy PLP32: Sustainable Drainage Systems. Supporting text to this policy states: *'8.54 The City's water supply is provided by Portsmouth Water, with wastewater treatment managed by Southern Water. Water resources should be managed prudently and sustainably for the future, and with consideration of the wider Southeast region, which is identified as an area of serious water stress. Portsmouth Water is looking to improve resilience through the Havant Thicket Reservoir and*	The Applicant provides consideration of each of these draft policies at Appendix D of the Planning Policy Statement (Document reference 5.5, DCO Volume 5, Version 2).

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		Southern Water is looking to improve water quality and resilience through its Water for Life programme. • Strategic Policy PLP38: Green Infrastructure • Strategic Policy PLP39: Biodiversity - the proposed development has the potential to impact a Site of Nature Conservation Importance • Strategic Policy PLP46: Local Green Spaces	
RR-252-17	Legislation, policy and permits	A map of the area covered by these policies is provided below in Map 2. (Figure 2 - Emerging Local Plan Policies) The three policies affecting the development site were consulted on as part of the consultation on the Portsmouth Pre-Submission Local Plan 2024. They were not subject to consultation as part of the Portsmouth Pre-Submission Local Plan Addendum 2025, as these policies were not proposed to be replaced through the Addendum document.	The Applicant acknowledges this response.
RR-252-18	Legislation, policy and permits	Policy PLP38: Green Infrastructure requires retention of the green infrastructure network. In areas covered by this policy, 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. If proposals involve reducing the quality of the green infrastructure network, then suitable mitigation would need to be identified and secured.	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 [APP-426] and Environmental Net Gain Statement [APP-427].
RR-252-19	Legislation, policy and permits	Six representors submitted comments on Policy PLP38 in response to consultation on the Portsmouth Pre-Submission Local Plan 2024. Overall, they were in support of the policy, however five of the representors requested changes to the policy and/or supporting text. Winchester City Council propose no changes to the policy and considers it sound. Milton Neighbourhood Forum believe that criterion 4 of the policy regarding mitigation for loss of green infrastructure undermines the objectives of PLP38 and should be deleted. The Council does not propose a change in response to their comments as it is considered that mitigating losses to the Green Grid is appropriate.	The Applicant acknowledges this comment.
RR-252-20	Legislation, policy and permits	Policy PLP39: Biodiversity supports development which conserves and enhances biodiversity. Locally protected sites (including SINCs, which affect some of the area of the proposed development) are referenced in part 2)d) of the policy. Development proposals that will result in any adverse effect on the integrity of any local site which cannot be either avoided or adequately mitigated will be refused, unless exceptional circumstances outweighing the adverse effects are clearly demonstrated.	The Project has assessed potential impacts on Sites of Importance for Nature Conservation (SINCs) and other non-statutory designated sites in ES Chapter 8 Terrestrial and freshwater biodiversity (Document reference 6.1, DCO Volume 6, Version 1). Following mitigation, no significant adverse residual biodiversity effects are identified. Where habitat impacts cannot be avoided, mitigation and habitat reinstatement measures are secured through the Outline LEMP (Document reference 7.5, DCO Volume 7, version 1) and Environmental Mitigation and Enhancement Areas. The Project also commits to delivering a minimum 10% Biodiversity Net Gain.

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RR-252-21	Legislation, policy and permits	Six representors submitted comments on Policy PLP39 in response to consultation on the Portsmouth Pre-Submission Local Plan 2024, five of the representors requested changes to the policy and/or supporting text. The other remaining representor, the Environment Agency, are supportive of the policy and suggested no changes.	The Applicant acknowledges this comment.
RR-252-22	Legislation, policy and permits	Policy PLP46: Local Green Spaces designates certain areas of the City as Local Green Space, including an area within the boundary of the HWTWRP, listed as Portsdown Hill in policy PLP46. These areas are proposed to be designated as Local Green Space as they are deemed demonstrably special to the local community. National policy sets out requirements for development on Local Green Spaces, indicating that development proposals should not conflict with the reasons that the local green space has been demonstrated to be special to the local community or prejudice its role as a Local Green Space.	The Project is largely underground through the Portsdown Hill area, with only BPT/IPS-E as permanent above-ground infrastructure and the pipeline being located underground. As noted in RR-252-23 the Council have proposed to exclude the proposed site of BPT/IPS-E from the proposed Local Green Space designation. As reflected in the draft Statement of Common Ground with Portsmouth City Council (Document reference 5.8, DCO Volume 5, Version 1) at line PCC-2025-SC-0010 *"the extent of construction compound D-1 is not within Local Green Space as per the Policies Map for the Regulation 19 Pre submission Portsmouth Local Plan 2024 and Regulation 19 Pre-Submission Portsmouth Local Plan Addendum 2025. Consequently, PCC supports the location of the extension to construction compound D-1 as part of the Project"*.
RR-252-23	Legislation, policy and permits	In respect of this policy Southern Water requested an amendment to the proposed boundary for the 'Portsdown Hill' Local Green Space designation, to help facilitate the HWTWRP. They recommended that the site of a proposed Break Pressure Tank/Intermediate Pumping Station E (see map 3 below) be excluded from the Local Green Space designation in question. (Figure 3 - Area for proposed Break Pressure Tank/Intermediate Pumping Station E)	The Applicant welcomes the positive response of Portsmouth City Council to our representations in removing the site of 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, as reflected in the draft Statement of Common Ground with Portsmouth City Council (Document reference 5.8, DCO Volume 5, Version 1) at line PCC-2025-SC-0010
RR-252-24	Legislation, policy and permits	In response to Southern Water's representation[4], the Council has proposed amendments in the Schedule of Changes (MM120, MM121 and MM225[5]) to exclude the site of the proposed Break Pressure Tank/Intermediate Pumping Station E from the 'Portsdown Hill' Local Green Space. It is therefore the Council's position that this part of the objection has been resolved. Figure 2 above shows the amended boundary for the Portsdown Hill Local Green Space as proposed in the modifications proposed to the Portsmouth Local Plan.	See response to RR-252-23.
RR-252-25	Legislation, policy and permits	Southern Water also recommend that a new criterion be added to Policy PLP46 to ensure compliance with the requirements set out in paragraph 107, 152 and 155 of the NPPF (2023) to reflect Green Belt policy. The Council deem it unnecessary to include a new policy criterion to address compliance with the NPPF (2023) in terms of Green Belt, as criterion 1 of Policy PLP46	The Applicant still considers that a new criterion should be added to Policy PLP46 to ensure compliance with the requirements set out in paragraph 107, 152 and 155 of the NPPF (2023) to reflect Green Belt policy.

[4] Southern Water's Representation to the Draft Local Plan: 26_00224_CONS SOUTHERN_WATER_60225_REDACTED-2912165.pdf
[5] https://www.portsmouth.gov.uk/wp-content/uploads/2026/06/PCC03-Submission Suggested-Main-Modifications-V1.0-supersedes-KD32-KD33.pdf

Reference	Theme	Summary of issue raised	The Applicant's response
		acknowledges the requirement to be 'in line with the NPPF or its future equivalent.'	We recognise that this is, however, a matter for the local plan examination process rather than the DCO application and largely redundant in relation to BPT/IPSE given it is no longer proposed as Local Green Space.
RR-252-26	Traffic and transport	Construction Impacts (Traffic and non-traffic) Executive Summary Portsmouth City Council (PCC), acting as Local Highway Authority, has reviewed the Hampshire Water Transfer and Water Recycling Project (HWTWRP) Development Consent Order application in relation to highway, transport and active travel matters. LHA recognises the strategic need for the project and the role it will play in securing long-term water resilience across Hampshire. The principal transport impacts are expected during construction and therefore the adequacy of construction traffic management, highway safety measures, active travel protection and monitoring arrangements are of particular importance. Whilst LHA acknowledges the substantial volume of transport assessment work undertaken by the Applicant, further evidence and mitigation commitments may be required before the residual transport impacts can be fully understood.	The Applicant acknowledges Portsmouth City Council's comment regarding the possible need for further evidence and mitigation commitments. As acknowledged by Portsmouth City Council, a substantial volume of transport assessment work has been undertaken which contain a significant amount of assessment and mitigation measures. This suite of transport documents includes: • ES Chapter 18: Traffic and transport [APP-097] • ES Appendix 18.1 Transport Assessment (TA) [APP-186 to APP-188 – 3 documents] • Framework Construction Traffic Management Plan (CTMP) [APP-415] • Framework Construction Worker Travel Plan (CWTP), Appendix A to the Framework CTMP [APP-415] • Framework Rights of Way Management Plan, (RoWMP) Appendix B to the Framework CTMP [APP-415] • Traffic Management Strategy (TMS) [APP-416]
RR-252-27	The draft DCO	Introduction This application is for The Hampshire Water Transfer and Water Recycling Project (HWTWRP) is a Development Consent Order (DCO) project promoted jointly by Southern Water and Portsmouth Water. The scheme comprises: • A Water Recycling Plant associated with Budds Farm Wastewater Treatment Works. • Pipelines connecting Budds Farm, the Water Recycling Plant, Bedhampton Springs and Havant Thicket Reservoir. • A water transfer pipeline between Havant Thicket Reservoir and Otterbourne Water Supply Works. • Associated pumping stations, above-ground infrastructure and construction compounds.	The Applicant notes this comment.
RR-252-28	Traffic and transport	The National Planning Policy Framework requires developments generating significant movement to be supported by a Transport Assessment and Travel Plan and to ensure that significant transport impacts can be mitigated to an acceptable degree.	The Applicant acknowledges that the National Planning Policy Framework requires developments generating significant movement to be supported by a Transport Assessment and Travel Plan, which is consistent with the policy requirement for this Project, as set out in paragraphs 4.14.7 and 4.14.11 of the National Policy Statement for Water Resources Infrastructure (2025). A Transport Assessment has been prepared and submitted in support of the DCO application and can be found at ES Appendix 18.1 Transport Assessment [APP-186 to APP-188 – 3 documents] whilst a Travel Plan has

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			also been prepared and can be found within the Framework Construction Worker Travel Plan, which is appended to the Framework Construction Traffic Management Plan [APP-415].
RR-252-29	Traffic and transport	Key principles relevant to the review include: • Understanding and addressing transport impacts. • Prioritising walking, cycling and public transport. • Providing safe and suitable access for all users. • Mitigating impacts on highway capacity and safety. • Considering environmental impacts arising from transport activity.	The Applicant acknowledges that the Council's key principles relevant to its review include understanding and addressing transport impacts, prioritising walking, cycling and public transport, providing safe and suitable access for all users, mitigating impacts on highway capacity and safety and considering environmental impacts arising from transport activity. A comprehensive assessment of transport impacts, including impacts on sustainable modes and highway capacity and safety has been undertaken within ES Chapter 18 Traffic and transport [APP-097] and ES Appendix 18.1 Transport Assessment (TA) [APP-186 to APP-188 – 3 documents]. Details of proposals for access are contained within the Framework Construction Traffic Management Plan (CTMP) [APP-415]. Environmental measures to address the environmental impacts arising from transport activity are considered within the Outline Construction Environmental Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3).
RR-252-30	Traffic and transport	Within Portsmouth City Council's administrative area, the principal highway considerations relate to: • The Budds Farm Wastewater Treatment Works and surrounding highway network. • The A27 corridor and strategic links connecting Portsmouth, Havant and wider Hampshire. • Local roads serving residential communities adjacent to construction compounds and pipeline crossings. • Walking and cycling routes affected by construction activity. • Public transport services potentially impacted by temporary traffic management.	The Applicant acknowledges Portsmouth City Council's comment regarding their principal highway considerations. The Project's impacts on these locations are set out within ES Chapter 18 Traffic and transport [APP-097] and ES Appendix 18.1 Transport Assessment (TA) [APP-186 to APP-188 – 3 documents]. Proposed mitigation at these locations is contained within the Framework CTMP [APP-415] and Traffic Management Strategy (TMS) [APP-416] as well as the ES Appendix 18.1 TA [APP-186 to APP-188 – 3 documents].
RR-252-31	Traffic and transport	The Portsmouth network already experiences congestion during peak periods, particularly on approaches to the A27, Eastern Road corridor and key junctions serving the northern part of Portsea Island.	The Applicant acknowledges Portsmouth City Council's comment regarding congestion during peak periods on approaches to the A27, Eastern Road corridor and key junctions serving the northern part of Portsea Island. The assessment of the Project's traffic impacts on the key links with Portsmouth City Council's jurisdiction is contained within ES Appendix 18.1 TA [APP-186 to APP-188 – 3 documents]. The assessment of the Project's traffic impacts on the key links with Portsmouth City Council's jurisdiction is contained within ES Appendix 18.1 TA [APP-186 to APP-188 – 3 documents].

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RR-252-32	Traffic and transport	Any increase in construction traffic therefore has the potential to exacerbate existing delays unless carefully managed.	The Applicant acknowledges Portsmouth City Council's comment that any increase in construction traffic has the potential to exacerbate existing delays unless carefully managed. The Framework CTMP [APP-415] contains a package of measures designed to mitigate the impact of construction traffic associated with the Project on the local highway network. This includes restrictions on Heavy Goods Vehicles (HGV) movements in the network peak hours. The appended Framework Construction Worker Travel Plan (CWTP) to the Framework CTMP [APP-415] also includes measures to reduce the number of car trips made by construction workers.
RR-252-33	Traffic and transport	Development Proposals The project is expected to operate with limited traffic generation once constructed because the infrastructure is largely automated and pipelines are predominantly underground. Operational impacts are therefore anticipated to be low.	The Applicant acknowledges Portsmouth City Council's comment regarding operational impacts.
RR-252-34	Traffic and transport	The principal highway concerns arise during the construction phase, which is anticipated to extend over approximately four years to five years and involve simultaneous work sites across Hampshire and Portsmouth network. Key construction activities include: • Pipeline installation. • Tunnelling works. • Construction compounds. • Delivery of materials and plant. • Workforce travel. These activities are likely to generate significant HGV and workforce movements on the Portsmouth highway network. It is noted however that it appears only one main compound would be situated within the confines of PCC boundary (New Down Lane) with an additional compound for shaft opening (Gillman Road)	The Applicant acknowledges Portsmouth City Council's comment regarding construction traffic impacts within Portsmouth City Council's jurisdiction. The quantum of construction vehicle movements generated by each compound are outlined in the Framework CTMP [APP-415]. The resulting assessment of these traffic movements on the local highway network are set out in ES Appendix 18.1 TA [APP-186 to APP-188 – 3 documents]. The ES Chapter 18 Traffic and transport [APP-097] includes an assessment of effects with regards to driver delay and concludes no significant effects with regards to driver and bus passenger delay on roads within Portsmouth City Council.
RR-252-35	Traffic and transport	Construction Traffic Management Plan In relation to the Construction Traffic Management Plan, (CTMP) concerns remain regarding the adequacy of the Framework CTMP in demonstrating that construction traffic impacts on Portsmouth's highway network can be effectively managed throughout the construction period. The CTMP is intentionally high-level and defers substantial detail to future contractor-produced CTMPs following consent. LHA considers that further information and stronger controls are required at the DCO stage to ensure that unacceptable impacts do not arise on Portsmouth's highway network.	The Applicant acknowledges Portsmouth City Council's comment regarding the adequacy of the Framework CTMP. The Framework CTMP [APP-415] includes a series of measures intended to mitigate the impacts of the Project on the local highway network. Whilst Portsmouth City Council consider these measures to be high-level, they include strict restrictions on Heavy Goods Vehicles (HGV) movements to avoid impacts during peak periods, assigned HGV access routes and other temporal and locational travel restrictions. Furthermore, a Framework CWTP has been appended to the Framework CTMP [APP-415], containing a stringent Project-wide single occupancy vehicle trip mode share target of 75% among construction workers.

Reference	Theme	Summary of issue raised	The Applicant's response
		The submission states that detailed CTMPs will be prepared by contractors post-consent and will include key matters such as: • Traffic routing. • Vehicle movement controls. • Access arrangements. • Swept path assessments. • Monitoring arrangements. • Highway reinstatement measures.	No authorised development may commence until the detailed CTMP and appended CWTP have been agreed in writing with the relevant local planning authority, in consultation with the relevant local highway authority and National Highways. This securing mechanism is set out in paragraph 8 of Part 1 of Schedule 2 to the draft DCO [APP-023]. An impact assessment which considers these mitigation measures has been undertaken and is contained within the ES Appendix 18.1 Transport Assessment [APP-186 to APP-188 – 3 documents]. The ES Appendix 18.1 Transport Assessment [APP-186 to APP-188 – 3 documents] concludes that, following mitigation measures, the construction traffic impacts of the Project on the transport network would not be significant, including on those links within Portsmouth City Council. The ES Chapter 18 Traffic and transport [APP-097] includes an assessment of effects with regards to driver delay and concludes no significant effects with regards to driver and bus passenger delay on roads within Portsmouth City Council.
RR-252-36	Traffic and transport	PCC considers that key construction traffic commitments should be secured within the DCO Requirements rather than left to future contractor discretion. Measures appear to be generic and not site specific; it is considered that further details should be agreed upon prior to completion of the CTMP with table provided demonstrating which mitigation measures for each individual site.	As detailed in response to RR-252-35, many measures have been secured at this early stage in the design process. Further measures will however be considered as part of the full Construction Traffic Management Plan(s) and these would be subject to the approval of the relevant local planning authority, in consultation with the relevant local highway authority and National Highways. This securing mechanism is set out in paragraph 8 of Part 1 of Schedule 2 to the draft DCO [APP-023].
RR-252-37	Traffic and transport	Network Assessment Although much of the project is located outside the Portsmouth Highway Network, the construction of the water recycling plant and associated infrastructure is expected to generate substantial HGV movements over a long period of time and therefore the LHA have to be alert to potential pressures on the network.	The Applicant acknowledges Portsmouth City Council's comment regarding Heavy Goods Vehicles (HGV) movements associated with the Water Recycling Plant (WRP) site and potential pressures this may lead to on the network. The Framework CTMP [APP-415] includes a series of measures intended to mitigate the impacts of the Project on the local highway network, including the restriction of most HGV movements in the network peak hours.
RR-252-38	Traffic and transport	Within the Construction Framework Management Plan, the submission outlines routes that HGVS would take to compounds located within PCC highway network (E1 New Down Lane and D-1 Gillman Road) or directly adjacent (Southwick Road) In relation to Gillman Road (D-1) vehicle trips would be low and would utilise mostly the Hampshire Highway Network until Crookhorn Lane. The LHA would raise the attention for the potential conflict between this infrastructure being implemented and that of potential residential housing development at Campdown. The LHA would seek a detailed clarification on the process if both works occurred at the same time (this would also need to be agreed with HCC given the proximity of their network	The Applicant acknowledges Portsmouth City Council's comment regarding the potential for conflict between construction vehicles routing to/from Gillman Road (temporary construction compound D-1) and the potential residential housing development at Campdown. This is acknowledged within Environmental Statement (ES) Appendix 18.1 Transport Assessment (TA) [APP-186 to APP-188 – 3 documents] and the Framework CTMP [APP-415], with details of the proposed infrastructure provided at Appendix E of the Framework CTMP [APP-415]. This is acknowledged within ES Appendix 18.1 TA [APP-186 to APP-188 – 3 documents] and the Framework CTMP [APP-415], with details of the proposed infrastructure provided at Appendix E of the Framework CTMP [APP-415]. Should these works commence or be completed in advance of the works at temporary construction compound D-1, the detailed Construction Traffic Management Plan would set out how this junction would be managed, as set out in paragraph 5.6.5 of the Framework CTMP [APP-415]. The detailed CTMP and any potential measures to manage this conflict

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			would be required to be approved by Hampshire County Council and Portsmouth City Council as per Schedule 2 of the draft DCO [APP-023]. This issue is considered in the draft Statement of Common Ground with Portsmouth City Council (Document reference 5.8, DCO Volume 5, Version 1).
RR-252-39	Traffic and transport	New Down Lane (E1) in terms of vehicle routing, it would leave the strategic highway network, travelling along the A3 then onto B2177 consequently joining Ports Down Hill before arriving at New Down Lane. Whilst this route would transverse main throughfare through Cosham which is identified as potentially being an accident prone route, however due to the site location, viable alternative routes are limited. It is noted that percentage impact of additional vehicles using New Down Lane provides skewed calculation due to its current limited usage, however when reviewing the adjacent highway roads, the impact is much more limited.	The Applicant acknowledges Portsmouth City Council's comment regarding the Heavy Goods Vehicles (HGV) access route to/from temporary construction compound E-1 and the proportional impact of trips to/from this temporary construction compound on New Down Lane and adjacent roads. This was discussed with Hampshire County Council and Portsmouth City Council.in previous workshops and the access routes presented in the Framework CTMP [APP-415] are considered to present the preferred routing for both local highway authorities. This issue is considered in the draft Statement of Common Ground with Portsmouth City Council (Document reference 5.8, DCO Volume 5, Version 1).
RR-252-40	The draft DCO	Implementation/process S278 The LHA would require further clarification regarding the process of approving section 278 applications. This will be of particular importance with New Down Lane. The LHA would consider that any drawings approved are fixed and any changes would require the approvement of LHA	The Applicant has engaged with the Council regarding the S278 process. The draft DCO [APP-023] contains all powers necessary to carry out works in the highway that would otherwise require an agreement under section 278 of the Highways Act 1980. As such it is not envisaged that any agreements under that section would be required. In relation to the approval of details of highway works, please refer to the protective provisions for the benefit of local highway authorities contained in Schedule 8 to the draft DCO [APP-023].
RR-252-41	The draft DCO	Traffic Regulation Orders (TRO's) Similar to our concerns regarding Section 278, the LHA would raise the point that the TRO'S have their own separate democratic process that will need to be followed which may impact timescales during the project.	The Applicant has engaged with the Council regarding the Traffic Regulation Orders (TROs). The Applicant is aware of the provisions of the Road Traffic Regulation Act 1984 and related regulations that govern the making of permanent and temporary traffic regulation orders. Article 19 of the DCO [APP-023] includes a general power, exercisable with the consent of the traffic authority concerned, to make traffic regulation measures that take effect as though they were traffic regulation orders. There is nothing in the draft DCO [APP-023] that would preclude the Applicant from requesting the traffic authority to make a TRO in relation to the Project.
RR-252-42	Interface with the Applicant's existing infrastructure and assets	Permitting/Lane Agreement The LHA would seek to understand whether there be any agreements to encompass the works above similar to one that has been agreed with national highways regarding delivery of works.	The Applicant will continue to engage with the Local Highway Authority throughout the DCO process regarding works that interact with the local highway network. As set out in RR-252-40, the draft DCO [APP-023] contains all the powers necessary to carry out works in the highway and therefore no additional agreements would be required. However, the Applicant has provided protective provisions for the local highway authority in Schedule 10 Part 4 of the draft DCO [APP-023], which require the Applicant to submit plans for approval from the Council in relation to any works that will impact the highway network. No permitting or lane agreement has been made with National Highways. The agreement relates only to access to and from a specific location on the A27

Reference	Theme	Summary of issue raised	The Applicant's response
			(please refer to the Applicant's response to RR-220-16). No works are being carried out on the Strategic Road Network.
RR-252-43	Interface with the Applicant's existing infrastructure and assets	Existing Assets Clarification regarding existing assets not being caught up with restrictions (for example exclusion zones) that would prevent LHA carrying out its stator functions.	The Applicant acknowledges the request for clarification regarding the treatment of existing highway assets and whether any restrictions associated with the Project, including exclusion zones or protective provisions, could affect the Local Highway Authority (LHA)'s ability to undertake its statutory functions. The Applicant does not intend for the Project to unreasonably restrict the LHA's ability to operate, maintain or improve existing highway assets or otherwise exercise its statutory functions. Where the authorised works interface with highway infrastructure, the Applicant will continue to engage with the LHA to ensure that appropriate arrangements are in place to protect existing assets and identify and resolve any potential conflicts with the LHA's operational requirements or statutory functions. Any temporary restrictions required during construction would be managed through the relevant statutory processes and would be designed to minimise disruption to the operation and maintenance of the highway network.
RR-252-44	Public Rights of Way (PRoW)	Walking, Cycling and Public Transport The Highway Authority would seek assurances that: Walking and Cycling • Existing routes remain open wherever possible. • Temporary diversions are safe, direct and accessible. • Construction compounds do not sever active travel routes. • Routes are reinstated to an equal or better standard.	The Applicant acknowledges Portsmouth City Council's comment regarding walking and cycling. Details of proposed mitigation at walking and cycling routes affected by the construction of the Project is provided within the Framework Rights of Way Management Plan (RoWMP) which is appended to the Framework CTMP [APP-415], and the Traffic Management Strategy (TMS) [APP-416].
RR-252-45	Traffic and transport	Public Transport • Bus journey reliability is maintained. • Temporary traffic management is coordinated with operators. • Bus stops affected by works are appropriately relocated.	The Applicant acknowledges Portsmouth City Council's comment regarding public transport. Details of proposed mitigation to minimise impact the impact of works in the highway on public transport routes affected by the construction of the Project is provided within the TMS [APP-416]. Section 11.3 of the Framework CTMP [APP-415] includes an assessment of construction traffic on public bus services and does not identify any significant impacts.
RR-252-46	Public Rights of Way (PRoW)	Public Rights of Way • Implementation of diversions would need careful coordination between the various statutory bodies; it would be recommended a structure is set up for clear commutation and allow clear commutations for the public	The Applicant acknowledges Portsmouth City Council's comment regarding Public Rights of Way (PRoW). Details of proposed mitigation at PRoW affected by the construction and operational phase of the Project is provided within the Framework Rights of Way Management Plan (RoWMP), which is appended to the Framework Construction Traffic Management Plan (CTMP) [APP-415]. The Framework RoWMP has been developed following extensive consultation with the relevant statutory bodies. A Communication Strategy which includes communications relating to PRoW closures and diversions and how these would be communicated to the public is provided within the Outline CEMP

Reference	Theme	Summary of issue raised	The Applicant's response
			(Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3).
RR-252-47	EIA approach and methodology	Construction Environmental Management Plan (CEMP) Whilst it is understood that the CEMP usually falls within the Planning Authority's remit, from a Highway Authority perspective there are crossovers with the Construction Traffic Management Plan and the CEMP should include the following: • Approved HGV routes. • GPS routing requirements. • Driver code of conduct. • Construction access arrangements. • Wheel washing facilities. • Delivery booking systems. • Community Protection • Complaint response procedures. • Communication protocols. • Advance notification of road closures. • Emergency access arrangements.	The Applicant acknowledges Portsmouth City Council's request. The Framework CTMP [APP-415] contains the traffic-related measures so as to avoid duplication of the same controls being featured in the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3). Schedule 8 to the draft DCO [APP-023] specifies "*No part of the authorised development may commence until a construction traffic management plan for that part has been submitted to and approved in writing by the relevant planning authority, in consultation with the relevant local highway authority and National Highways*." This provides the mechanism for Portsmouth City Council, as a relevant planning authority, to ensure the construction traffic measures are appropriate, including approved Heavy Goods Vehicles (HGV) routes, GPS routing requirements, driver code of conduct, construction access arrangements, wheel washing facilities and delivery booking systems. Section 4.8 of the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3) provides the information on the Stakeholder and Customer Communications Plan covering factors such as complaints procedure, protocols and notice for advanced works. Section 4.5 of the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3) sets out that the Contractor will prepare the necessary emergency procedures for the construction of the Project, including arrangements for the emergency services.
RR-252-48	Traffic and transport	Travel Plan/Construction Working The Local Highway Authority has reviewed the submission of the Travel Plan and can offer the following comments. The CTMP proposes a construction worker hub and monitoring of parking activity. Whilst the principal framework is acceptable, it is unclear where this Central Hub is going to be located and therefore it is challenging for the LHA to understand the operation for each compound. LHA has had discussions with our colleagues within the HCC Highways function and have agreed that subject to agreement regarding more finer details, given that the project impacts HCC highway network to greater extent that PCC'S network, The LHA are content to provide overall control in relation to the Travel Plan Monitoring to our HCC colleagues to streamline the process.	The Applicant acknowledges Portsmouth City Council's comment regarding the Construction Worker Travel Plan (CWTP), appended to the Framework Construction CTMP [APP-415] and the Construction Worker Hub. The Applicant acknowledges that Portsmouth City Council are content to provide overall control in relation to the Travel Plan monitoring process to Hampshire County Council colleagues.
RR-252-49	Traffic and transport	Conclusions	The Applicant acknowledges Portsmouth City Council's comment regarding the construction phase and the need for robust monitoring, mitigation and management measures to ensure that highway safety is maintained, congestion impacts are minimised, active travel routes remain functional,

Reference	Theme	Summary of issue raised	The Applicant's response
		The principal concern from the Highway Authority relates to the construction phase. The DCO examination should therefore secure robust monitoring, mitigation and management measures to ensure that: • Highway safety is maintained. • Congestion impacts are minimised. • Active travel routes remain functional. • Public transport reliability is protected. • Highway assets are safeguarded.	public transport reliability is protected and highway assets are safeguarded. It is considered that robust monitoring, mitigation and management measures are included across the suite of management plans submitted in support of this, including the Framework CTMP [APP-415], Framework CWTP (Appendix A to the Framework CTMP), Framework RoWMP (Appendix B to the Framework CTMP and the Traffic Management Strategy (TMS) [APP-416].
RR-252-50	Traffic and transport	The Highway Authority are happy to continue to engage with the Applicant throughout the DCO examination to secure these outcomes and ensure the residual cumulative impacts on the Portsmouth highway network remain acceptable with the following area suggested for additional focus: 1. Construction Traffic Management Plan approval. 2. Construction Worker Travel Plan. 3. Temporary traffic management approval process. 4. Legal (S278) approval process 5. Monitoring and review safeguards. 6. Co-ordination strategy regarding Crookhorn Avenue/ Ports Down Hill Junction	The Applicant acknowledges Portsmouth City Council's comment on the various areas suggested for additional focus, and appreciates the offer to continue engagement with the Applicant. The Applicant has had positive discussions with Portsmouth City Council on these matters at meetings dated 21st September and 6th October 2026. The Applicant will continue to engage with Portsmouth City Council and reflect progress in updates to the draft Statement of Common Ground (SoCG) (Document reference 5.8, DCO Volume 5, Version 1).
RR-252-51	Location of the proposed pipeline routes	Design & Heritage Portsmouth City Council is keen to ensure that the development proposed in connection with BPT / IPS-E is mitigated as effectively as possible. The element of the proposed pipeline that would be routed through land within the jurisdiction of Portsmouth City Council runs from the Water Recycling Plant to Portsdown Hill (Section D), and is considered, in the context of the scheme overall, to be relatively modest. Notwithstanding this, it is notable that Portsmouth, has still been selected to accommodate what is probably one of the largest and potentially (depending on finished design and viewpoint) most impactful features across the whole length of the project.	The Applicant notes this comment. ES Chapter 13 Landscape and visual [APP-092] sets out the landscape and visual assessment of the Project including BPT/IPS-E (Work No. 5C). The Design Principles Document (Document reference 5.11, DCO Volume 5, version 1) sets out measures that will be implemented in the design of BPT/IPS-E (Work No. 5C) to reduce landscape and visual impacts. Portsmouth City Council's specific comments on the design principles for BPT/IPS-E (Work No. 5C) have been responded to separately.
RR-252-52	Archaeology and cultural heritage	The archaeological impacts of the scheme both below and at ground level, from tunnel reception shafts and temporary compounds, are considered in the representation provided by Surrey County Council Archaeology on behalf of the city council.	The Applicant notes the Council's comments regarding archaeological impacts and acknowledges that these matters are addressed separately within the representation provided by Surrey County Council Historic Environment Team, which was appended to this Relevant Representation.
RR-252-53	Consultation	The City Council's position on the heritage impacts of the proposal has been previously captured in a number of consultation events between 2022 and 2026 and is not revisited here.	The Applicant notes this comment. The consideration of relevant responses received to consultation and publicity has been set out in the Consultation Report [APP-029].

Reference	Theme	Summary of issue raised	The Applicant's response
RR-252-54	Archaeology and cultural heritage	Having regard to these points the only currently outstanding matter in respect of the possible conservation and heritage impacts of the proposal is considered to be the question of the maximum above ground height of the buildings associated with the Break Pressure Tank and Intermediate Pumping Station E (BPT/IPS-E).	The Applicant notes the Council's position that design parameters of BPT/IPS-E is an outstanding matter. The Applicant understands that in the context of this section of the representation, this concern primarily relates to the setting of Fort Widley. The assessment presented in ES Chapter 7 Archaeology and cultural heritage [APP-086] has taken the worst case approach of the maximum build out of the proposed BPT/IPS-E within the stated parameters and visibility of the proposed underground pipeline to the north of Fort Widley. The assessment set out at paragraph 7.8.49 of ES Chapter 7 Archaeology and cultural heritage [APP-086] that there would be temporary changes to the setting of Fort Widley during construction arising from visibility of the pipeline and BPT/IPS-E construction. This change would result in less than substantial harm to the significance of Fort Widley during the construction period. Following the implementation of appropriate mitigation secured through the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3) and Outline Landscape and Ecology Management Plan (Document reference 7.5, DCO Volume 7, Version 1), comprising restoration of arable land and hedgerows affected during pipeline construction, and landscaping and planting at the BPT/IPS-E site, these changes to setting would reduce on completion of construction works and be entirely reversed once reinstatement of the construction works was complete and as landscape planting at the BPT/IPS-E site matures. This Relevant Representation notes agreement with that conclusion (RR-252-59).
RR-252-55	Design of AGP	Southern Water have indicated that: "The maximum building or structure height will not exceed 8m above finished floor level and finished floor level will not be higher than 86.6m AOD. Detailed design will seek to deliver building heights lower than 8m".	The minimisation of visual impact at this site is important due to its location. The maximum height of the proposed Break Pressure Tank and Intermediate Pumping Station E (BPT/IPS-E) Above Ordnance Datum (AOD) presented within the DCO application forms part of the parameters assessed within the Environmental Statement (ES) and is secured through Design Principle BPT/IPS-E_7 in the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1). The design of BPT/IPS-E incorporates embedded mitigation measures to minimise visual effects, including embedding the buildings and structures into the existing hillside, limiting building heights and incorporating landform reprofiling and extensive planting. The maximum building height and finished floor level parameters have been specified to represent the worst case for assessment purposes. This ensures an improved outcome if the proposed building height during detailed design is less than the 8m. If no maximum floor level was provided, the roof level would remain the same even if smaller buildings were used. At this stage, detailed design has not been completed. An illustrative elevation is provided in the Design Approach Document [APP-077 to APP-079 - 3 Documents], which shows the indicative design approach. The Applicant acknowledges the concern regarding the potential influence of the proposed height and levels of the BPT/IPS-E on visibility, the profile of
RR-252-56	Landscape and visual	It is considered that acceptance of a proposed building height linked to a fixed AOD, prior to agreement being reached on a finalised design, could commit the City Council to a critical parameter affecting the visibility of the structures and therefore their impact on the setting of both nearby heritage assets and the wider profile/ silhouette of Portsdown Hill.	
RR-252-57	Design of AGP	This outcome would not be considered desirable. It could fetter/ limit meaningful consideration of, and where it was considered necessary, change to the design details of any scheme - to allow for the avoidance and/ or minimisation of impacts deriving from building height.	
RR-252-58	Design of AGP	The City Council's preference is that this outcome is avoided, and that further detail is provided by the applicant in the form of cross-sectional drawings that capture sectional details of the whole of Portsdown Hill north and south slopes,	

Reference	Theme	Summary of issue raised	The Applicant's response
		and thus allow for a clear and unequivocal interpretation of details such as the finished floor level, height and profile of any proposed buildings.	Portsdown Hill and the setting of heritage assets. These matters are assessed in ES Chapter 13 Landscape and visual [APP-092] and ES Chapter 7 Archaeology and cultural heritage [APP-086] respectively. Adjacent to BPT/IPS-E, people travelling along New Downs Lane – represented by Viewpoint 022 in ES Figure 13.23 Viewpoint photography - 6 of 45 documents [APP-333] – would experience close-range views of the proposed security fencing, which would be the dominant feature in the view. Photomontages from viewpoint V019 – shown in ES Figure 13.23 Viewpoint photography – 4 of 45 documents [APP-331] – illustrate how the embedded mitigation measures would assist in integrating the proposed buildings into the landscape of Portsdown Hill in views from the Wayfarer's Walk promoted route to the west of Geoffrey Avenue, Widley. The Applicant acknowledges the Council's request for additional cross-sectional information. Detailed design information, including levels, building heights and profiles, will be developed post-consent. The detailed design will be required to accord with the maximum parameters and design principles secured through the corresponding requirement in the Schedule 2 of the draft DCO [APP-023]. This ensures that the final design remains within the assessed design envelope, whilst allowing Portsmouth City Council to consider the detailed appearance, materials and architectural treatment through the detailed design approval process.
RR-252-59	Archaeology and cultural heritage	Archaeology Comments from Surrey County Council Archaeology, Archaeological advisers to PCC) PCC confirms agreement that Section E: Portsdown Hill to Boarhunt of the pipeline would cause temporary moderate adverse effects on the setting of Fort Widley as assessed in ES Chapter 7 Archaeology and cultural heritage, Volume I (Document reference 6.1, DCO Volume 6), which will be mitigated through reinstatement and landscape planting, supported by site-specific design principles addressing building height, landform, planting, hedgerow gaps and appropriate materials included in the Design Principles Document (Document reference 5.11, DCO Volume 5).	The Applicant welcomes the Council's agreement with the assessment of effects as a result of temporary change to the setting of Fort Widley during construction of the Project and on archaeological remains in Section E Portsdown Hill to Boarhunt of the pipeline as presented in ES Chapter 7 Archaeology and cultural heritage [APP-086].
RR-252-60	Archaeology and cultural heritage	The pipeline route through the Portsmouth City Council area runs from the Water Recycling Plant to Portsdown Hill (Section D) and is predominately of tunnelled construction with potential impacts from tunnel reception shafts and temporary compounds. The most substantial area of impact will be from the above ground works for the Break Pressure Tank and Intermediate Pumping Station E (BPT/IPS E) which will involve major excavations. A baseline Heritage Statement has been provided that identifies that there is a high potential for significant archaeological remains to be disturbed by the below and above ground works associated with the construction programme.	The Applicant notes the comments regarding potential effects on archaeological remains within Section D of the pipeline and ground works associated with BPT/IPS-E. The Applicant has outlined appropriate measures to manage and mitigate archaeological impacts through the Outline Written Scheme of Investigation (WSI) (Document reference 7.6, DCO Volume 7, Version 1).

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RR-252-61	Archaeology and cultural heritage	The assessment identifies that Portsdown Hill appears to have been a focus of activity in the prehistoric period with evidence of activity during the Palaeolithic and Mesolithic periods, with more intensive occupation in the Neolithic and Bronze Age with a focus on funerary monuments along the scarp of the hill. Increased settlement activity during the Iron Age is evidenced by increasing land division and domestic occupation sites revealed during recent trial trenching. Agricultural land use appears to have continued into the Roman period, and the earlier Bronze Age barrows become a focus for burial activity in the early medieval period with at least one major early medieval cemetery recorded.	The Applicant notes the comments regarding the archaeological potential of Portsdown Hill which are broadly in accord with the potential stated in ES Chapter 7 Archaeology and cultural heritage [APP-086].
RR-252-62	Archaeology and cultural heritage	The identified archaeological sensitivity of the area was acknowledged within Chapter Seven of the Environmental Statement, and a limited programme of geophysical survey, targeted trial trench evaluation and geoarchaeological test pitting/assessment was carried out along the route where land access allowed. This has identified areas where mitigation measures will be required but there is also a requirement for further evaluation works within areas where access was not possible prior to DCO submission. A framework for these works, which will consist of a staged programme of investigative work is to be set out in an Outline Written Scheme of Investigation, for which initial comments have been provided and which will specify the appropriate methodologies for the survey and field work. The Outline Written Scheme of Investigation will then inform the production of site specific Written Schemes of Investigation for areas where further work has been identified once the final design details of the project are confirmed.	The Applicant notes the Council's acknowledgement of the archaeological sensitivity of the area and previously undertaken archaeological surveys. The Applicant acknowledges that a further survey is required in areas where access was not previously available and this will be undertaken through a staged programme of works secured by the Outline WSI (Document reference 7.6, DCO Volume 7, Version 1) and corresponding requirement in Schedule 2 of the draft Development Consent Order [APP-023].
RR-252-63	Archaeology and cultural heritage	All the archaeological work to date, including the desk- based assessments and fieldwork has been overseen and approved by the Hampshire Country Archaeological Service providing advice to Portsmouth City Council as can be seen in the Draft Statement of Common Ground. This service was ended by Hampshire County Council in March 2026 and archaeological advice is now provided by the Historic Environment Planning Team for Surrey County Council, specifically Nick Truckle Principal Archaeologist BA Hon MCIfA and Matt Saywood BA Hons MCIfA	The Applicant notes the Council's acknowledgement of previously approved archaeological works, including the desk-based assessments and fieldwork, by Hampshire Country Archaeological Service and the transition of advisor responsibilities to Surrey County Councils Historic Environment Planning Team.
RR-252-64	Archaeology and cultural heritage	The only currently outstanding issue is the final agreement of the Outline Written Scheme of Investigation. Comments have been offered on a first draft, and a meeting is scheduled to review the comments and formalise the document so that it is suitable for submission with the DCO.	The Applicant notes that the only outstanding matter relates to the finalisation of the Outline WSI (Document reference 7.6, DCO Volume 7, Version 1) following the Council's review. The comments are being addressed through ongoing engagement with Portsmouth City Council and this is reflected in updates to the Draft Statement of Common Ground - Portsmouth City Council (Document reference 5.8, DCO Volume 5, Version 1) as appropriate. In addition, the Applicant has updated the Outline WSI (Document reference 7.6, DCO Volume 7, Version 1) for submission at Examination Deadline 1.

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RR-252-65	Archaeology and cultural heritage	Heritage PCC confirms agreement that Section E: Portsdown Hill to Boarhunt of the pipeline would cause temporary moderate adverse effects on the setting of Fort Widley as assessed in ES Chapter 7 Archaeology and cultural heritage, Volume I (Document reference 6.1, DCO Volume 6), which will be mitigated through reinstatement and landscape planting, supported by site-specific design principles addressing building height, landform, planting, hedgerow gaps and appropriate materials included in the Design Principles Document (Document reference 5.11, DCO Volume 5).	The Applicant welcomes the Council's agreement with the assessment presented in ES Chapter 7 Archaeology and cultural heritage [APP-086]. The Applicant notes that the effects would be mitigated through the embedded Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1) and measures secured within the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3) and Outline Landscape and Ecology Management Plan (Document reference 7.5, DCO Volume 7, Version 1).
RR-252-66	Landscape and visual	Landscape and Visual impact PCC acknowledges the following regarding the development of the Landscape and Visual Impact assessment: • That the scope of landscape and visual receptors within the ES Chapter 13 has been developed in consultation with PCC is acceptable. • That the visual impact viewpoints selected are sufficient and were consulted upon. • That the character assessment baselines were fully considered and consulted upon. • That the key vegetation features that can be identified at this time have been, although detailed design needs to review these when proposed to ensure that all grassland/trees/hedgerow works have been fully identified for reinstatement. It is not clear, for example, if any trees or hedges would be affected to the east side of the AGP or to the side of Gillman lane and we would expect further detailed assessment of these during the design development. • That the OCEMP and OLEMP will be further developed in consultation with PCC as the Local Authority and that *'6. - (1) No part of the authorised development may commence until a construction environmental management plan for that part has been submitted to and approved in writing by the relevant planning authority. (2) A construction environmental management plan submitted for approval under sub-paragraph (1) must be substantially in accordance with the outline construction environmental management plan. (3) Each part of the authorised development must be constructed in accordance with the construction environmental management plan approved for that part'* *And that* *'No part of the authorised development is to commence until a landscape and ecology management plan for that part has been submitted to and approved in writing by the relevant planning*	The Applicant welcomes the Council's acknowledgement that: • the scope of landscape and visual receptors has been developed in consultation with Portsmouth City Council; • the representative viewpoints are sufficient and were consulted upon; • the landscape character baseline has been appropriately considered; • the principal vegetation features have been identified and assessed; • the Outline Construction Environmental Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3) ([APP-413] and [APP-414] for documents 2 and 3) and Outline Landscape and Ecology Management Plan (LEMP) (Document reference 7.5, DCO Volume 7, Version 1) provide a framework for the development of detailed management plans in consultation with the relevant planning authorities. The Applicant notes the Council's comments regarding the identification of vegetation features during detailed design and the implementation of reinstatement and mitigation measures through the preparation of the detailed CEMP(s) and LEMP post-consent. The Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3) ([APP-413] and [APP-414] for documents 2 and 3) and Outline LEMP (Document reference 7.5, DCO Volume 7, Version 1 provide for the preparation of detailed post-consent management plans, including updated surveys, vegetation reinstatement, replacement planting and long-term management measures.

Reference	Theme	Summary of issue raised	The Applicant's response
		authority, in consultation with Natural England. (2) A landscape and ecology management plan submitted for approval under subparagraph (1) must be substantially in accordance with the outline landscape and ecology management plan and the design principles. (3) The relevant planning authority must consult the South Downs National Park Authority before determining an application for any approval required under sub-paragraph (2) where any part of the authorised development that is the subject of that application comprises any part of Work Nos. 5B, 5C or 5D. (4) The undertaker must implement and maintain a landscape and ecology management plan approved under sub-paragraph (2)	
RR-252-67	Landscape and visual	The development of the OLEMP and CEMP will be key to the protection not only of existing landscape features already identified but also care for during works and reinstatement of any other land that may be used for construction such as the temporary compound or temporary shafts indicated at the area to the top of Gillman road/D1.	The Applicant acknowledges the Council's comments regarding the importance of the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3) ([APP-413] and [APP-414] for documents 2 and 3) and Outline LEMP (Document reference 7.5, DCO Volume 7, Version 1) in protecting existing landscape features during construction and securing the reinstatement of temporary construction areas. The Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3) ([APP-413] and [APP-414] for documents 2 and 3) and Outline LEMP (Document reference 7.5, DCO Volume 7, Version 1) establish the framework for the protection of retained vegetation, reinstatement of disturbed areas and implementation of landscape mitigation measures. for the Project, including the temporary compound and shafts at the top of Gillman Road. Detailed CEMPs and LEMPs would be prepared and approved in accordance with the requirements in Schedule 2 to the draft Development Consent Order [APP-023] and will address site-specific measures relating to construction compounds, temporary works areas and landscape reinstatement.
RR-252-68	Terrestrial and freshwater biodiversity	This construction compound D1 and intermediate shaft J is not mentioned in the LVIA section. However, this issue has been raised that the habitat should be considered as part of wider important network of calcareous grassland chalk escarpment, and it is mentioned in the OCEMP and OLEMP as below: 'TFB25 Measures for reinstatement and enhancement of Field to West of Gillman Road SINC: • A bespoke habitat reinstatement plan will be produced for the SINC, full details are included in the Outline LEMP (Document reference 7.5, DCO Volume 7). • Habitat reinstatement will consider soil handling so that local flora seed bank is used where possible. Enhancement and reinstatement of Field to West of Gillman Road SINC'.	Paragraph 13.8.5, ES Chapter 13 Landscape and visual [APP-092] explains that the construction assessment considers the effects of temporary construction compounds and launch/intermediate tunnel shafts. Construction compound D-1 and Intermediate Shaft J therefore form part of the construction works assessed within the Landscape Visual Impact Assessment. The landscape effects from such construction works are considered on the Local Landscape Character Area 14: Portsmouth in paragraph 13.8.68 of the ES Chapter 13 Landscape and visual [APP-092]. During construction the effect on the Local Landscape Character Area would be negligible adverse, which is not significant. The Applicant seeks clarification from Portsmouth City Council on the relationship between the stated calcareous grassland chalk escarpment and the assessment of effects presented in ES Chapter 13 Landscape and visual [APP-092].

Reference	Theme	Summary of issue raised	The Applicant's response
RR-252-69	EIA approach and methodology	PCC have reviewed the OCEMP and OLEMP and understand: • The principles of soil management and protection outlined • The further topographical and AIA surveys required by the contractor • The control of pollution including dust/air/water, and that an appropriate ecologist will be used in further identification, protection and supervision of the works in detail design and construction and remediation.	The Applicant acknowledges Portsmouth City Council's comments.
RR-252-70	Landscape and visual	PCC supports in principle the applicant's general objectives for the reinstatement, namely: *The proposed planting will deliver the following objectives: 1. Assist in integrating the AGP and WRP site elements of the Project into the landscape by responding to local character through layout and species selection. 2. Reinstatement of vegetation removed to facilitate construction of the Pipeline to help compensate for habitat loss and reinstate connectivity. 3. Creation of new habitats that link with existing Green Infrastructure networks to compensate for habitat loss. 4. Provide multiple functions and benefits, including visual screening of the AGP and WRP site, habitat and species mitigation, climate change resilience and amenity.* And that *'The final species mixes, including the percentage mix of each species will be developed post-consent, and will be set out in the detailed LEMPs. 1. Species will be adapted to respond to, and reinforce, the different character areas of the landscape across the Project. 2. Species will be selected based on the habitat where they will be planted with regard to resilience and target condition.;*	The Applicant welcomes the Council's support for the landscape reinstatement, habitat creation and planting objectives set out in the Outline LEMP (Document reference 7.5, DCO Volume 7, Version 1), including the approach to developing detailed species mixes and planting specifications through the preparation of detailed LEMPs post-consent secured by corresponding requirement in Schedule 2 of the draft DCO [APP-023].
RR-252-71	Terrestrial and freshwater	PCC would request that Local Authority countryside management to be involved at the detail design level of this, as location and micro-climates have an effect on the chalk grassland species mixes, and previous imported seeds have led to an area dominance by non-local but still generic chalk species.	The Applicant notes Portsmouth City Council's request that Local Authority countryside management should be involved. As proposed by Requirement 4 of the draft DCO [APP-023], a detailed LEMP for each part would need to be submitted to and approved in writing by the relevant planning authority. It is therefore in the Council's gift to involve countryside management through the discharge of this Requirement. As set out in the Outline LEMP (Document reference 7.5, DCO Volume 7, Version 1), plant species mixes will be adapted to each site to respond to local character and site conditions. A review of soil type and nutrient content will be undertaken post-consent to inform the method of soil preparation and final species mixes. Priority will also be given to grass seed harvested from local donor grassland sites, where practicable and appropriate, to maintain continuity with existing grasslands.

Reference	Theme	Summary of issue raised	The Applicant's response
RR-252-72	Terrestrial and freshwater biodiversity	PCC acknowledges the applicants aims; *'Priority will be given to grass seed harvested from donor grassland sites where feasible and appropriate, to maintain continuity with existing grasslands. This approach is particularly critical for the creation of new chalk grassland'* And that; *'Outline specification Field to West of it SINC: 1. Reinstatement of lowland calcareous grassland in good condition. Application Document Ref: 7.5 39 Hampshire Water Transfer and Water Recycling Project Outline Landscape and Ecology Management Plan 2. Habitat reinstatement will consider soil translocation (preservation and restoration of the existing turf and soil layers) so that the flora seed bank is retained where possible.'*	The Applicant notes Portsmouth City Council's acknowledgement of the proposed grass seed mix for chalk grassland creation and consideration for soil translocation for grassland reinstatement.
RR-252-73	Terrestrial and freshwater	Overseeding/repeat seeding to help extend the local seedbank should be considered in the LEMP as well as to areas that may not have germinated.	As set out in the Outline LEMP (Document reference 7.5, DCO Volume 7, Version 1), where grassland has not established, re-seeding may be carried out. The detailed LEMPs will define the final grassland establishment, monitoring and maintenance requirements for each area post-consent, secured by corresponding requirement in Schedule 2 of the draft DCO [APP-023].
RR-252-74	Landscape and visual	PCC requests that the applicant to review the inclusion of Oak species in tree planting plans regarding up to date government recommendations regarding oak processionary moth distribution and buffer zones at the time of detail design.	The Applicant acknowledges the Council's comments regarding the selection of tree species and the need to have regard to current Government guidance relating to Oak Processionary Moth at the time of detailed design. As set out in the Outline LEMP (Document reference 7.5, DCO Volume 7, Version 1), the final species mixes, planting specifications and detailed planting design would be developed post-consent and set out within the detailed LEMPs. Species selection would take account of site conditions, landscape character, resilience and relevant guidance and best practice applicable at the time of detailed design. This is secured by corresponding requirement in Schedule 2 of the draft DCO [APP-023].
RR-252-75	Water environment	PCC would like to see that design of SUDS to incorporate natural water features within the development	A Sustainable Drainage Systems (SuDS) Strategy is outlined in ES Appendix 19.1 Flood Risk Assessment – 8 of 8 documents [APP-196]. It has been developed in accordance with the National Standards for SuDS and follows a natural approach to surface water management. The proposed SuDS management train comprises predominantly surface-based features including gravel storage areas, filter strips, swales and detention basins. These features have been designed to mimic natural drainage processes, manage runoff close to source, provide water quality treatment, attenuate flows and discharge to the existing natural drainage receptor.
RR-252-76	Landscape and visual	Landscape and Visual impacts - Portsdown Hill:	The Applicant notes the Council's comments regarding the sensitivity of the Portsdown Hill landscape and the landscape and visual effects identified for

Reference	Theme	Summary of issue raised	The Applicant's response
		PCC would highlight that the BPT/IPS-E and compound D are identified as one of the most sensitive and impacted landscapes within the LVIA. The medium to low impact works will have a short to medium term moderate adverse (significant) effect of on the high sensitivity landscape of Portsdown Open Downs (LCA8i) and Portsdown Hill (LLCA:15). In the longer term, this may be reduced to minor due to planting softening the new landform and screening the built forms in the main, however, the proposal remains a large new above ground development.	the Break Pressure Tank and Intermediate Pumping Station E (BPT/IPS-E) and construction compound D, as assessed in Environmental Statement (ES) Chapter 13 Landscape and Visual [APP-092]. The Applicant acknowledges that BPT/IPS-E would introduce a new built element into the landscape. However, the design incorporates embedded mitigation measures, including siting the structures low within the hillside, limiting building heights and providing landscape mitigation including landform reprofiling and planting to reduce visibility and assist with landscape integration. These measures are secured in the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1).
RR-252-77	Design principles	PCC acknowledge that the applicant has consulted and developed the outline design principles to embed the development within the hillside with screening where possible to minimise impacts but note that; *'(3) No part of the authorised development comprised in the above ground installations may commence until the details of the external appearance of that above ground installation together with a statement of compliance, has been submitted to and approved by the relevant planning authority. (4) The relevant planning authority must consult the South Downs National Park Authority before determining an application for any approval required under sub-paragraph (3) where any 50 part of the authorised development that is the subject of that application comprises any part of Work Nos. 5B, 5C or 5D. (5) The above ground installations must be constructed in accordance with the relevant details approved under sub-paragraph (3). (6) Nothing in this paragraph requires the undertaker to implement any additional environmental enhancement. (7) In this paragraph "statement of compliance" means a statement demonstrating how the relevant design principles for that part have been incorporated into the design of the relevant above ground installation.'*	The Applicant notes this comment.
RR-252-78	Design principles	The detailed design will need to continue to develop the design principles of embedment and look to liaise with the LA in both setting out building heights to proposed ground levels and to develop the proposed materials and colour assessments for both buildings and fencing in further close consultation to reflect how the adverse impact that may be caused will be mitigated in this highly sensitive landscape.	Within the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1) BPT/IPS-E_7 set out the commitments around embedding Break Pressure Tank /Intermediate Pumping Station E (BPT/IPS-E) into the hillside, its heights and levels and BPT/IPS-E_8 covers materials, colour assessment and has regard to fencing. As per the detailed design requirement included in the draft in Schedule 2 of the draft DCO [APP-023] Portsmouth City Council, as the relevant planning authority, would have the ability to approve the detail of the external appearance of BPT/IPS-E. The design requirement also refers to design as being substantially in accordance with the principles.
RR-252-79	Design principles	Although the Landscape Institute Type 4 scale verifiable photomontages included within the ES from VP20 in 6.3 ES Vol III - APP-331, ES Figure 13.23 Viewpoint photography - 4 of 45 documents, for example are to scale and the	The Applicant acknowledges the Council's comments regarding the assessment of BPT/IPS-E and the importance of detailed design in determining the final appearance of the development.

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		design principles clarify that the buildings will be no higher than 8m it will not be clear until proposed levels and heights are confirmed in detailed design what the level of the impact upon local walkers, residents and the wider landscape will be. Currently the envelope shows a significantly negative visual imposition which needs further review in detail design.	The Landscape Visual Impact Assessment presented in Environmental Statement (ES) Chapter 13 Landscape and visual [APP-092] has been undertaken using the maximum design parameters presented in the Development Consent Order application, including the maximum heights and levels of proposed infrastructure. The photomontages presented within ES Figure 13.23 Viewpoint Photography [APP-328 to APP-372 – 45 documents], distinguish between the maximum parameters of the building envelope and the security fence. This represents a worst-case scenario and therefore the effects of any refinements made during the detailed design stage would result in those effects being the same or less than reported in the ES. Embedded mitigation measures, including embedding structures into the hillside, limiting building heights to a maximum of 8mm and provision of a screening landform to the north and east of the site, form part of the assessed scheme and are secured through the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1). These measures have been taken into account within the assessed design envelope and would be carried forward through the detailed design process in accordance with the approved Design Principles. This is secured by corresponding requirement in Schedule 2 of the draft Development Consent Order [APP-023].
RR-252-80	Landscape and visual	PCC acknowledge that the additional security fencing has been included in the materials and colour assessment in the design principles. This will be key, alongside possible wall greening/screening to reduce the impact of the new built forms to the east side of the AGP. The photomontages from VP 22; [APP-333] - 6.3 ES Vol III - ES Figure 13.2 Viewpoint photography - 6 of 45 documents show how the major the adverse visual effects in construction will only reduce slightly as planting matures and overall, the fencing remains a dominate impact on the immediate view and limit visual permeability to users of the public spaces, local footpaths and Fort Widley circular walk which includes New Down Lane.	The Applicant acknowledges the Council's comments regarding the visual influence of the proposed security fencing and the conclusions of the assessment with respect to people travelling along New Downs Lane, represented by VP022, which is located to the west of the proposed BPT/IPS-E. Views from VP022 are shown in the photomontages presented in Environmental Statement (ES) Figure 13.23 Viewpoint photography - 6 of 45 documents [APP-333]. The assessment presented in ES Chapter 13 Landscape and visual [APP-092] identifies residual moderate adverse and significant visual effects in year 15 of operation due to the proximity of the viewpoint to BPT/IPS-E and the prominence of the security fencing within the foreground of the view. The design of the fencing, together with associated mitigation measures, has been considered through the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1) and forms part of the assessed Project.
RR-252-81	Landscape and visual	We also note that because of the proximity of the AGP to New Down lane and the need for clear space around the security fence there is a possibility that the planting may be more limited than shown int the photomontage and understand that hedge planting to the west side of New Down lane had been suggested to offset permeant loss to the east side for access and possibly fencing. These should be reviewed in continuing consultation on the detailed design.	The Applicant notes the Council's comments regarding the relationship between New Down Lane and the proposed security fencing. The Applicant confirms that extent of planting shown on the Indicative Environmental Masterplan in Appendix C of the Design Approach Document [APP-077 to APP-079 - 3 documents] and in the photomontages for VP022 presented in Environmental Statement (ES) Figure 13.23 Viewpoint photography - 6 of 45 documents [APP-333] can be accommodated within the Order Limits. The Applicant also notes the Council's comments regarding hedgerow planting and the consideration of these matters through the detailed design process.

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RR-252-82	Landscape and visual	Lighting must also be considered in development of the design to minimise impact on the environment and landscape.	The Applicant acknowledges the Council's comments regarding the importance of minimising lighting effects on the landscape and surrounding environment. Design Principle GDP_6 (Minimising light impacts) within the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1) requires the detailed design to seek to avoid impacts from permanent lighting on local communities, amenity, dark landscapes, nature conservation and heritage assets in the first instance and, where this is not practicable, reduce impacts as far as practicable.
RR-252-83	Landscape and visual	Careful work during and after construction to the highways entrance and vegetation re-instatement is key to minimising impacts to views from the south. [APP-332] 6.3 ES Vol III - ES Figure 13.23 Viewpoint photography - 5 of 45 documents shows a view from the car park.	The Applicant acknowledges the Council's comments regarding the importance of careful reinstatement of the highway verge, access arrangements and vegetation following construction in order to minimise effects on views from the south, including those represented by VP021. Vegetation reinstatement and landscape mitigation measures will be secured and delivered through the measures set out in the Outline Landscape and Ecology Management Plan (Document reference 7.5, DCO Volume 7, Version 1) and the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1).
RR-252-84	Landscape and visual	East of Portsmouth The construction activity for the recycling plant at Havant and Bedhampton will also have a minor adverse impact on views to people travelling along the Solent Way until establishment of vegetation.	The likely visual effects on users of the Solent Way are assessed in Environmental Statement (ES) Chapter 13 Landscape and visual [APP-092] and ES Appendix 13.4 Visual baseline and effects [APP-174], with reference to representative viewpoints including VP017 and VP133 on the eastern edge of Farlington Marshes and VP129 and VP132 near eastern Road. The assessment recognises that construction activity associated with the Water Recycling Plant may be perceptible from sections of the Solent Way. However, from these locations the works would be viewed at distance and experienced within a sequence of wider panoramic views across Langstone Harbour. Construction activity would generally be seen in the context of the existing Brockhampton Industrial Estate and urban development along the northern edge of the harbour and would be substantially screened and filtered by intervening vegetation The assessment concludes that, whilst construction activity may be perceptible from sections of the route, it would not become a defining feature of views experienced by users of the Solent Way and would not materially alter the overall character or visual amenity of Langstone Harbour. The resulting construction effects are therefore assessed as minor adverse.
RR-252-85	Design principles	Again, PCC note that detailed design should follow the principles of involving the LA in a colour and materials assessment as it may be an important element of blending new buildings into the background from Farlington marshes and from Eastern Road.	Please refer to the above Applicant's response for RR-252-78.
RR-252-86	Landscape and visual	[APP-330] 6.3 ES Vol III - ES Figure 13.23 Viewpoint photography - 3 of 45 documents shows the viewpoints with identification of location of new plant	The visualisation types were developed following consultation with the relevant local planning authorities, including Portsmouth City Council, through the

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		from VP17 on Eastern road, but unless fully screened by planting, it does not show a proposed view as yet. We note how the baseline photographs show how the light-coloured buildings of Brockhampton industrial estate as a fairly significant, unwanted eye catching element.	Environmental Impact Assessment Working Groups and bilateral discussions, as described in section 13.3 of Environmental Statement Chapter 13 Landscape and visual [APP-092]. VP017 is located on the Solent Way at the eastern edge of Farlington Marshes. The viewpoints on Eastern Road are VP129 and VP132, all of which were presented as Landscape Institute Type 1 Annotated photographs. Type 4 Photomontages were not prepared for these viewpoints as they were not identified as photomontage locations through the consultation process. The assessment nevertheless considers the likely visibility of the Project from these locations, taking account of the distance to the Water Recycling Plant, the influence of intervening vegetation, and existing built development, including the Brockhampton Industrial Estate, as part of the baseline. The assessment of likely visual effects has therefore been undertaken in accordance with the agreed viewpoint and visualisation approach, supported by field survey, viewpoint assessment and Zone of Theoretical Visibility analysis.
RR-252-87	Terrestrial and freshwater biodiversity	Ecology Comments from Hampshire County Council Ecology, Ecological advisers to PCC Having reviewed the route and work methodology, the majority of the route going through Portsmouth is trenchless. This avoids impact on a number of SINCs, notable habitats (calcareous grassland), protected species and SPA supportive habitat (Solent Waders and Brent Goose Strategy Low Use Site PO2). This is very positive. A small area as circled below in yellow is open cut, but this area is mainly covered by arable land. Overall, the measures detailed in the 'ES Chapter 8 Terrestrial and Freshwater Biodiversity' and '7.5 Outline Landscape and Ecology Management Plan' are acceptable in avoiding/mitigation impacts on protected species and habitats. (MAP)	The Applicant notes Portsmouth City Council positive view of the avoidance of sensitive habitats and designated sites via trenchless construction works and that it is considered that the measures detailed within Environmental Statement Chapter 8 Terrestrial and freshwater biodiversity (Document reference 6.1, DCO Volume 6, Version 1) and Outline Landscape and Ecology Management Plan (Document reference 7.5, DCO Volume 7, Version 1) are acceptable in avoiding/mitigating impacts on protected habitats and species.
RR-252-88	Terrestrial and freshwater biodiversity	In terms of BNG, as can be seen below, this is a very positive outcome for Portsmouth as the proposed development will result in a small loss of arable land but there will be habitat creation in the form of lowland calcareous grassland, a high distinctiveness habitat. It should however be noted that a final BNG and HMMP will be required at a later stage. (MAP) (MAP)	The Applicant notes Portsmouth City Council's positive view of the chalk grassland habitat creation proposals. An updated Biodiversity Gain Plan will be submitted (post-consent) to the relevant authority for approval in accordance with Requirement 5 in Schedule 2 to the Draft Development Consent Order [APP-023]. This will confirm the number of biodiversity units needed, taking into account the detailed design post-consent and setting out 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 an updated Habitat Management and Monitoring Plan (HMMP) for the management of the on-site BNG.
RR-252-89	Terrestrial and freshwater biodiversity	Pre-development BNG plan (hatched and dotted areas are arable/cereal & noncereal crop). Post-development (the green hatched areas are calcareous grassland).	See response to RR-252-88.

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RR-252-90	Terrestrial and freshwater biodiversity	The submitted '7.1 Outline Construction Environmental Management Plan' is outline and an indication of the timeline for the submission of a detailed one would be helpful. This is due to the presence of lowland calcareous grassland immediately outside the redline boundary as shown below and PCC would need to make sure that there would be sufficient provision in place to ensure no degradation of this habitat. (MAP) (Figure 4 - Figure 8.7 UK Habitat Classification for non-linear habitats within the field survey area)	The Applicant notes Portsmouth City Council's concern regarding retained lowland calcareous grassland habitat. The Outline Construction Environmental Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3) ([APP-413] and [APP-414] for documents 2 and 3) includes measures to protect retained habitats, including grassland from impacts associated with construction, including TFB2 and TFB7. Detailed Construction Environmental Management Plan(s) will be produced in accordance with the Outline Construction Environmental Management Plan as secured in Requirement 6 of Schedule 2 to the draft Development Consent Order [APP-023]. This would require the approval of the relevant planning authority (in this case Portsmouth City Council) prior to commencement of that part of development.
RR-252-91	Water environment	Flooding, Drainage and SUDS Matters of drainage, flood risk mitigation, SUDS have largely been agreed with the applicant prior to the submission of the DCO. However, the following caveats are to be noted: • The agreement to water environment including flood risk and mitigation (PCC-2025-SC-009) relates to the IPS E site only • With regard to PCC-2025-008, design and construction a commuted sum for ongoing maintenance needs to be factored in • Requirement 15 in the Draft DCO (below) should be expanded to include potential SuDS, which may include below ground attenuation, along the route of the proposed pipeline. (Figure 5 - Extract from Draft DCO - Requirement 15)	It is understood that PCC-2025-SC-009 issue identified in the Draft Statement of Common Ground with Portsmouth City Council (PCC) (Document reference 5.8, DCO Volume 5, Version 1) only relates to the Break Pressure Tank and Intermediate Pumping Station E (BPT/IPS-E) site. In relation to PCC-2025-008 issue identified in the Draft Statement of Common Ground with Portsmouth City Council (Document reference 5.8, DCO Volume 5, Version 1), the Applicant notes that PCC has confirmed its support for the proposed drainage strategy for BPT/IPS-E, including the adoption of a conservative zero-infiltration approach and the conclusion that the proposed Sustainable Drainage Systems (SuDS) would not increase flood risk. As stated in PCC-2025-008 issue identified in the Draft Statement of Common Ground with Portsmouth City Council (Document reference 5.8, DCO Volume 5, Version 1), detailed design and maintenance of the SuDS for BPT/IPS-E would be managed and maintained by the Contractor, as such there is no requirement for PCC to actively manage or maintain the proposed SuDS, avoiding the requirement for a commuted sum. The Applicant notes PCC's suggestion regarding the inclusion of potential Sustainable Drainage Systems (SuDS) along the route of the proposed Pipeline. Requirement 15 of Schedule 2 to the Draft Development Consent Order [APP-023] secures the submission, approval and implementation of detailed SuDS proposals associated with above ground installations, where new impermeable surfaces may be introduced and where drainage infrastructure may be required. The Pipeline would be installed below ground and, following construction, the land would be reinstated to its existing condition. The buried Pipeline would not introduce permanent impermeable surfaces or generate operational surface water runoff and no permanent SuDS features are anticipated along the Pipeline route. Any operational discharges associated with pipeline maintenance or emergency events would be managed through separate operational procedures in accordance with the Operational Environmental Management

Reference	Theme	Summary of issue raised	The Applicant's response
			Plan [APP-422]. In this context, Requirement 15 of Schedule 2 to the Draft Development Consent Order [APP-023] provides an appropriate mechanism for securing the SuDS measures required for the Project.
RR-252-92	Air quality and odour	Environmental Protection Environmental Protection notes the applicant's Statutory Nuisance Statement, which considers matters relating to dust, steam, smell and other effluvia, artificial light, and noise/vibration under section 79 of the Environmental Protection Act 1990. Environmental Protection also notes that the applicant relies on mitigation contained within ES Chapter 6 Air quality and odour, ES Chapter 13 Landscape and visual, ES Chapter 15 Noise and vibration, the Outline Construction Environmental Management Plan, the Operational Environmental Management Plan and the Design Principles Document to conclude that the project would not result in the potential for statutory nuisance.	The Applicant acknowledges Portsmouth City Council's comment regarding the Statutory Nuisance Statement [APP-054].
RR-252-93	Noise and vibration	Environmental Protection does not raise an objection in principle on statutory nuisance grounds. However, in relation to the Portsmouth elements of the project, namely Section D of the pipeline between the WRP site and Otterbourne WSW, BPT/IPS-E and the use of the existing Eastney Long Sea Outfall, Environmental Protection requests that the detailed CEMP, Noise and Vibration Management Plan and relevant operational management arrangements provide sufficient site-specific detail to demonstrate that noise, vibration, dust and odour will not adversely affect residential property or cause a loss of amenity.	The Applicant notes Portsmouth County Council's comments. The construction and operational noise and vibration assessments have been completed on the basis of robust worst case assumptions, and mitigation measures proposed where significant effects/impacts are predicted in order to avoid significant effects/impacts resulting. With regard to construction noise, as per the Outline Construction Environmental Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3) *"The Contractor will prepare a Noise and Vibration Management Plan (NVMP) which will form part of, or be appended to, the detailed CEMP(s)"*. Environmental measure NV1 identifies the proposed content of the NVMP, NV2 identifies the standard mitigation measures which will be included in each NVMP and NV3 identifies a range of additional mitigation measures that could be included where required to reduce exceedances of the Lowest Observed Adverse Effect Level (LOAEL) and avoid likely significant adverse effects where relevant and practicable. To address Portsmouth City Council's comment, the Applicant has updated the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for

Reference	Theme	Summary of issue raised	The Applicant's response
			document 1 of 3) for submission at Deadline 1 to include further details in NV1 on the site-specific mitigation measures that will be included in the NVMP. With regard to operational noise, a 'Site Specific Design Principle' (SSDP) for work site BPT/IPS-E is provided in the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1), stating: *"Detailed design will ensure that operational noise levels at noise sensitive receptors do not exceed the Lowest Observed Adverse Effect Level, as identified in ES Chapter 15 Noise and vibration. Mitigation measures will be adopted according to the following mitigation hierarchy..."* This SSDP provides a level of surety that the noise from operation of the Project will not adversely affect residential property or cause a loss of amenity. The Applicant has assessed potential construction dust, particulate matter and odour impacts on residential receptors within section 6.8 of Environmental Statement (ES) Chapter 6 Air quality and odour (Document reference 6.1, DCO Volume 6, Version 1). The assessment takes a worst-case approach which specifically includes receptors in the vicinity of Section D of the pipeline, the WRP site, and BPT/IPS-E. These locations were identified as representing worst case locations along the pipeline route where construction activity is expected to be the most intensive and where the greatest number of receptors are located in close proximity to the Project. Mitigation measures to control construction dust and particulate matter emissions are then identified, commensurate to the level of risk for each activity as set out within the Institute of Air Quality Management guidance on the assessment of dust from demolition and construction (v2.2 2024). Best practice mitigation measures to control odour were identified as appropriate to the construction activities for the Project, including specific measures at the WRP site in relation to potential disturbance to the historic landfill. The level of risk for dust and particulate matter from each construction phase activity, and the level of risk of odour as a result of construction activity, is presented within section 6.8 of ES Chapter 6 Air quality and odour (Document reference 6.1, DCO Volume 6, Version 1). The Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3) contains detailed measures (AQ1-AQ18) that, when implemented, will result in no likely significant effects from the construction phase of the Project on nearby sensitive receptors in relation to dust, particulate matter and odour emissions. As detailed within section 6.8 of ES Chapter 6 Air quality and odour (Document reference 6.1, DCO Volume 6, Version 1), effects associated with operational phase road traffic emissions, non-road mobile machinery emissions and odour emissions were found to be not significant and therefore no mitigation measures were found to be required.
RR-252-94	Noise and vibration	In particular, the detailed submissions should identify the nearest residential receptors, predicted construction and operational impacts, any proposed extended or out-of-hours working, monitoring locations, trigger levels, corrective action procedures, and complaint investigation arrangements. For	As noted in response to RR-252-93, the Applicant has updated the Outline Construction Environmental Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3) for submission at Examination Deadline 1, to address the comment from Portsmouth City

Reference	Theme	Summary of issue raised	The Applicant's response
		BPT/IPS-E, the applicant should also confirm operational noise design criteria, fixed plant assumptions, generator testing arrangements and post-commissioning verification. For dust and odour, the detailed CEMP should confirm local controls for excavation, stockpiling, vehicle movements, wheel washing, road cleaning, odorous materials if encountered, and resident complaint response procedures.	Council on the information to be included in the Noise and Vibration Management Plan which will form part of, or be appended to, the detailed CEMP(s). The detailed CEMP(s) is secured by corresponding requirement in Schedule 2 of the Development Consent Order [APP-023]. With regard to operational noise, the Site Specific Design Principles contained in the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1) ensure that noise from operation of the Project will not adversely affect residential property or cause a loss of amenity. The Applicant has assessed the potential impacts of construction dust and particulate matter and odour emissions within section 6.8 of Environmental Statement (ES) Chapter 6 Air quality and odour (Document reference 6.1, DCO Volume 6, Version 1). The assessment has taken a worst-case approach which has focused on areas of intensive construction activity and has combined this with areas with the highest number of receptors along the entirety of the Order Limits. Commensurate mitigation measures have been identified for the construction phase of the Project and detailed within the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3) which include measures specifically in relation to excavation (AQ8, AQ16, AQ17), stockpiling (AQ8), vehicle movements (AQ9, AQ10, AQ15), wheel washing (AQ9), road cleaning (AQ9), odorous materials if encountered and the complaint response procedure (AQ2, AQ16, AQ17).
RR-252-95	Noise and vibration	Subject to those details being secured through the DCO requirements and approved management plans, Environmental Protection is satisfied that the matters within its remit can be appropriately controlled.	Please refer to the Applicant's response to RR-252-94.
RR-252-96	Noise and vibration	Noise and Vibration Although ES Chapter 15 Noise and vibration and its appendices include detailed assessment of construction and operational noise and vibration, the available documents confirm a project-wide assessment and management framework. Environmental Protection require further clarification that the detailed CEMP/NVMP translates that into specific controls for the Portsmouth works and nearest affected residential properties and vibration sensitive receptors. In relation to Section D of the pipeline between the WRP site and Otterbourne WSW and BPT/IPS-E only: • construction compound D-1; • the intermediate tunnel shaft west of Gillman Road; • construction compound E-1; • the tunnel reception shaft north of Portsdown Hill Road; • BPT/IPS-E.	Please refer to the Applicant's response to RR-252-93 in relation to construction noise and vibration.

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RR-252-97	Noise and vibration	In relation to the above the following assurances are sought: • The predicted construction noise and vibration levels at those receptors, including any periods where works may exceed Lowest Observed Adverse Effect Level or Significant Observed Adverse Effect Level thresholds. • Whether any 24-hour, evening, night-time, Saturday afternoon or extended working is proposed for Section D tunnelling, shaft construction or BPT/IPS-E works. • The specific mitigation to be used at the Portsmouth locations, including temporary barriers, acoustic enclosures, plant selection, siting of fixed plant, haul route controls and restrictions on the noisiest activities. • The proposed monitoring locations, trigger levels and corrective action procedures for noise and vibration. • How complaints from residents will be received, investigated, recorded and responded to.	The Applicant's response to RR-252-93 in relation to reporting construction noise and vibration explains that predicted noise and vibration levels will be reported in the Noise and Vibration Management Plan (NVMP) which will form part of, or be appended to, the detailed Construction Environmental Management Plan (CEMP)(s), along with the mitigation where required to reduce exceedances of the Lowest Observable Adverse Effect Level and avoid likely significant adverse effects where relevant and practicable. The detailed CEMP(s) is secured by corresponding requirement in Schedule 2 of the Development Consent Order [APP-023]. There is no identified requirement for routine night-time working for Section D shaft construction or BPT/IPS-E construction. The Noise and vibration assessment presented in Environmental Statement (ES) Chapter 15 Noise and vibration [APP-094] allows for those activities to occur on Saturday afternoons, but specifically identifies avoiding Saturday afternoon working at construction compounds D-1 and E-1, and BPT/IPS-E as potential noise mitigation. The noise and vibration assessment assumes that the Section D tunnel boring machine will work continuously i.e. overnight. The detailed CEMP(s) will identify the construction working hours and the associated NVMP(s) will rely on these for the assessment of potential impacts and specification of mitigation. During detailed design, post-consent, the Contractor via the NVMP requirements, as specified in the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), will determine the mitigations to be implemented, which will consider all the suggested measures provided in the comment from Porstmouth City Council. The NVMP will also detail the proposed monitoring arrangements and corrective action procedures. As set out in paragraph 4.8.8 of the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3) a mechanism will be provided for members of the public to be able to report maintenance or damage issues that may arise as a direct consequence of construction works. Complaints received will be carefully monitored, including recording details of the location of the affected party, time of the disturbance and nature of the disturbance shall be undertaken to assist with managing the works to reduce the likelihood of further complaint.
RR-252-98	Noise and vibration	Operational Noise - BPT/IPS-E ES Chapter 15 Noise and vibration includes an operational noise assessment for above ground plant, including tables for residential and non-residential noise and vibration sensitive receptors.	The Applicant notes the statement from Portsmouth City Council.
RR-252-99	Noise and vibration	However, Environmental Protection seek confirmation of the following for BPT/IPS-E: • The operational noise limits or design criteria to be achieved at the nearest residential receptors.	Operational noise effects from BPT/IPS-E have been assessed, as described in ES Chapter 15 Noise and vibration [APP-094]. Table 15-38 of the ES Chapter 15 Noise and vibration [APP-094] shows that the night-time background sound level is 29 dB L_{A90} and that the LOAEL for all sources of continuously operating noise (i.e. all fixed plant, including pumps, motors, ventilation, transformers, kiosks, but excluding emergency generators) is

Reference	Theme	Summary of issue raised	The Applicant's response
		• Whether the assessment includes all fixed plant, including pumps, motors, ventilation, transformers, kiosks and emergency generators. • How generator testing will be controlled, including frequency, duration and timing. • Whether post-commissioning noise verification monitoring will be undertaken. • What corrective action will be required if operational noise is higher than predicted. This is not a request for a new condition. It could be dealt with through the OEMP, the Design Principles Document, or an operational noise verification requirement.	therefore 35dB $L_{Ar,Tr}$. The threshold for potentially likely significant effects due to noise from the site when emergency generators are running is identified as 50dB L_{Aeq}. Separate noise modelling and assessment against the above thresholds has been undertaken for all continuously operating sources of noise, and a scenario which includes all continuous sources, plus emergency generators, as described in ES Appendix 15.3 Operational noise assessment [APP-181]. Paragraph 15.5.62 of ES Chapter 15 Noise and Vibration [APP-094] states "*Emergency power generators would not be used during typical plant operation and would only be used in an emergency scenario during a power cut except for testing which would occur over a short period (expected to be no more than 30 minutes) once a month during daytime periods.*" The above operational noise limits are secured by the SSDP relating to noise from BPT/IPS-E in the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1), stating: *"Detailed design will ensure that operational noise levels at noise sensitive receptors do not exceed the Lowest Observed Adverse Effect Level, as identified in ES Chapter 15 Noise and vibration. Mitigation measures will be adopted according to the following mitigation hierarchy:* • *Avoidance of noise and vibration* • *Control of noise and vibration at source* • *Implement good practice environmental noise management measures* • *Mitigate the propagation pathway, for example by introducing boundary screening"* This SSDP provides sufficient confidence that the noise from operation of BPT/IPS-E, with or without emergency generators running, will not exceed the relevant limits identified in ES Chapter 15 Noise and Vibration [APP-094], without the need for verification monitoring or to identify the specific corrective measures that would be implemented if operational noise levels are higher than expected. The Operational Environmental Management Plan [APP-422] includes the following commitment: "*The Contractor shall operate an Environmental Management System (EMS) based on the requirements of ISO 14001:2015.*" This EMS would describe the procedures to be implemented in the event of a complaint, which would include monitoring in the event of a complaint about operational noise.
RR-252-100	Air quality and odour	Dust ES Chapter 6 Air quality and odour assesses dust and particulate matter emissions and the Outline Construction Environmental Management Plan provides the framework for construction mitigation. The applicant has addressed dust at ES and Outline CEMP level, but the detailed CEMP should	The Applicant has assessed potential dust impacts on neighbouring residential premises within section 6.8 of ES Chapter 6 Air quality and odour (Document reference 6.1, DCO Volume 6, Version 1), and the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and

Reference	Theme	Summary of issue raised	The Applicant's response
		show how the measures will be applied locally to avoid loss of residential amenity in Portsmouth. As such, clarification would be required for the following: • Dust risk assessment for the Portsmouth construction areas, particularly compounds D-1 and E-1, the tunnel shaft locations and BPT/IPS-E earthworks. • Measures for excavation, cutting, stockpiling, loading, unloading and transport of dusty materials. • Wheel washing, road sweeping and mud/debris controls for Gillman Road, New Down Lane and Portsdown Hill Road where relevant. • Procedures for dry or windy weather conditions. • Dust complaint investigation and response procedures.	[APP-414] for documents 2 and 3) details the identified mitigation measures. The response below takes each of the points raised in turn. Within the construction dust and particulate matter assessment, construction compound E-1 was identified as a worst case location in relation to construction works, due to expected intensive construction activity associated with AGP BPT/IPS-E and the combined tunnel shafts located within the compound as well as its proximity to a high number of sensitive receptors. Potential effects from construction activity were therefore assessed in detail at this location. Construction compound D-1 was not identified as a worst case location due to the nature of the construction works as well as lack of proximity to sensitive receptors. Therefore, it was not specifically considered as part of the assessment because locations with greater potential for construction dust and particulate matter impacts were identified. Notwithstanding this, all mitigation measures identified will be implemented along the pipeline route and will be incorporated within the entirety of the construction works to control the potential impacts associated with construction dust emissions. Measures in relation to mitigation of dust impacts associated with excavation (AQ16, AQ17), cutting (AQ5), stockpiling (AQ8), loading, unloading and transport of dusty materials (AQ9) are detailed within Table 5-1 of the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3) . Measures in relation to wheel washing, road sweeping and mud/debris controls that would be applicable to construction traffic routing along roads such as Gillman Road, new Down Lane and Portsdown Hill Road are detailed within environmental measure AQ9 as outlined in Table 5-1 of the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3) . Procedures for dry and windy weather conditions are detailed within environmental measure AQ3 as outlined in Table 5-1 of the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3) . The dust complaint investigation and response procedures are detailed within environmental measure AQ2 as outlined in Table 5-1 of the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3) . The assessment has concluded no significant effects as a result of the construction phase of the Project. Dust emissions will be controlled during the construction phase through measures contained within the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3) . All appropriate mitigation measures will be included in the detailed Construction Environmental Management Plan(s) which will be produced and

Reference	Theme	Summary of issue raised	The Applicant's response
			submitted for approval in accordance with the corresponding requirement in Schedule 2 to the draft DCO [APP-023].
RR-252-101	Air quality and odour	Odour Regarding the elements of the project that may affect Portsmouth, odour risk appears more limited because: • Section D is a tunnelled pipeline section; • BPT/IPS-E is an above ground pressure/pumping facility rather than a wastewater treatment process; • no physical works are proposed to the Eastney Long Sea Outfall itself. ES Chapter 6 Air quality and odour does consider odour emissions, and the Statutory Nuisance Statement relies on that assessment to conclude that statutory nuisance should not arise.	Please refer to the Applicant's response to RR-252-102.
RR-252-102	Air quality and odour	It would, however, be advantageous if the following information could be confirmed by the applicant: • Whether any odorous material could be encountered during excavation or shaft construction within Section D or BPT/IPS-E. • How odorous excavated material, if encountered, will be identified, contained, removed or otherwise managed. • Whether operation of BPT/IPS-E has any odour-generating components. • Whether use of the existing Eastney LSO for reject water could alter odour risk at Eastney Pumping Station, the Eastney Transfer Tunnel or associated infrastructure. • What complaint and escalation procedures will apply if odour complaints are received from residents.	The Applicant confirms that identified contaminated land parcels outside of the WRP within Section D and at the location of BPT/IPS-E contain inert material only. The assessment of potential construction odour emissions within ES Chapter 6 Air quality and odour (Document reference 6.1, DCO Volume 6, Version 1), considered the excavation of the historic landfill site at the location of the WRP as a worst case approach and is within Section D of the Project. The Applicant details a suite of environmental measures specifically related to how potentially odorous material, if encountered, will be identified, contained, removed or otherwise managed in environmental measures AQ16 and AQ17 in Table 5-1 of the Outline CEMP(Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3). The Applicant confirms that the recycled water produced by the WRP site would be treated to be appropriate to be held in the natural environment along with spring water in compliance with the abstraction/discharge consents and therefore be odourless as detailed within ES Chapter 6 Air quality and odour (Document reference 6.1, DCO Volume 6, Version 1). This recycled water would then be transferred to Otterbourne WSW via BPT/IPS-E. As the recycled water would be odourless, BPT/IPS-E is not expected to have any odour generating potential. The Applicant confirms that reject water from the WRP that will be sent to the Eastney Long Sea Outfall/Pumping Station is treated wastewater that has passed through multiple treatment stages. As detailed within ES Chapter 3 Description of the Proposed Development [APP-082], reject water produced by the Water Recycling Plant site would be returned to Budds Farm Wastewater Treatment Works. The reject water from the water recycling process would be combined with the existing Budds Farm Wastewater Treatment Works treated wastewater flows and sent via the Eastney Transfer Tunnel to Eastney Pumping Station and the Eastney Long Sea Outfall. The reject water does not

Reference	Theme	Summary of issue raised	The Applicant's response
			require further treatment at Budds Farm Wastewater Treatment Works prior to release via the existing Eastney Long Sea Outfall. The Applicant details within environmental measure AQ2 in Table 5-1 of the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3) that all air quality complaints (which includes those relating to odour) will be recorded, the cause identified, appropriate measures to reduce the emissions will be taken in a timely manner and the measures taken will be recorded. In addition, environmental measure AQ16 in Table 5-1 of the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3), [APP-413] and [APP-414] for documents 2 and 3) presents details of mitigation measures that will be implemented where excavation occurs at odorous sites to manage odour emissions.
RR-252-103	Land quality and ground conditions	Contaminated Land Portsmouth City Council's (PCC) concern is not that contamination has already been identified, nor that the development would be unacceptable in principle. Rather, the concern is that the Portsmouth section of the desk study was incomplete because Portsmouth City Council's contaminated land records and information relating to potentially contaminated sites were not obtained in 2022 when the geotechnical desk study was undertaken. Consequently, Portsmouth records of likely areas of contamination were not considered in the creation of Conceptual Site Model (CSM), and as a result the ground inspection within the Portsmouth section of the route comprised only 7 locations. This has later been to write up a geoenvironmental risk assessment, but one that lacks the background information about Portsmouth to create the conceptual model, and the testing carried out without that risk assessment is too limited in area and number of samples to provide a indicative background to the LA area. It is necessary for the Preliminary Risk Assessment (PRA) to completed to assess risks to the scheme, and from the scheme, and it is requested that the risk assessment be ensured by using Requirements in the DCO. This amount of testing undertaken, does not characterise the route across Portsmouth, and other documents in the application bundle will need to be updated when contaminated land constraints are identified.	The Applicant acknowledges the comments from Portsmouth City Council. A desk based Preliminary Environmental Risk Assessment was completed by the Applicant, ES Appendix 11.2 Geotechnical and geo-environmental reports (Document reference 6.2, DCO Volume 6, Version 1 – for document 15 of 18 documents), and was submitted with the DCO Application. This was completed at a point in time and contained all the information that was available at its time of writing. A ground investigation was designed based on what were considered to be higher risk potential contaminants of concern and these were then reported in ES Appendix 11.2 Geotechnical and geo-environmental reports ([APP-152] for document 2 of 18 documents) and ES Appendix 11.2 Geotechnical and geo-environmental reports ([APP-153] for document 3 of 18 documents) for the Portsmouth City Council area. Information was requested by the Applicant from Portsmouth City Council in 2022 and 2024 regarding their contamination records. Information was received on both occasions; however, the Applicant was not aware that the information provided by Portsmouth City Council was incomplete. It was not until July 2026, following comments made by Portsmouth City Council regarding its absence from Appendix 11.2 Geotechnical and geo-environmental reports (Document reference 6.2, DCO Volume 6, Version 1 – for document 15 to 18 documents), that the Applicant became aware that the data previously provided was incomplete. This was after the aforementioned documents had been prepared. The Applicant is presently engaging with Portsmouth City Council on this matter and is reviewing the information provided. If documents require updating such as the Outline Foundation Works Risk Assessments [APP-417, APP-418 and APP-419], the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3) and the baseline contained within ES Chapter 11 Land quality and ground conditions (Document reference 6.1, DCO Volume 6,

Reference	Theme	Summary of issue raised	The Applicant's response
			Version 1), then this will be discussed during engagement with Portsmouth City Council. The Applicant confirms that there are no ground works along the route of Eastney Long Sea Outfall within the area of Portsmouth City Council jurisdiction. The outfall is identified on the drawing because it is to be used by the Project for the release of reject water from the water recycling process. This therefore would not form part of the Applicant's Contaminated Land Assessment. The Applicant notes the request to include a requirement in the draft Development Consent Order (DCO) [APP-023] to undertake an updated Preliminary Risk Assessment of the Project for the Portsmouth City Council area. It is considered at this stage that the draft DCO requirements are sufficient for the Project. Following engagement with Portsmouth City Council and the receipt of further information, the Applicant is reviewing the information provided to understand if any changes are required to the baseline and/or mitigation measures contained within ES Chapter 11 Land quality and ground conditions (Document reference 6.1, DCO Volume 6, Version 1). In addition, engagement between the Applicant and Portsmouth City Council is ongoing and will be reflected in updates to the Draft Statement of Common Ground (SoCG) – Portsmouth City Council (Document reference 5.8, DCO Volume 5, Version 1).
RR-252-104	Land quality and ground conditions	This month, PCCI's records on potentially contaminated sites and historical land uses that may be relevant to the assessment were obtained. This information now needs to be reviewed and used to undertake PRA creating CSM to determine whether all plausible contaminant sources, pollutant linkages and associated risks have been identified and the amount of additional investigation, risk assessment or mitigation measures that are required. Until the PRA and CSM for Portsmouth are completed it is not yet possible to know if all potentially significant contamination risks affecting the Portsmouth section of the route have been identified. This representation is not intended to object to the development itself. Rather, it seeks to highlight that contaminated land assessment work within Portsmouth remains incomplete and that either: • the outstanding contamination assessment work should be completed and examined during the Examination period; or • the DCO should include Requirements securing completion of the risk assessment, investigation, remediation, restoration, and verification process before relevant construction activities commence.	The Applicant acknowledges Portsmouth City Council's comments, and a response is provided in RR-252-103. The Applicant does not consider it necessary for the review of the additional information provided by Portsmouth City Council to be secured as a requirement in the draft Development Consent Order (DCO) (Document reference 5.8, DCO Volume 5, Version 1) as discussed in RR-252-103.
RR-252-105	The draft DCO	PCC considers that the current draft Requirement 7 is insufficient for that purpose. Whilst it provides a mechanism for dealing with unexpected contamination encountered during construction, it largely assumes that adequate site characterisation and contamination risk assessment have already been completed. In Portsmouth's case, that assessment process	The Applicant does not consider it necessary to amend the wording of Requirement 7 within Part 1 of Schedule 2 to the draft Development Consent Order (Document reference 5.8, DCO Volume 5, Version 1) in relation to

Reference	Theme	Summary of issue raised	The Applicant's response
		remains ongoing and therefore additional Requirements are needed to secure completion of the contaminated land assessment and management process in a manner broadly equivalent to standard contaminated land planning conditions.	securing the completion of the contaminated land risk assessment as discussed in RR-252-103). The Applicant is reviewing the newly acquired information provided by Portsmouth City Council to understand if any changes are required to documentation outlined in RR-252-103. If changes are required, then this will be discussed during engagement with Portsmouth City Council.
RR-252-106	Land quality and ground conditions	The Assessment Process The contaminated land assessment process is intended to follow a structured sequence. Under BS10175 and the principles of Land Contamination Risk Management (LCRM), a Preliminary Risk Assessment and Conceptual Site Model are prepared first. These identify potential contaminant sources, pathways, and receptors. The intrusive investigation is then designed to test the pollutant linkages identified through that assessment. For Portsmouth, the concern is that local authority contaminated land records were not used when the original investigation strategy was prepared. Consequently, the Portsmouth-specific PRA and CSM remain under development. The concern is therefore not simply the number of investigation locations undertaken, but whether the investigation strategy was informed by all relevant information for the Portsmouth area.	The Applicant acknowledges Portsmouth City Council's comments, and a response is provided in RR-252-103. The risk assessment was prepared in accordance with the principles of Land Contamination Risk Management and BS10175 as it was based on the available information at its time of writing. The Applicant is reviewing the newly acquired information provided by Portsmouth City Council to understand if any changes are required to documentation outlined in RR-252-103. If changes are required, then this will be discussed during engagement with Portsmouth City Council.
RR-252-107	Land quality and ground conditions	Only seven exploratory locations were completed within Portsmouth. These 7 locations were selected before our contaminated land records had been obtained. Seven exploratory locations are unlikely to provide sufficient coverage of the range of historical land uses, made ground, military land, infilled ground, former landfill, and groundwater-sensitive areas crossed by the route within the authority area. As a result, the risk assessment was not prepared in accordance with BS10175 and the principles of Land Contamination Risk Management.	The Applicant acknowledges Portsmouth City Council's comments, and a response is provided in RR-252-103. The risk assessment was prepared in accordance with the principles of Land Contamination Risk Management and BS10175 as it was based on the available information at its time of writing. The Applicant is reviewing the newly acquired information provided by Portsmouth City Council to understand if any changes are required to documentation outlined in RR-252-103. If changes are required, then this will be discussed during engagement with Portsmouth City Council.
RR-252-108	Land quality and ground conditions	Completion of the Portsmouth PRA may ultimately demonstrate that there are few areas that need targeted investigation, due to limited works and reused existing infrastructure. However, it is equally possible that additional locations that require investigation will be identified and that is the crux of my request to identify these locations where contamination could be caused, or migration allowed, or restoration needs agreement criteria to ensure contamination is not left afterwards. Until the risk assessment has been completed, the current investigation coverage cannot provide confidence that contamination risks within the Portsmouth section of the route have been characterised, or that future stages will identify and risk assess what is needed for the works.	The Applicant acknowledges Portsmouth City Council's comments, and a response is provided in RR-252-103.

Reference	Theme	Summary of issue raised	The Applicant's response
RR-252-109	The draft DCO	At present, there these risks have not been adequately identified, and this representation is to ask that the following are undertaken and secured through Requirements: • A Risk Assessment prepared in accordance with BS 10175 and the Land Contamination Risk Management (LCRM) framework. The work to date did not include Local Authority own records of where likely contaminated land is known or likely to be found. The risk assessment must be updated to identify any areas requiring risk assessment, intrusive investigation and, where necessary, remediation. • Remediation Method Statements for any works proposed within areas of known or suspected contamination, setting out the measures that will be implemented to protect human health, controlled waters, ecological receptors, and the wider environment during construction. • Method Statements for Soil handling, testing, restoration, verification, and monitoring. For sections of the route where contamination risks can be adequately managed through other controls, such as the Construction Environmental Management Plan (CEMP), watching brief or other standard mitigation measures, details should be agreed for the proposed soil management, verification, and the periodic testing regime of soils. Requirement 7 does not adequately secure these measures. Verification testing should demonstrate that the works have not introduced new contamination risks and that soil quality and functionality have been maintained or improved following restoration. • Site-specific restoration proposals and specifications demonstrating how disturbed or contaminated soils will be managed and how affected land will be restored to a suitable condition following construction. Restoration specifications should address the use of site-won materials, natural soils and subsoils, nutrient poor soils, and any other measures necessary to achieve the intended conservation, ecological, amenity or horticultural end use. Where departures from Portsmouth City Council's normal expectations for restoration are proposed, these should be fully justified and supported by appropriate evidence. Given the varied nature of the affected land, restoration proposals should be developed, assessed, and implemented on a site-by-site basis.	The Applicant acknowledges Portsmouth City Council's comments, and a response is provided in RR-252-103. The Applicant does not consider it necessary for the review of the additional information provided by Portsmouth City Council to be secured as a draft Development Consent Order (DCO) (Document reference 5.8, DCO Volume 5, Version 1) Requirement as discussed in RR-252-103. The Applicant is reviewing the newly acquired information provided by Portsmouth City Council to understand if any changes are required to documentation outlined in RR-252-103. If changes are required, then this will be discussed during engagement with Portsmouth City Council. Best practice measures for the handling, stripping, storing and reinstatement of soil resources are indicated in the Outline Soil Resources Management Plan, which is provided at Appendix B of the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3), and secured by Requirement 6 of Schedule 2 to the draft DCO [APP-023].
RR-252-110	Land quality and ground conditions	Portsmouth-Specific Contamination Considerations Portsmouth's concern differs slightly from concerns raised elsewhere along the route. The Council is not primarily concerned with the principle of constructing infrastructure in areas affected by historical contamination. Rather, the concern is that Portsmouth specific evidence has not been used in the assessment process. That said, when we do have that risk assessment, we may be asking similar queries as other LAs have who have routes near or across landfills; or	The Applicant acknowledges Portsmouth City Council's comments, and a response is provided in RR-252-103.

Reference	Theme	Summary of issue raised	The Applicant's response
		for asbestos to be included in the oCEMP if works across made ground and landfills are taking place under a general brief.	
RR-252-111	Land quality and ground conditions	Potentially relevant contamination constraints include: A. Portsdown Hill and Northern Section • Former military land and defence infrastructure, including Fort Widley, Fort Purbrook and associated military land. • Historical fuel storage facilities and tanks. • Former chalk pits, quarries, and infilled excavations. • Historical waste disposal and landfill activities. • Made ground and infilled land. • Sensitive groundwater receptors associated with the Chalk Principal Aquifer.	The Applicant acknowledges Portsmouth City Council's list of constraints outlined within RR-252-111 and a response is provided in RR-252-103. The Applicant is reviewing the newly acquired information provided by Portsmouth City Council to understand if any changes are required to documentation outlined in RR-252-103. If changes are required, then this will be discussed during engagement with Portsmouth City Council.
RR-252-112	Land quality and ground conditions	B. Portsea Island and Eastney Corridor • Land reclamation and made ground. • Historical landfill and waste disposal sites. • Great Salterns Estate and historical infilling. • Milton Common and other remediated landfill sites. • Former Ministry of Defence land. • Historical sewage and coastal infrastructure. • Ground gas, leachate, and groundwater considerations. • Potential asbestos within made ground and historical fill materials.	The Applicant acknowledges Portsmouth City Council's list of constraints outlined within RR-252-112. The Applicant is reviewing the newly acquired information provided by Portsmouth City Council to understand if any changes are required to documentation outlined in RR-252-103. If changes are required, then this will be discussed during engagement with Portsmouth City Council.
RR-252-113	Land quality and ground conditions	Locations potentially relevant to future assessment include Kendall's Wharf, Great Salterns Estate, Milton Common, Eastney Lake, Fort Cumberland and adjacent former Ministry of Defence land, together with other areas of historical infilling and reclamation.	The Applicant acknowledges Portsmouth City Council's list of constraints outlined within RR-252-113. The Applicant is reviewing the newly acquired information provided by Portsmouth City Council to understand if any changes are required to documentation outlined in RR-252-103. If changes are required, then this will be discussed during engagement with Portsmouth City Council.
RR-252-114	Land quality and ground conditions	PCC is not suggesting that every historical site requires intrusive investigation. However, a completed PRA should demonstrate that these locations have been reviewed, screened and either investigated, assessed through other evidence, or reasonably discounted. That is the purpose of a risk-based assessment.	The Applicant acknowledges Portsmouth City Council's comments, and a response is provided in RR-252-103.

Reference	Theme	Summary of issue raised	The Applicant's response
RR-252-115	Land quality and ground conditions	Implications for Other DCO Documents The contamination assessment does not sit in isolation from the rest of the application. The contaminated land regime is concerned with the protection of human health, controlled waters, ecological receptors, buildings, infrastructure, and property. As a result, completion of the Portsmouth PRA may have implications for several other parts of the application.	The Applicant acknowledges Portsmouth City Council's comments, and a response is provided in RR-252-103.
RR-252-116	Land quality and ground conditions	These matters are not confined to the land quality assessment alone. The contaminated land regime is concerned with the protection of human health, controlled waters, ecological receptors, buildings, infrastructure, and property, and therefore has potential implications for several documents within the application. In particular, this includes the Land Quality and Ground Conditions assessment [APP090], the Water Environment and Hydrogeological Assessments [APP-197 to APP204], the Outline Construction Environmental Management Plan [APP-412 to APP-414], the Outline Foundation Works Risk Assessment [APP-417 to APP-419], the Biodiversity and Ecology assessments [APP-087 and APP-127 to APP-146], and the Statement of Common Ground with Portsmouth City Council [APP-064].	The Applicant acknowledges Portsmouth City Council's comments, and a response is provided in RR-252-103.
RR-252-117	Land quality and ground conditions	The following matters remain outstanding: 1. Strengthened unexpected contamination procedure [APP-412 to APP-414]; Requirement 7. Current provisions as detailed in Requirement 7 lacks notification, approval, and verification mechanisms. The Commitments Register contains related commitments, but does not fully address the approval, reporting and verification arrangements that would normally accompany contaminated land controls.	The Applicant acknowledges Portsmouth City Council's comments, and a response is provided in RR-252-103.
RR-252-118	Land quality and ground conditions	2. Completion of a Portsmouth-specific Preliminary Risk Assessment (PRA) and Conceptual Site Model (CSM) [APP-090; APP-151 to APP-168; APP-064]. Local Authority contaminated land records were not obtained when the desk study, CSM and investigation strategy were prepared. Relevant information is also contained within [APP-197 to APP-204] (Water Environment and Hydrogeological Assessments), [APP-417 to APP-419] (Foundation Works Risk Assessment) and [APP-108] (Commitments Register). Whilst these documents contain information relevant to contamination risks and mitigation, they defer work to later stages, and that work needs completion of the Portsmouth PRA. This can be addressed through appropriate DCO Requirements.	The Applicant acknowledges Portsmouth City Council's comments, and a response is provided in RR-252-103. The Applicant is reviewing the newly acquired information provided by Portsmouth City Council to understand if any changes are required to documentation outlined in RR-252-103. If changes are required, then this will be discussed during engagement with Portsmouth City Council.

Reference	Theme	Summary of issue raised	The Applicant's response
RR-252-119	Land quality and ground conditions	3. Review and screening of all Portsmouth contaminated land records against the final route and Order Limits [APP-090; APP-151 to APP-168; APP-064]. A screening exercise is required to identify where contamination may be encountered and justify whether further assessment is required. Relevant information is also provided within the Plans, Land Quality Figures and Scheme Development Reports. Whilst these documents assist in identifying route locations and constraints, Portsmouth contaminated land records have not yet been checked against the proposed route. This omission can be resolved through completion of the outstanding assessment work.	The Applicant acknowledges Portsmouth City Council's comments. The Applicant is reviewing the newly acquired information provided by Portsmouth City Council to understand if any changes are required to documentation outlined in RR-252-103. If changes are required, then this will be discussed during engagement with Portsmouth City Council.
RR-252-120	Land quality and ground conditions	4. Further site investigation where required following completion of the PRA and refined CSM [APP-090; APP-151 to APP-168]. Only seven exploratory locations were completed within Portsmouth and these were not selected using a completed BS10175/LCRM-compliant PRA. The Complete Ground Investigation and Hydrogeological Impact Assessment is useful and accepted as far as the records it has considered, but the density of samples and areas inspected are too few to risk assess the route in this LA area. Whether this has any impact once the PRA is available for review.	The Applicant acknowledges Portsmouth City Council's comments. The Applicant is reviewing the newly acquired information provided by Portsmouth City Council to understand if any changes are required to documentation outlined in RR-252-103. If changes are required, then this will be discussed during engagement with Portsmouth City Council.
RR-252-121	Land quality and ground conditions	5. Site-specific contamination management plans and method statements for known or suspected contaminated land [APP-412 to APP-414; APP-090]. The CEMP relies largely on generic controls and future contractor documents and so are largely an unknown. Relevant information is also provided within the Primary Mitigation; Commitments Register and Operational Environmental Management Plan. Whilst these contain useful controls, they do not currently secure site-specific contamination management arrangements where Portsmouth-specific contamination constraints are identified.	The Applicant acknowledges Portsmouth City Council's comments, and a response is provided in RR-252-103. As outlined in Table 5-1, LQGC1 of the Outline Construction Environmental Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3) Volume 7, Version 1 for document 1 of 3), '*the Contractor will develop and adhere to risk assessments and method statements protective of human health, the environment, and controlled waters informed by findings from ground investigations and interpretative reports*.' The risk assessments and method statements will be site specific and dependent on the potential risks identified. The Applicant is reviewing the newly acquired information provided by Portsmouth City Council to understand if any changes are required to documentation outlined in RR-252-103. If changes are required, then this will be discussed during engagement with Portsmouth City Council.
RR-252-122	Land quality and ground conditions	6. Asbestos assessment and management procedures [APP-151 to APP-168; APP-412 to APP-414; APP-064]. Asbestos has not been adequately assessed despite the areas of made ground, military land, and historic infrastructure. Relevant	The Applicant acknowledges Portsmouth City Council's comment, and a response is provided in RR-252-103. As outlined in Table 5-1, LQGC1 of the Outline Construction Environmental Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version

Reference	Theme	Summary of issue raised	The Applicant's response
		information not contained in the application, although I expected to see it in the oCEMP, but can be added in as it is an ever-present risk when undertaking ground works	1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3) Volume 7, Version 1 for document 1 of 3) , '*the Contractor will develop and adhere to risk assessments and method statements protective of human health, the environment, and controlled waters informed by findings from ground investigations and interpretative reports*.' The risk assessments and method statements will be site specific and dependent on the potential risks identified, inclusive of the risks posed by asbestos.
RR-252-123	Land quality and ground conditions	7. Remediation strategy where unacceptable risks are identified [APP-090; APP-064]. Remediation remains deferred to later design and contractor stages. Ideally, areas needing remediation would be identified and the methods agreed before works. On this linear scheme that affords time. Whilst remediation is anticipated in principle, the mechanism for identifying, approving, and verifying remediation remains dependent upon later-stage submissions rather than prior-to-commencement work. It is suggested that the draft Requirement 7 is expanded to consider this to the same standards as planning permission would require.	The Applicant acknowledges Portsmouth City Council's comments
RR-252-124	Water environment	8. Groundwater protection measures linked to contamination risks [APP-417 to APP-419; APP-090; APP-412 to APP-414]. Penetrative works within the Chalk Principal Aquifer could create contaminant pathways. Relevant information is provided within the Water Environment Assessment, WER Compliance Assessment, Hydrogeological Impact Assessment and Outline Water Monitoring Plan. These documents contain important groundwater controls but remain dependent upon details provided at a later stage. Portsmouth would add its support the Environment Agency review of such information.	The Applicant notes Portsmouth City Council's comments regarding details of groundwater controls that will be provided post Development Consent Order (DCO). The Outline Construction Environmental Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3) includes several environmental measures that are specifically designed to manage groundwater contamination risks, including: • WE1: The Contractor will adhere to the Environment Agency's Approach to Groundwater Protection (2018) framework. • WE2: The Contractor will prepare a Risk Assessment and Method Statement specific to works within Source Protection Zones in accordance with the Environmental Statement Appendix 19.9 Outline Water Monitoring Plan [APP-204], which will be submitted for approval separately to the CEMP in accordance with the corresponding requirement contained in Schedule 2 to the draft DCO [APP-023]. • WE7: The design of piled foundations and deep structures will include a Foundation Works Risk Assessment, undertaken in accordance with relevant CL:AIRE published guidance. The Contractor will undertake a Piling Risk Assessment to develop site-specific measures to manage risks to potable water supplied. • WE14: A Drilling Fluid Management Plan will be developed by the Contractor and agreed with the Environment Agency, Natural England and the Marine Management Organisation. This will document how risks of fluid

Reference	Theme	Summary of issue raised	The Applicant's response
			breakouts will be reduced, and in the event of a breakout, how this will be managed and mitigated to reduce environmental impacts. • WE18: Any piled foundations will be cast in situ at the Water Recycling Plant (WRP) site, to reduce the risk associated with landfill leachate and to reduce the potential for the creation of new contamination pathways. In addition, the Outline Foundation Works Risk Assessment [APP-417 to [APP-419 – 3 documents] presents details of additional mitigation measures required for tunnels and shafts, construction at the WRP and the trenchless crossing between the WRP and Budds Farm Wastewater Treatment Works and construction of other above ground plant and trenchless crossings. The Applicant confirms that these measures will be developed further post-consent and that their final scope will be agreed with the Environment Agency prior to commencement of construction activities.
RR-252-125	Land quality and ground conditions	9. Approval of contamination-related Foundation Works Risk Assessments and RAMS [APP-417 to APP-419; APP-412 to APP-414]. Future contractor assessments may be updated when Portsmouth contamination records are considered. Whilst the Commitments Register contains related commitments, as the PRA omission was an oversight, the local contaminated land information is not mentioned. Once the PRA is updated, this document can be updated.	The Applicant acknowledges Portsmouth City Council's comments. The Applicant is reviewing the newly acquired information provided by Portsmouth City Council to understand if any changes are required to documentation outlined in RR-252-103. If changes are required, then this will be discussed during engagement with Portsmouth City Council.
RR-252-126	Land quality and ground conditions	10. Ground gas and landfill gas assessment where former landfill or infilled land is identified [APP-064; APP-090]. Completion of the PRA may identify landfill-related risks in Portsmouth, particularly on Portsea Island.	The Applicant acknowledges Portsmouth City Council's comments. The Applicant is reviewing the newly acquired information provided by Portsmouth City Council to understand if any changes are required to documentation outlined in RR-252-103. If changes are required, then this will be discussed during engagement with Portsmouth City Council.
RR-252-127	Land quality and ground conditions	11. Requirements for Milton Common and other former landfill, reclaimed land, or remediated sites [APP-090; APP-412 to APP-414]. Controls may be required to protect remediation systems, gas controls, and ecological receptors. Milton Common seems the most likely area, although the correspondence around the DCO Notice said that no works are occurring on Milton Common. Related information is provided within the biodiversity and landscape management documents, but these documents do not specifically address contaminated land constraints, landfill engineering measures, or the areas of remediation.	The Applicant acknowledges Portsmouth City Council's comments. Milton Common is located to the west of the Eastney Long Sea Outfall. As outlined in RR-252-103, The Applicant confirms that there are no ground works along the route of Eastney Long Sea Outfall within the area of Portsmouth City Council jurisdiction. The outfall is identified on the drawing because it is to be extended out to sea. This therefore would not form part of our Contaminated Land Assessment.

Reference	Theme	Summary of issue raised	The Applicant's response
RR-252-128	Land quality and ground conditions	12. Integration of UXO and contaminated land discovery procedures [APP-412 to APP-414]. Information is in the Stage 2 Risk Assessment and Detailed UXO Risk Assessment for Budds Farm. However, this could apply across Portsmouth too.	The Applicant acknowledges Portsmouth City Council's comment. Unexploded Ordnance procedures are contained within the Outline Construction Environmental Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3) which cross references other documents, including Environmental Statement (ES) Appendix 14.2 Detailed unexploded ordnance risk assessments [APP-178] which contains information relating to the Portsmouth City Council area wherein ground excavation may occur.
RR-252-129	Land quality and ground conditions	13. Restoration specifications for contaminated and disturbed soils [APP-412 to APP-414; APP-090]. Restoration standards for allotments, open space, ecological and recreational land are not defined. information from the Land Use and Agriculture documents, Agricultural Land Quality Assessment and Landscape and Ecology Management Plan is useful but do not address restoration in terms of contamination-specific restoration criteria.	The Applicant acknowledges Portsmouth City Council's comment. Should restoration criteria be required for contaminated soils, this would form part of a remediation strategy and would be location specific.
RR-252-130	The draft DCO	14. Segregation, handling, and reuse requirements for contaminated and uncontaminated soils [APP-412 to APP-414]. No committed framework currently exists. We have suggested a Requirement 7(7) on this matter, and the next point (15).	The Applicant does not consider it necessary to amend the wording of Requirement 7 within Schedule 2 Part 1 of the Draft Development Consent Order [APP-023] as this would be managed through the Outline Construction Environmental Management Plan (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3, [APP-413] and [APP-414] for documents 2 and 3) through measure LQGC7 in Table 5-1 regarding the Materials Management Plan.
RR-252-131	The draft DCO	15. Periodic soil testing and verification during construction and restoration [APP-412 to APP-414]. Periodic sampling and verification of reinstated soils is not secured in these or the Operational Environmental Management Plan - routine testing, verification and reporting requirements remain unclear.	The Applicant does not consider it necessary to amend the wording of Requirement 7 within Schedule 2 Part 1 of the Draft Development Consent Order [APP-023] as this would be managed through the Outline Construction Environmental Management Plan (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3, [APP-413] and [APP-414] for documents 2 and 3) through measure LQGC7 in Table 5-1 regarding the Materials Management Plan.
RR-252-132	Land quality and ground conditions	16. Verification reporting for remediation, restoration and reinstatement works [APP-090; APP-412 to APP-414; APP-064]. Evidence should be required demonstrating remediation and restoration objectives have been achieved. A comprehensive contaminated land verification process has not yet been fully secured.	The Applicant acknowledges Portsmouth City Council's comments, and a response is provided in RR-252-103.

Reference	Theme	Summary of issue raised	The Applicant's response
RR-252-133	Land quality and ground conditions	17. Long-term monitoring and management where ongoing mitigation measures are required [APP-090; APP-064]. May be necessary for groundwater, gas protection systems, or remediation measures. Information is in the Outline Water Monitoring Plan, Landscape and Ecology Management Plan and Operational Environmental Management Plan. However, the need for long-term contaminated land monitoring cannot be fully known until the outstanding assessment work is completed.	The Applicant acknowledges Portsmouth City Council's comments. The Applicant is reviewing the newly acquired information provided by Portsmouth City Council to understand if any changes are required to documentation outlined in RR-252-103. If changes are required, then this will be discussed during engagement with Portsmouth City Council. The requirement for long-term monitoring will be dependent upon whether additional potential sources of contamination are identified, and if they are considered to be a viable source of, for example, ground gas. Further ground investigation will be undertaken where required, this may include within the area of Portsmouth City Council's jurisdiction.
RR-252-134	Terrestrial and freshwater biodiversity	18. Protection of ecological receptors from contamination and soil disturbance [APP-087; APP-127 to APP-146; APP-420; APP-426]. Completion of the Portsmouth PRA may identify contaminant linkages that may exist or form affecting ecological or other receptors. The biodiversity and HRA assessments may need to be reviewed if additional contaminant linkages are identified through the contamination assessment.	The Applicant acknowledges Portsmouth City Council's comments. A detailed response on the contamination assessment is provided in RR-252-103.
RR-252-135	Land quality and ground conditions	19. Protection of controlled waters and compliance with Water Environment objectives [APP-098; APP-197 to APP-204; APP-417 to APP-419]. Contamination risks identified through the PRA may require additional controls to prevent impacts on groundwater, surface waters, and coastal waters. The water environment assessments and Environment Agency information contain information on water protection measures, but the PRA survey needs to be completed. PCC is not suggesting that these documents will not be suitable, but they each rely upon contamination PRA information that is not yet available. If additional contaminant linkages are identified through completion of the PRA, there may be implications for groundwater protection measures, restoration methodologies, construction controls, biodiversity mitigation, foundation works risk assessments and future contractor-led assessments. This is particularly relevant where contamination risks interact with the Chalk Principal Aquifer, ecological receptors, historical landfill sites, restored land, or areas of made ground.	The Applicant acknowledges Portsmouth City Council's comments, and a response is provided in RR-252-103. The Applicant is reviewing the newly acquired information provided by Portsmouth City Council to understand if any changes are required to documentation outlined in RR-252-103. If changes are required, then this will be discussed during engagement with Portsmouth City Council.
RR-252-136	Land quality and ground conditions	The following matters also remain outstanding until the Portsmouth PRA and CSM have been completed: Table 1. Outstanding Contaminated Land Matters	The Applicant acknowledges Portsmouth City Council's comments. The Applicant does not consider it necessary for the review of the additional information provided by Portsmouth City Council to be secured as a draft Development Consent Order [APP-023] Requirement.

Reference	Theme	Summary of issue raised	The Applicant's response
		Matter 1 - Portsmouth Preliminary Risk Assessment (PRA) and Conceptual Site Model (CSM). Relevant Documents – [APP-090, APP-151 to APP-168, APP-064]. Portsmouth's Concern - Portsmouth contaminated land records were not used when the original desk study, CSM and investigation strategy were prepared. The Portsmouth contamination assessment therefore remains incomplete. Suggested DCO Control - Completion of a Portsmouth-specific PRA and updated CSM before relevant works commence.	The Applicant is reviewing the newly acquired information provided by Portsmouth City Council to understand if any changes are required to documentation outlined in RR-252-103. If changes are required, then this will be discussed during engagement with Portsmouth City Council.
RR-252-137	Land quality and ground conditions	Matter 2 - Screening of Portsmouth Contaminated Land Records. Relevant Documents – [APP-090, APP-151 to APP-168, APP-064]. Portsmouth's Concern - A documented comparison between the route, Order Limits and Portsmouth contaminated land records has not yet been completed. Suggested DCO Control - Screening exercise and documented justification for locations requiring further assessment, investigation, or no further action.	The Applicant acknowledges Portsmouth City Council's comments, and a response is provided in RR-252-103 and RR-252-136.
RR-252-138	Land quality and ground conditions	Matter 3 - Adequacy of Investigation Coverage. Relevant Documents – [APP-090, APP-151 to APP-168]. Portsmouth's Concern - Only seven exploratory locations were investigated within Portsmouth, and these were selected before local authority contamination information was incorporated into the assessment process. Significant parts of the Portsmouth route have therefore not been assessed using a completed BS10175/LCRM compliant PRA. Suggested DCO Control - Review of investigation adequacy and further site investigation where justified by the completed PRA and refined CSM.	The Applicant acknowledges Portsmouth City Council's comments, and a response is provided in RR-252-103 and RR-252-136. Further ground investigation will be undertaken should additional potential sources of contamination be identified as requiring further assessment within the area under Portsmouth City Council's jurisdiction.
RR-252-139	Land quality and ground conditions	Matter 4 - Site-Specific Contamination Management Plans and Method Statements. Relevant Documents – [APP-090, APP-412 to APP-414, APP-108]. Portsmouth's Concern - Current controls rely heavily on generic CEMP measures; Commitments Register entries and future contractor submissions. Site specific contamination constraints within Portsmouth have not yet been fully assessed. Suggested DCO Control - Site-specific contamination management plans, method statements, and approval mechanisms where contamination risks are identified.	The Applicant acknowledges Portsmouth City Council's comments, and a response is provided in RR-252-103 and RR-252-121.
RR-252-140	Land quality and ground conditions	Matter 5 - Asbestos and Unexpected Contamination Procedures. Relevant Documents – [APP-064, APP-151 to APP-168, APP-412 to APP-414].	The Applicant acknowledges Portsmouth City Council's comments, and a response is provided in RR-252-103 and RR-252-122.

Reference	Theme	Summary of issue raised	The Applicant's response
		Portsmouth's Concern - Limited consideration has been given to asbestos despite the presence of made ground, military land, and historic infrastructure. It is expected that is the case in the oCEMP and SoCG. Current Requirement 7 lacks the notification, approval and verification arrangements normally associated with contaminated land controls. Suggested DCO Control - Asbestos assessment together with strengthened unexpected contamination procedures incorporating notification, approval, remediation, and verification requirements.	
RR-252-141	Land quality and ground conditions	Matter 6 - Remediation and Verification. Relevant Documents – [APP-090, APP-064, APP-412 to APP-414]. Portsmouth's Concern - Remediation, validation, and verification are largely deferred to later project stages and are not fully secured through the current draft DCO. Suggested DCO Control - Approved remediation strategies, verification reporting, and validation of remediation outcomes.	The Applicant acknowledges Portsmouth City Council's comments, and a response is provided in RR-252-103.
RR-252-142	Water environment	Matter 7 - Groundwater and Controlled Waters Protection. Relevant Documents – [APP-090, APP-197 to APP-204, APP-417 to APP-419, APP-412 to APP-414]. Portsmouth's Concern - Penetrative works within the Chalk Principal Aquifer may create contaminant migration pathways. Completion of the PRA may identify additional controls required to protect groundwater, surface waters, estuarine and coastal waters. Suggested DCO Control - Groundwater and controlled waters protection measures linked to contamination risk assessment; foundation works assessments and construction controls.	The Outline Construction Environmental Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3) includes several environmental measures that are specifically designed to manage groundwater contamination risks, including: • WE1: The Contractor will adhere to the Environment Agency's Approach to Groundwater Protection (2018) framework. • WE2: The Contractor will prepare a Risk Assessment and Method Statement specific to works within Source Protection Zones in accordance with the Environmental Statement Appendix 19.9 Outline Water Monitoring Plan [APP-204], which will be submitted for approval separately to the CEMP in accordance with the corresponding requirement contained in Schedule 2 to the draft Development Consent Order (DCO) [APP-023]. • WE7: The design of piled foundations and deep structures will include a Foundation Works Risk Assessment, undertaken in accordance with relevant CL:AIRE published guidance. The Contractor will undertake a Piling Risk Assessment to develop site-specific measures to manage risks to potable water supplied. • WE14: A Drilling Fluid Management Plan will be developed by the Contractor and agreed with the Environment Agency, Natural England and the Marine Management Organisation. This will document how risks of fluid breakouts will be reduced, and in the event of a breakout, how this will be managed and mitigated to reduce environmental impacts.

Reference	Theme	Summary of issue raised	The Applicant's response
			• WE18: Any piled foundations will be cast in situ at the Water Recycling Plant (WRP) site, to reduce the risk associated with landfill leachate and to reduce the potential for the creation of new contamination pathways. In addition, the Outline Foundation Works Risk Assessment [APP-417 to APP-419 – 3 documents] presents details of additional mitigation measures required for tunnels and shafts, construction at the WRP and the trenchless crossing between the WRP and Budds Farm Wastewater Treatment Works and construction of other above ground plant and trenchless crossings. The Applicant confirms that these measures will be developed further post-consent and that their final scope will be agreed with the Environment Agency prior to commencement of construction activities. Further discussion regarding DCO [APP-023] requirements is provided in RR-252-103
RR-252-143	Land quality and ground conditions	Matter 8 - Ground Gas, Landfill, Reclaimed Land and Remediated Sites. Relevant Documents – [APP-090, APP-064, APP-412 to APP-414]. Portsmouth's Concern - Completion of the PRA may identify landfill, made ground or ground gas risks, particularly on Portsea Island. Additional consideration may also be required for remediated and reclaimed sites, including Milton Common and similar locations if works are proposed nearby. Suggested DCO Control - Ground gas assessment, landfill controls, protection of remediation systems and site specific measures where required.	The Applicant acknowledges Portsmouth City Council's comments, and a response is provided in RR-252-103 and RR-252-127.
RR-252-144	Construction impacts and effects	Matter 9 - Foundation Works Risk Assessments and RAMS. Relevant Documents – [APP-417 to APP-419, APP-412 to APP-414]. Portsmouth's Concern - Future contractor RAMS and Foundation Works Risk Assessments may require revision once Portsmouth contamination records have been incorporated into the assessment process. Suggested DCO Control - Approval of contamination related RAMS and Foundation Works Risk Assessments prior to relevant works commencing.	The Applicant acknowledges Portsmouth City Council's comments. The Applicant is reviewing the newly acquired information provided by Portsmouth City Council to understand if any changes are required to documentation outlined in RR-252-103. If changes are required, then this will be discussed during engagement with Portsmouth City Council.
RR-252-145	Land quality and ground conditions	Matter 10 - UXO and Contamination Discovery Procedures. Relevant Documents – [APP-412 to APP-414], UXO Assessment Documents. Portsmouth's Concern - Former military land exists within parts of Portsmouth. Discovery procedures for contamination and unexploded ordnance may overlap and should be coordinated. Suggested DCO Control - Integrated UXO and contamination discovery, notification, and response procedures within contractor documentation.	The Applicant acknowledges Portsmouth City Council's comment. Unexploded Ordnance (UXO) procedures are contained within the Outline Construction Environmental Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3) which cross references other documents, including Environmental Statement Appendix 14.2 Detailed unexploded ordnance risk assessments [APP-178] which contains information relating to the Portsmouth City Council area wherein ground excavation may occur. It is not considered that a DCO is need for this as UXO procedures are documented in the aforementioned documents.

Reference	Theme	Summary of issue raised	The Applicant's response
RR-252-146	Land quality and ground conditions	Matter 11 - Soil Handling, Restoration, Ecological Protection and Long-Term Management. Relevant Documents – [APP-090, APP-412 to APP-414, APP-087, APP-127 to APP-146, APP-420, APP-426]. Portsmouth's Concern - Arrangements for soil segregation, handling, reuse, periodic testing, restoration, verification, ecological receptor protection, and long-term monitoring are not fully defined or secured. Restoration standards for allotments, ecological land, public open space, and other sensitive end uses remain unclear. Suggested DCO Control - Restoration schemes, soil management plans, periodic testing, verification reporting, ecological protection measures, and long-term monitoring requirements where necessary.	Good practice measures for the handling, stripping, storing and reinstatement of soil resources are indicated in the Outline Soil Resources Management Plan (SRMP), which is provided at Appendix B of the Outline Construction Environmental Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3), and secured by Requirement 6 of Schedule 2 to the Draft Development Consent Order (DCO) [APP-023]. Best practice includes the segregation of incompatible soil resources, controls on soil handling including the determination of suitable soil moisture states, sampling stockpiled soils for nutrients, and reinstating displaced soil resources. Most of the disturbed soil resource will be reused in its original location, i.e. pipeline trenches will be backfilled, and temporary compounds will be restored, with the same soil that was excavated. Where soils are permanently displaced, as in the permanent Above Ground Plant (AGP) sites, an appropriate reuse will be identified in the detailed scheme design and may comprise landscaping and/or ecological planting. For example, section 4.9 of the Outline Landscape and Ecology Management Plan (LEMP) Document reference 7.5, DCO Volume 7, Version 1) includes preservation and restoration of the existing turf and soil layers so that the flora seed bank is retained where possible. The LEMP is secured by Requirement 4 in Schedule 2 to the Draft DCO [APP-023]. The Outline SRMP, which is provided at Appendix B of the Outline (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3), includes the appointment of an Agricultural Liaison Officer (ALO) who will be the primary point of contact for landowners. The ALO will be appointed for up to one year post-construction; any defects in reinstated land identified in that time can be reported and investigated. Paragraph B.9.25 notes that stockpiled soils will be managed and maintained according to best practice principles which will be developed in the detailed SRMP. No other long-term monitoring of soil resources is proposed.
RR-252-147	Land quality and ground conditions	Collectively, these matters arise from the fact that the Portsmouth-specific Preliminary Risk Assessment remains incomplete. Portsmouth's position is not that contamination has been identified, but that despite my request, our local authority contaminated land records were not obtained and used when the original geotechnical desk study was being compiled, and so the Conceptual Site Model and investigation strategy were prepared without access to our records of where to target and assess for likely contamination. Until that work has been completed, it remains uncertain whether all contaminant sources, pollutant linkages and associated risks within the Portsmouth section of the route have been identified and appropriately assessed.	The Applicant acknowledges Portsmouth City Council's comments, and a response is provided in RR-252-103.
RR-252-148	Land quality and ground conditions	Recommended Actions	The Applicant acknowledges Portsmouth City Council's comments, and a response is provided in RR-252-103.

Reference	Theme	Summary of issue raised	The Applicant's response
		To provide greater confidence that contamination risks have been appropriately identified and assessed within the Portsmouth section of the route, Portsmouth recommends that the following actions are undertaken: 1. Complete the Portsmouth-specific Preliminary Risk Assessment. 2. Update the Portsmouth Conceptual Site Model. 3. Screen Portsmouth City Council contaminated land records against the route and Order Limits. 4. Review the adequacy of the existing investigation strategy following completion of the PRA. 5. Undertake any supplementary investigation justified by the revised Conceptual Site Model. 6. Identify any locations requiring remediation or contamination management measures. 7. Review groundwater protection measures where additional contaminant linkages are identified. 8. Develop restoration and soil management proposals appropriate to the intended end use of affected land. 9. Establish verification and monitoring arrangements where required. 10. Secure appropriate DCO Requirements to ensure completion of these matters before relevant works commence.	
RR-252-149	The draft DCO	Need for Enhanced DCO Requirements Current Requirement 7 functions primarily as an unexpected contamination procedure. Whilst a watching brief and unexpected contamination procedure have an important role, they assume that contamination risks have already been identified and assessed. In PCC's case that assessment process remains incomplete because local authority contaminated land records were not obtained when the original desk study and investigation strategy were prepared. PCC therefore considers that Requirement 7 should be expanded to secure: • Preliminary Risk Assessment; • Site Investigation and Risk Assessment; • Remediation where required; • Verification; • Groundwater protection; • Restoration and reinstatement;	The Applicant acknowledges Portsmouth City Council's comments, and a response is provided in RR-252-103. The Applicant does not consider it necessary to amend the wording of Requirement 7 within Part 1 of Schedule 2 to the Draft Development Consent Order [APP-023] in relation to securing the completion of the contaminated land risk assessment. The Applicant is reviewing the newly acquired information provided by Portsmouth City Council to understand if any changes are required to documentation outlined in RR-252-103. If changes are required, then this will be discussed during engagement with Portsmouth City Council.

Reference	Theme	Summary of issue raised	The Applicant's response
		• Soil management. This would provide a framework broadly equivalent to the contaminated land conditions commonly attached to major planning permissions.	
RR-252-150	Land quality and ground conditions	The Council's preference would be for the Portsmouth-specific PRA to be completed during the Examination period so that any locations requiring further investigation can be identified transparently and considered by all parties before the Order is determined. If that is not achievable, the DCO should secure completion of the assessment process through appropriate Requirements.	The Applicant acknowledges Portsmouth City Council's comments, and a response is provided in RR-252-103. The Applicant is reviewing the newly acquired information provided by Portsmouth City Council to understand if any changes are required to documentation outlined in RR-252-103. If changes are required, then this will be discussed during engagement with Portsmouth City Council.
RR-252-151	The draft DCO	Proposed Requirement 7 The following wording is illustrative only. Portsmouth City Council would be content with alternative drafting that secures equivalent outcomes. Requirement 7(1) - Preliminary Risk Assessment No stage of the authorised development involving excavation, tunnelling, shaft construction, piling, trenchless construction, dewatering, penetrative groundworks, or any other activity capable of disturbing potentially contaminated land shall commence until a Preliminary Risk Assessment has been submitted to and approved in writing by the relevant planning authority. The Preliminary Risk Assessment shall be prepared in accordance with BS 10175 and the Environment Agency's Land Contamination Risk Management Framework and shall include: a) review of historical and current land uses; b) review of local authority contaminated land records and environmental information; c) review of existing site investigations and environmental records; d) identification of potential contaminant sources, pathways, and receptors; e) assessment of risks to human health, controlled waters, groundwater, ecological receptors, construction workers, and neighbouring land; f) consideration of asbestos, ground gases, landfill gases, vapours, and other contaminants of concern where appropriate; and g) a Conceptual Site Model identifying plausible pollutant linkages. h) Requirement 7(2) - Site Investigation and Risk Assessment Where the Preliminary Risk Assessment identifies potential contaminant linkages requiring further investigation, no development shall commence within the affected area until a Site Investigation and Risk Assessment has	The Applicant acknowledges Portsmouth City Council's comments, and a response is provided in RR-252-103. The Applicant does not consider it necessary to amend the wording of Requirement 7 (as provided within the draft DCO [APP-023]) in relation to securing the completion of the contaminated land risk assessment. The Applicant is reviewing the newly acquired information provided by Portsmouth City Council to understand if any changes are required to documentation outlined in RR-252-103. If changes are required, then this will be discussed during engagement with Portsmouth City Council. Best practice measures for the handling, stripping, storing and reinstatement of soil resources are indicated in the Outline Soil Resources Management Plan (SRMP), which is provided at Appendix B of the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3), and secured by Requirement 6 of Schedule 2 to the Draft DCO [APP-023].

Reference	Theme	Summary of issue raised	The Applicant's response
		been submitted to and approved in writing by the relevant planning authority. The Site Investigation and Risk Assessment shall include: a) intrusive investigation; b) asbestos assessment where appropriate; c) soil, groundwater and gas sampling and testing where appropriate; d) quantitative risk assessment where required; e) updated Conceptual Site Models; and f) identification of unacceptable risks requiring remediation. Requirement 7(3) - Remediation Strategy Where unacceptable risks are identified, no development shall commence within the affected area until a Remediation Strategy has been submitted to and approved in writing by the relevant planning authority. The Remediation Strategy shall include: a) remediation objectives; b) proposed remedial measures; c) contaminated soil management procedures; d) groundwater protection measures; e) gas protection measures where required; f) waste management arrangements; g) verification procedures; h) contingency measures; and i) monitoring requirements. The authorised development shall thereafter be carried out in accordance with the approved Remediation Strategy. Requirement 7(4) - Verification No phase of the authorised development shall be brought into operation until a Verification Report has been submitted to and approved in writing by the relevant planning authority. The Verification Report shall demonstrate that: a) remediation has been completed in accordance with the approved Remediation Strategy; b) remediation objectives have been achieved; c) any gas protection measures have been correctly installed and verified; d) imported materials are suitable for use; e) groundwater protection measures have been implemented; and	

Reference	Theme	Summary of issue raised	The Applicant's response
		f) the land is suitable for its intended use. Where remediation requires ongoing monitoring or maintenance, the report shall include a management and monitoring plan. Requirement 7(5) - Unexpected Contamination If previously unidentified contamination is encountered during construction, including contaminated soils, groundwater contamination, ground gases, asbestos-containing materials, buried tanks, drums, military wastes, unexploded ordnance-related contamination, or other potentially contaminative materials: a) works within the affected area shall cease immediately; b) the affected area shall be secured; c) the relevant planning authority shall be notified as soon as reasonably practicable; d) investigation and risk assessment shall be undertaken; e) where necessary, a remediation and verification strategy shall be submitted to and approved in writing by the relevant planning authority; and f) works shall not recommence until the approved measures have been implemented. Requirement 7(6) - Restoration and Reinstatement Prior to restoration of any disturbed land, a Restoration Scheme shall be submitted to and approved in writing by the relevant planning authority. The Restoration Scheme shall include: a) soil handling and storage procedures; b) identification and segregation of contaminated and uncontaminated materials; c) criteria for re-use of site-won materials; d) imported material specifications where required; e) validation and verification requirements; f) restoration objectives for the intended end use; and g) long-term management arrangements where applicable. Restored land shall be demonstrated as suitable for its intended use, including ecological, recreational, agricultural, horticultural or open-space uses as appropriate. Requirement 7(7) - Soil Management Prior to commencement of any stage of the authorised development involving excavation, stripping, storage or reinstatement of soils, a Soil Management	

Reference	Theme	Summary of issue raised	The Applicant's response
		and Verification Scheme shall be submitted to and approved in writing by the relevant planning authority. The Scheme shall include: a) procedures for the stripping, handling and storage of topsoil, subsoil, and made ground separately; b) measures to preserve soil structure, biological function, and quality during storage, including limits on stockpile height, compaction, and storage duration; c) arrangements for the storage of excavated soils on impermeable surfaces, or other agreed containment measures, where contamination risks are identified or where soils are to be stored for extended periods; d) procedures for the identification, segregation, and secure storage of suspect or contaminated materials; e) a programme of periodic inspection, sampling and testing of excavated and stored soils, proportionate to the contamination risks identified through the Preliminary Risk Assessment, Conceptual Site Model, and site investigations; f) trigger criteria requiring further investigation, contamination assessment, or remediation where contamination is identified during excavation, storage or reinstatement works; g) procedures for the classification, segregation, treatment, reuse, or disposal of contaminated materials in accordance with the approved strategy and relevant waste legislation; h) criteria for the reuse of site-won materials and the use of imported soils or soil forming materials; i) verification procedures demonstrating that soils reinstated within the authorised development are suitable for their intended use; j) arrangements to ensure that contaminated and uncontaminated materials are not mixed during excavation, storage, transport, or reinstatement; and k) procedures for recording and reporting soil testing, material movements, and verification results. All works shall thereafter be carried out in accordance with the approved Scheme.	
RR-252-152	The draft DCO	Reason To ensure that land contamination and soil management risks are properly identified, assessed, managed, remediated and verified; to safeguard soil resources and functionality during excavation, storage and reinstatement; to prevent the creation or spread of contamination; to secure the timely	The Applicant acknowledges that this relates to issue RR-252-151 – please refer to that response above.

Reference	Theme	Summary of issue raised	The Applicant's response
		identification, segregation and appropriate management of previously unrecognised contaminated materials; and to protect human health, controlled waters, groundwater, ecological receptors, construction workers, neighbouring land and property. The authorised development shall restore affected land to a condition suitable for its intended ecological, recreational, agricultural, horticultural, amenity or other end use and maintain that suitability throughout its lifetime.	
RR-252-153	Land quality and ground conditions	Summary PCC's concern is not that contamination has been identified, nor that the proposed development is unacceptable in principle. The issue is that the Portsmouth Preliminary Risk Assessment and Conceptual Site Model remain incomplete because Portsmouth City Council contaminated land records were not used when the original geotechnical desk study and investigation strategy were prepared, and so when the geoenvironmental interpretation was written up, it was flawed as information required was not included. Until that work has been completed, it remains uncertain whether all relevant contaminant sources, pollutant linkages and associated risks have been identified and considered. Given that only seven exploratory locations were investigated within Portsmouth, and that those locations were not selected using a completed Portsmouth-specific PRA informed by local authority contaminated land records, Portsmouth does not presently have sufficient confidence that contamination risks along the Portsmouth section of the route have been adequately characterised.	The Applicant acknowledges Portsmouth City Council's comments, and a response is provided in RR-252-103.
RR-252-154	The draft DCO	Portsmouth therefore seeks either: • completion of the Portsmouth-specific contamination assessment during Examination; or • inclusion of robust DCO Requirements securing completion of the assessment, investigation, remediation, restoration, and verification process before relevant works commence.	The Applicant acknowledges Portsmouth City Council's comments, and a response is provided in RR-252-103.
RR-252-155	Land quality and ground conditions	Subject to those matters being addressed, Portsmouth considers that contaminated land risks are capable of being managed through a proportionate risk-based approach consistent with BS10175 and the principles of Land Contamination Risk Management.	The Applicant acknowledges that Portsmouth City Council considers that contaminated land risks are capable of being managed for the Project.
RR-252-156	Landowner engagement	Property Assets There is no compulsory purchase that would affect PCC owned land. All works will be undertaken by way of an access/works licence and permanent easements where appropriate. All the land that Southern Water is intending to cross and lay pipes on, is used as open space. Only a small park of the area at	The Applicant notes the respondent's comments. For clarity, the respondent owns a number of plots as follows, and as listed in the Book of Reference [APP-027]. **Freehold acquisition:** 06-096

Reference	Theme	Summary of issue raised	The Applicant's response
		Riders Lane is highlighted as a potential loss, so I do not have any further comments to add for the purpose of responding to the consultation.	**Acquisition of rights (tunnel):** 06-023, 06-027, 06-028, 06-029, 06-030, 06-035, 06-036, 06-037, 06-038, 06-041, 06-042, 06-043, 06-044, 06-047, 06-049, 06-050, 06-052, 06-055, 06-056, 06-059, 06-064 and 06-065. **Acquisition of rights (access):** 06-097a, 06-098, 06-099b, 06-102b and 06-104b. **Acquisition of rights (pipeline):** 06-097b, 06-099a, 06-103, 06-104a and 06-105. **Acquisition of rights (environmental mitigation):** 06-102a. **Temporary possession** 06-101 As set out in the Pre-application Land and Rights Negotiations Tracker [APP-028], the Applicant is in negotiation with the respondent to secure the necessary land and rights voluntarily. Additionally, the respondent is the reputed owner of several plots.
RR-252-157	Principle of development	Conclusion Portsmouth City Council recognises the strategic importance of the Hampshire Water Transfer and Water Recycling Project in helping to secure a resilient and sustainable water supply for Hampshire and the wider South East. The Council acknowledges the national policy support for new water resources infrastructure and broadly supports the principle of the Proposed Development in that context.	The Applicant notes and welcomes the Council's recognition of the strategic importance of the Project, the national policy support for it and the Council's broad support.
RR-252-158	EIA approach and methodology	However, as a Host Local Authority, Portsmouth City Council must also ensure that the impacts of the development within its administrative area are fully understood and appropriately mitigated. Whilst a significant amount of technical work and engagement has been undertaken by the Applicant to date, several matters remain outstanding and require further consideration during the Examination.	The Applicant acknowledges Portsmouth City Council's position that a number of matters require further consideration during the Examination. The Applicant has considered each matter raised in Portsmouth City Council's Relevant Representation and provides a direct response to the relevant issues within the corresponding entries of this document.
RR-252-159	Attitudes to water recycling	In particular, the Council will be seeking further assurances regarding: • The safety, reliability and public acceptability of the proposed water recycling process and the Applicant's ability to operate the infrastructure responsibly.	The Applicant recognises that broader concerns about water company performance and pollution incidents have affected public confidence and has implemented a Turnaround Plan (2023–2025) focused on improving operational performance, reducing pollution incidents and enhancing customer service. Since 2020, pollution incidents have reduced by 38%, and leakage has reduced by 10% since 2023. These wider performance improvements do not replace the Project-specific safeguards, but they demonstrate the Applicant's broader programme to improve operational performance and rebuild public trust.

Reference	Theme	Summary of issue raised	The Applicant's response
			Furthermore, the Project would not rely on trust alone: it would be subject to independent regulatory oversight, statutory drinking water quality requirements, environmental permitting and detailed operational controls before recycled water could be used as part of public water supply. The water recycling process would include advanced multi-barrier treatment, continuous monitoring and automated safeguards, with the final water supplied to customers required to meet the same statutory drinking water standards as any other source.
RR-252-160	Construction impacts and effects	• The control and management of construction impacts, including noise, vibration, dust, traffic, public rights of way, active travel routes and impacts upon local communities.	The Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3) sets out measures to avoid, reduce and mitigate effects on the environment and surrounding area during construction of the Project. The following measures in Table 5-1 of the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3) are of particular relevance: • Noise – NV1 to NV3 • Vibration – NV1 to NV3, TFB23 and ACH2 • Dust – AQ1 to AQ5, AQ7 to AQ9 and AQ18 The Framework Construction Traffic Management Plan, which includes the Framework Construction Worker Travel Plan and the Framework Rights of Way Management Plan as appendices [APP-415] and the Traffic Management Strategy [APP-416], set out how traffic impacts would be managed during construction of the Project. The Framework Rights of Way Management Plan appended to the Framework Construction Traffic Management Plan [APP-415] summarises the proposed Public Rights of Way (PRoW) mitigation measures, including temporary closures and diversions. Together, these documents set out measures for the Contractor to manage impacts on local communities during construction of the Project.
RR-252-161	Design of AGP	• The design, appearance, height, landscape integration and visual effects of Break Pressure Tank / Intermediate Pumping Station E on Portsdown Hill.	The Break Pressure Tank and Intermediate Pumping Station E (BPT/IPS-E) has been sited taking account of the environmental sensitivities in the surrounding area. This process is set out in the Scheme Development Report [APP-073 to APP-075 - 3 documents]. Please also refer to the Applicant's response to RR-252-55. The design of the proposed Above Ground Plant (AGP) has been informed by the Landscape and Visual Impact Assessment, summarised in ES Chapter 13 Landscape and visual [APP-092], which assesses the landscape and visual effects of the BPT/IPS-E. This assessment has informed the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1), which will guide the detailed design secured by corresponding requirement in Schedule 2 of the Draft DCO [APP-023]. The detailed design would deliver the AGP and operational requirements for the site at a scale, density and layout that is sensitive to the historic and

Reference	Theme	Summary of issue raised	The Applicant's response
			landscape context. Consideration will be given to green roofs and walls and screening with landforms and hedgerows to reduce visual impacts. Buildings and finishes will also respect and reinforce the local character by using materials and a colour palette appropriate to the local context. As set out in the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1), the maximum building height of the BPT/IPS- E would not exceed 8m.
RR-252-162	Archaeology and cultural heritage	• The protection of heritage assets, including Fort Widley and Fort Purbrook, and the mitigation of any impacts on their significance and setting.	The Applicant acknowledges the Council's comments, and a response is provided at RR-252-54 above.
RR-252-163	Terrestrial and freshwater biodiversity	• The protection, restoration and enhancement of ecological interests, green infrastructure, biodiversity and landscape character.	The protection, restoration and enhancement of ecological interests relevant to the Project are set out in ES Chapter 8 Terrestrial and freshwater biodiversity (Document reference 6.1, DCO Volume 6, Version 1), the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3) and the Outline LEMP (Document reference 7.5, DCO Volume 7, Version 1). The Applicant notes Portsmouth City Council will be seeking further assurances regarding biodiversity and will review and provide responses to further comments.
RR-252-164	Archaeology and cultural heritage	• The completion and agreement of archaeological mitigation and investigation measures.	The Applicant acknowledges the Council's comments, and a response is provided at RR-252-64.
RR-252-165	Land quality and ground conditions	• The resolution of contaminated land matters, including completion of the Portsmouth specific Preliminary Risk Assessment and Conceptual Site Model, or the inclusion of suitable DCO Requirements to secure that work before relevant construction activities commence.	The Applicant acknowledges Portsmouth City Council's comments, and a response is provided in RR-252-103.
RR-252-166	The draft DCO	• The provision of sufficiently detailed control mechanisms, Requirements, management plans and approval processes to ensure that all mitigation measures are capable of effective implementation and enforcement	Portsmouth City Council's comments in relation to requirements and other securing mechanisms are noted and responded to in the corresponding parts of this response.
RR-252-167	Portsmouth Water proposal	• No unreasonable or anti-competitive interference with Portsmouth Water Assets including Portsmouth Water's use of the Havant Thicket Reservoir.	The Applicant notes this comment and will continue to engage and work closely with Portsmouth Water on the development of the Bulk Supply Agreement between the two undertakers.
RR-252-168	The process of developing the Project	Subject to these matters being satisfactorily addressed, Portsmouth City Council considers that the impacts arising within the City are capable of being appropriately managed and mitigated. The Council will continue to engage positively and constructively with the Applicant, the Examining Authority and other stakeholders throughout the Examination process with the objective of securing an acceptable and deliverable scheme that balances the important	The Applicant notes this comment and looks forward to continuing to engage with the council throughout Examination.

Reference	Theme	Summary of issue raised	The Applicant's response
		public benefits of the project with the protection of Portsmouth's communities, environment, heritage assets and infrastructure.	
RR-252-169	The process of developing the Project	Portsmouth City Council therefore reserves its detailed position on a number of matters until the outstanding information, mitigation measures and draft DCO provisions have been fully examined but looks forward to continuing constructive engagement during the Examination.	As above, the Applicant notes this comment and looks forward to continuing to engage with the council throughout Examination. Updates will be reflected in the draft Statement of Common Ground with Portsmouth City Council (Document reference 5.8, DCO Volume 5, Version 1) as appropriate.

Table 2-17 The Applicant's response to RR-253 from Portsmouth Water Limited

Reference	Theme	Summary of issue raised	The Applicant's response
RR-253-1	Portsmouth Water proposal	Dear Sir / Madam Portsmouth Water Limited's Relevant Representation will be submitted by separate email. Yours faithfully, James Hodgson Introduction This is the Relevant Representation of Portsmouth Water Limited ('Portsmouth Water') on the application by Southern Water Services Limited ('the Applicant') for the Hampshire Water Transfer and Water Recycling Project Development Consent Order, Planning Inspectorate reference WA010002. Portsmouth Water supports the principle for the Project and does not object to the principle of the scheme; however, Portsmouth Water does have significant concerns regarding the application documents. This representation concerns the terms of the draft Order and certain of the other application documents. It is essential Portsmouth Water's concerns are met to its satisfaction. Now that Portsmouth Water has had an opportunity to consider most of the application documents, it looks forward to engaging fully with the Applicant in respect of its concerns at the earliest opportunity. Portsmouth Water is a statutory undertaker within the meaning of section 127 of the Planning Act 2008.	The Applicant notes this introduction.
RR-253-2	The process of developing the Project	This representation registers Portsmouth Water's concerns and states the outcome sought in respect of each. It is not a full statement of Portsmouth Water's case. Portsmouth Water expects to develop these matters in written representations at Deadline 1 (and at other deadlines) and, where appropriate, at issue specific hearings. Unless otherwise stated, references to articles, schedules, paragraphs and requirements are to the draft Development Consent Order, application document 3.1 [APP-023]. Other application documents are identified by their Examination Library references. Every point raised in this representation	The Applicant notes this comment and looks forward to continuing to engage with Portsmouth Water throughout the Examination.

Reference	Theme	Summary of issue raised	The Applicant's response
		carries the document reference and, where applicable, the paragraph, table or article on which it turns.	
RR-253-3	The draft DCO	The changes Portsmouth Water seeks to the draft Order (and other documents) are summarised at the end of each head of representation in section 5.	The Applicant notes this comment.
RR-253-4	Portsmouth Water proposal	Portsmouth Water Portsmouth Water is a water-only company and the statutory water undertaker appointed under the Water Industry Act 1991 for its area of supply.	The Applicant notes this comment.
RR-253-5	Portsmouth Water proposal	That area extends through South East Hampshire and West Sussex, from the River Meon in the west to the River Arun in the east, encompassing 868 square kilometres. Portsmouth Water supplies a domestic population exceeding 700,000, together with major industries and commercial businesses. A plan of the area of supply and of the assets potentially affected by the Project is at Appendix 1.	The Applicant notes this comment.
RR-253-6	Portsmouth Water proposal	Supplies are drawn from springs, wells, boreholes and surface water sources within that area. Portsmouth Water is also constructing Havant Thicket Reservoir and its associated infrastructure ('the Reservoir'), the first new reservoir to be built in the United Kingdom for more than thirty years, under a planning permission and other consents obtained by Portsmouth Water. Portsmouth Water is raising finance to design and build the Reservoir and will be its owner. The Applicant is providing the funding for the Reservoir, in accordance with an agreement agreed between the two undertakers.	The Applicant notes this comment. Southern Water and Southern Water's customers alone are funding the Havant Thicket Reservoir, to store water to meet the identified water need of Southern Water and its customers only. This funding arrangement is backed by the bulk supply agreement between Southern Water and Portsmouth Water, and guaranteed by regulatory provisions put in place by Ofwat, including certain conditions in both Southern Water's and Portsmouth Water's Instruments of Appointment (Licences). As confirmed by Ofwat in its Relevant Representation [RR-232], the Havant Thicket Reservoir project "is being delivered by Portsmouth Water for the benefit of Southern Water's customers". Further information about the contractual position is set out in Appendix E of The Applicant's written summaries of oral submissions at OFH1 and ISH1 and post hearing actions (Document reference 8.9, DCO Volume 8, Version 0) (provided at Deadline 1).
RR-253-7	Portsmouth Water proposal	Much of the area within the Order limits lies within Portsmouth Water's area of supply.	The Applicant notes this comment.
RR-253-8	Portsmouth Water proposal	Portsmouth Water's interest in the application Portsmouth Water is not simply a consultee. Its interest arises in five distinct ways.	The Applicant notes this comment.
RR-253-9	Portsmouth Water proposal	First, Portsmouth Water owns and is constructing the Reservoir. The Project cannot function without the Reservoir, and the draft Order would affect Portsmouth Water's use, enjoyment and operation of it.	The Applicant notes this comment and agrees with the statement as to construction and ownership of the Reservoir, which is in accordance with applicable regulatory provisions as to the assets in the management of statutory water undertakers, which include both Southern Water and Portsmouth Water. The Havant Thicket Reservoir is a key component relied on

Reference	Theme	Summary of issue raised	The Applicant's response
			by the Project, and the Project has been designed around the agreed principle that the Reservoir will be used for these purposes. Southern Water and its customers are funding the Havant Thicket Reservoir in recognition of its principal purpose of enabling additional water supplies to be provided to the Applicant. The Reservoir will be used to store water that forms part of Southern Water's supply, enabling it to meet its statutory duty to maintain a water supply, available to its customers on demand under section 37 of the Water Industry Act 1991. The full water resource within the Reservoir is required for Southern Water's section 37 duty, including the share to which Portsmouth Water may become entitled under the bulk supply agreement, as the entitlement accrues based on the bulk supply of a like quantity of water to Southern Water at Gaters Mill. The draft Order ensures that Southern Water is able to use and enjoy the water within the Reservoir that is required for Southern Water to be able to meet its fundamental duties to its customers as a water undertaker. The Reservoir is not being built or funded for any other purpose other than this primary use to supply Southern Water's customers. Further information about the contractual position is set out in response to Action ISH1-09 in The Applicant's written summaries of oral submissions at OFH1 and ISH1 and post hearing actions (Document reference 8.9, DCO Volume 8, Version 0) submitted at Deadline 1.
RR-253-10	Landowner engagement	Second, Portsmouth Water owns land which is subject to compulsory acquisition under the draft Order. The Applicant's Pre-application Land and Rights Negotiations Tracker (application document 4.4) [APP-028] records Portsmouth Water in Part 3 at AP reference number 266164 and classifies its engagement as 's127 (statutory undertaker) and s138'.	The Applicant notes this comment.
RR-253-11	Landowner engagement	Section 127(1) of the Planning Act 2008 applies to land which 'has been acquired by statutory undertakers for the purposes of their undertaking', a representation has been made about a DCO application before completion of the Examination and it has not been withdrawn, and the Secretary of State is satisfied that 'the land is used for the purposes of carrying on the statutory undertakers' undertaking' or that 'an interest in the land is held for those purposes'. Portsmouth Water's case is that the land identified at head 5.7 is statutory undertakers' land.	The Applicant notes this comment. The Applicant recognises that the land held by Portsmouth Water is held for the purposes of its statutory undertaking. Protective Provisions for Portsmouth Water have been provided at Part 3 of Schedule 10 to the draft DCO [APP-023] in recognition of this. However, this land can be distinguished from the Havant Thicket Reservoir itself, which is considered to be held also for the purposes of the carrying out of Southern Water's statutory undertaking. This is due to the nature of both the regulatory and commercial arrangements, that the purpose for its construction is to provide water for Southern Water's supply need, and that it plays a key part in Southern Water's ability to meet its supply duty under section 37 of the Water Resources Act 1991. The purpose of the construction of the Havant Thicket Reservoir is to provide a new resource to serve Southern Water's customers, and the purpose of the Project is to increase the deployable output of the Havant Thicket Reservoir to provide water directly for Southern Water customers. It is therefore deployed in the service of both Portsmouth Water and the Applicant's statutory functions.

Reference	Theme	Summary of issue raised	The Applicant's response
RR-253-12	The draft DCO	Third, the draft Order engages Portsmouth Water's abstraction licences, its source protection arrangements, its byelaws made under section 157 of the Water Industry Act 1991, and its duties in respect of the wholesomeness of water supplied to its customers.	The Applicant notes this comment.
RR-253-13	Portsmouth Water proposal	Fourth, the Project interfaces with Portsmouth Water's assets at more than one hundred locations, including its operational site at Bedhampton Springs and the Farlington to Nelson pipeline, which will shortly be under construction.	The Applicant notes this comment. Protective Provisions for Portsmouth Water have been provided at Part 3 of Schedule 10 to the draft DCO [APP-023]. In addition, it is to be noted that the Farlington to Nelson pipeline is also funded by Southern Water's customers, as part of the funding of the Reservoir.
RR-253-14	The draft DCO	Fifth, the relationship between the two undertakers in respect of the Reservoir is governed by agreement between them. Portsmouth Water relies on that agreement, and a head of this representation is that the Order should not override it.	The Applicant notes this comment. The relationship between the two undertakers is not merely commercial, but is in fact governed both by regulatory provisions, including certain conditions in both Southern Water's and Portsmouth Water's Instruments of Appointment (Licences), and by agreement between the parties. Also, article 5(9) of the draft DCO [APP-023] provides that agreements may be entered into with Portsmouth Water in relation to the interface between the Project and Portsmouth Water's assets, and the functions of article 5 are subject to those agreements. As noted in RR-253-9, the use of the Reservoir for the purposes of Southern Water meeting its statutory duty under section 37 of the Water Industry Act 1991 is a key principle of the Project. The draft DCO [APP-023] must make suitable provision to ensure that Southern Water can continue to meet its statutory duties, in the event an agreement is not entered into, falls away or is terminated for any reason. This principle is inherent in the agreement for the use of the Havant Thicket Reservoir by the Project for the purposes of meeting Southern Water's water supply need, both directly and indirectly. The Applicant is discussing the drafting of article 5 with Portsmouth Water and Ofwat to ensure that the relationship of this article to the contracts is clear.
RR-253-15	Portsmouth Water proposal	By way of further background information, in 2018, the Applicant approached Portsmouth Water to facilitate the provision of bulk supply to them. Portsmouth Water agreed willingly to that and, since then, there have been extensive, intensive and ongoing discussions in respect of the Reservoir, the DCO application and other matters. One of those matters concerns a further agreement that governs the undertakers' relationship in respect of the Reservoir. Discussions in respect of that agreement are ongoing, and Portsmouth Water considers that agreement must also take precedence over the Order. It will be remembered that Portsmouth Water will be the owner and occupier of a significant piece of infrastructure which will be essential to the successful delivery of the Applicant's Project.	The Applicant notes this comment. The response to Action ISH1-09 in 8.9, the Applicant's written summaries of oral submissions at OFH1 and ISH1 and post hearing actions, submitted at Deadline 1, sets out the contractual position between Portsmouth Water and the Applicant. Havant Thicket Reservoir is central to the Project and, accordingly, Southern Water's statutory supply duty. The principle of the Reservoir's use for these purposes is supported by water industry regulators. It is therefore essential that the DCO makes provision for the operational interactions with the Reservoir infrastructure to ensure that there is no impediment to the delivery of the Project, and the carrying out of Southern Water's statutory duties as a water undertaker, in the event agreement cannot be reached or is unable to be enforced for any reason. It is noted that Ofwat in its Relevant Representation [RR-232], fully recognises this relationship in its role as regulator, stating: "The Hampshire Water Transfer and Water Recycling Project is dependent on the delivery of another

Reference	Theme	Summary of issue raised	The Applicant's response
			strategic water infrastructure asset which is also regulated by Ofwat, the Havant Thicket Reservoir. […] This project is being delivered by Portsmouth Water for the benefit of Southern Water's customers". It should, therefore, always be kept in mind that whilst Portsmouth Water will own and operate the Reservoir, it does so as custodian of Southern Water's statutory supply duty. At all times, the Reservoir and associated infrastructure must be operated in a way that facilitates and does not impede the ability of Southern Water to comply with its duties under section 37 of the Water Industry Act 1991, and in this context the nature of the first bulk supply agreement as being a displacement bulk supply – effectively a loan agreement for water – supports that the construction, operation and use of the Reservoir has always been for the purposes of the carrying on of Southern Water's statutory undertaking. Portsmouth Water's role in this respect is, effectively, as agent for Southern Water.
RR-253-16	The draft DCO	Summary of Portsmouth Water's position Portsmouth Water supports the need for the Project and wishes to see it consented. Its objections are to the terms on which the draft Order would affect an asset Portsmouth Water owns, operates and is accountable for, and to the extent of the powers sought over Portsmouth Water's land, apparatus and statutory functions.	The Applicant notes this comment and has responded to these concerns in this response.
RR-253-17	The draft DCO	In summary, the draft Order would permit another undertaker to direct how Portsmouth Water operates its own reservoir; would remove Portsmouth Water's protected right at that reservoir while guaranteeing the Applicant a minimum abstraction; would require the Applicant's consent before Portsmouth Water could apply to its own regulator in connection with its own asset; would leave the protections on which Portsmouth Water depends incomplete or unsecured; and would take Portsmouth Water's operational land by compulsion.	The Applicant notes this comment. Please refer to RR-253-15. In circumstances where the Reservoir and the water within it is required solely for the purposes of Southern Water's statutory undertaking, it is entirely appropriate for Southern Water to be in a position of directing how the Reservoir and associated infrastructure is to be operated for those purposes. It would be reckless to do otherwise, as it would leave Southern Water severed from any oversight or control of a source of water that is fundamental to meeting its water supply duty and which its customers are funding. As noted in RR-253-15, the nature of the first Bulk Supply Agreement is that Portsmouth Water is entitled to take from the reservoir a like quantity of water to that supplied to Southern Water at Gaters Mill for use to supply Southern Water's customers; that is, Portsmouth Water does not require and has no entitlement to water from the Reservoir to meet its own duties under section 37 of the Water Industry Act 1991, but requires it only to restock the water supply sold to Southern Water at Gaters Mill, except, in the very limited circumstances, when and to the extent Southern Water permits Portsmouth Water to take and use water from the Reservoir for its own customers, all of which are set out, with the conditions and limitations attached, in the bulk supply agreement. The detail of the restricted rights for Portsmouth Water to take water from the Reservoir are set out in the joint statement in response to Action Point 9 in 8.9, the Applicant's written summaries of oral submissions at OFH1 and ISH1 and post hearing actions, submitted at Deadline 1.

Reference	Theme	Summary of issue raised	The Applicant's response
			The reasons for each of the modifications and provisions within the draft DCO [APP-023] are set out within the Explanatory Memorandum [APP-024]. Where specific concerns have been raised in this representation, they have been responded to below. The Applicant has sought to ensure that the drafting reflects the agreed commercial principles underlying the Project, and the ongoing discussions for a commercial agreement, whilst also ensuring that there is no impediment to delivery of the Project. It has not sought to go beyond these principles, but has simply sought to secure the supply in a manner commensurate to the statutory duty to which it relates. Please also refer to the Applicant's response to RR-253-15 in relation to the fundamental interface between the Project and Havant Thicket Reservoir, RR-253-20 for detailed comments on the relevant drafting, and RR-253-22 in respect of the role of Havant Thicket Reservoir and the statutory functions of Portsmouth Water in relation to the Reservoir.
RR-253-18	The process of developing the Project	Portsmouth Water considers its objections are capable of resolution and looks forward to working with the Applicant (both within and outside the Examination) to achieve this.	The Applicant notes this comment and looks forward to continuing to engage with Portsmouth Water throughout the Examination.
RR-253-19	The draft DCO	Portsmouth Water registers its position under every head below. A matter is resolved when the change sought has been made in the Order, including in Protective Provisions agreed in writing between the two undertakers. A statement of intention is not resolution. Until a head is resolved in that sense it is maintained, and Portsmouth Water does not withdraw it.	The Applicant notes this comment.
RR-253-20	The draft DCO	Heads of representation Portsmouth Water's concerns are set out under the following fourteen heads. The changes sought are summarised at the end of each head. Use, enjoyment and operation of Havant Thicket Reservoir Article 5 would permit the Applicant to use and enjoy the Reservoir, to direct Portsmouth Water as to how it is operated and maintained, to specify a scheme of operation in default of agreement, (which may provide for the Applicant assuming operational control of the Reservoir), and to take such action as it considers appropriate where it considers Portsmouth Water has not complied with a direction.	Article 5 provides a statutory right for the Applicant to use and enjoy the Havant Thicket Reservoir infrastructure, including the water stored in the reservoir. The provisions of this article are necessary to ensure that the DCO is capable of authorising the whole of the Project, of which the storage and draw down of water using the Havant Thicket Reservoir is an integral part. The storage, use and draw down of water from Havant Thicket Reservoir is, in turn, an integral part of Southern Water meeting its water supply duty. It is anticipated that commercial agreements between Southern Water and Portsmouth Water would regulate this interface. However, those agreements remain under negotiation. One of the key purposes of article 5 is therefore to ensure there is in place an appropriate 'backstop' that would facilitate the operation of the Project, and the carrying out of Southern Water's statutory undertaking, in the unlikely event that those agreements are not concluded or, over the life of the Project, that those agreements for whatever reason fail. As such a 'back stop', article 5 makes provision for the operational interactions between the Project and the Havant Thicket Reservoir infrastructure, through

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			the agreement of a Scheme of Operation or, in default of agreement, determination of the Scheme of Operation by the Secretary of State. The Applicant's working assumption is that Southern Water and Portsmouth Water will be under an obligation in an amended bulk supply agreement (currently in negotiation and varying the 2021 agreement between the parties) to agree an Operating Protocol (equivalent to what the draft DCO refers to as a Scheme of Operation) within a specified period to be set out in that contract. The Applicant does not agree that article 5 would enable the Applicant to assume operational control of the Reservoir. This would remain under the control of Portsmouth Water (as operator of the Reservoir), notwithstanding that the Applicant would be permitted, by article 5(6), to take such action as is necessary to secure operation and maintenance in accordance with the Scheme of Operation, in the event that legal agreements regulating this interface were not in place or, for example, Portsmouth Water were to become insolvent. It is also noted that the provisions that must necessarily be contained within a Scheme of Operation about how the Reservoir is to be operated will, if not agreed, be determined by the Secretary of State, who is responsible for the regulation of the water industry including under the Reservoirs Act 1975. Any Scheme of Operation determined by the Secretary of State would have regard to the various duties of each party under the wider regulatory regimes, ensuring that any 'step in' that may be possible under article 5 is consistent with those wider functions of Portsmouth Water as operator of the Reservoir and the wider functions of Southern Water, relying on the use of the Reservoir for its water supply. Notwithstanding this, the Applicant is considering whether any drafting could be put into article 5 to clarify that the operation of article 5(6) does not affect the identity of the 'undertaker' for the purposes of the Reservoirs Act 1975.
RR-253-21	The draft DCO	Article 5(11) provides that 'Article 55 (arbitration) does not apply to any dispute arising under this article.' Article 5 is the only article in the Order from which arbitration is withdrawn, and Article 5 is not expressed to be subject to the Protective Provisions in Part 3 of Schedule 10.	Article 5(5) confirms that any dispute in relation to a Scheme of Operation is to be referred to the Secretary of State for determination. Article 55 does not apply to disputes arising under article 5 to provide complete clarity that any dispute so arising must instead be determined by the Secretary of State, which the Applicant considers to be appropriate given the public interest in the subject matter. Disputes as to the Scheme of Operation are not simply private disputes regarding contractual liabilities. They may, for example, require input from regulators including the EA and Ofwat, and such a dispute inevitably affects the statutory water supply duty of Southern Water, and should therefore be determined in the public interest. Such disputes are therefore not suitable for arbitration. The Secretary of State is the appropriate decision-maker. The Applicant is working with Portsmouth Water, the EA and Ofwat to agree the drafting of article 5.
RR-253-22	Portsmouth Water proposal	Portsmouth Water owns the land on which the Reservoir is being constructed, holds the planning permission and the other consents for it, is constructing it,	The Applicant notes this comment. The draft DCO [APP-023] recognises that the Havant Thicket Reservoir is being constructed by Portsmouth Water

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		and will operate and maintain it. Portsmouth Water is the undertaker for the purposes of the Reservoirs Act 1975 and is the statutory water undertaker for the area. The Reservoir is used, and an interest in the land is held, for the purposes of carrying on Portsmouth Water's undertaking.	pursuant to planning permissions, and not under any authorisation provided by the Order. This can be readily seen in the definition of Havant Thicket Reservoir infrastructure in article 2(1). However, it should be kept in mind that Southern Water and Southern Water's customers alone are funding the Havant Thicket Reservoir, to store water to meet the identified water need of Southern Water and its customers only. This funding arrangement is backed by the bulk supply agreement between Southern Water and Portsmouth Water, and guaranteed by regulatory provisions put in place by Ofwat, including certain conditions in both Southern Water's and Portsmouth Water's Instruments of Appointment (Licences). Accordingly, whilst Portsmouth Water owns and operates the reservoir, as set out in RR-253-15 and RR-253-17, the position in relation to statutory water undertakings is more complex than PW's representation suggests. Whilst the Havant Thicket Reservoir is held within PW's undertaking, the reservoir and the water therein is deployed in service of both PW and Southern Water's statutory functions; and in respect of PW, its statutory functions are themselves being exercised in the furtherance of Southern Water's statutory water supply duty. In effect, the Reservoir is used, and the interest in the land on which the Reservoir and pipelines are being constructed is held, for the purposes of, primarily, Southern Water's undertaking, notwithstanding that it is held within Portsmouth Water's undertaking. The reservoir is a wholly new water resources infrastructure asset that is being constructed to serve Southern Water's customers and water supply need. The extent to which it is deployed for the purposes of Portsmouth Water's undertaking is extremely limited, relating only to the restricted right to water summarised in RR-253-17 and in more detail in the joint statement in response to Action Point 9 in 8.9, the Applicant's written summaries of oral submissions at OFH1 and ISH1 and post hearing actions, submitted at Deadline 1.
RR-253-23	The draft DCO	The arrangements between the two companies for the funding of the Reservoir (as mentioned in paragraph 2.3) do not alter any of those matters and confer no operational right on the Applicant. Rights of that kind are the proper subject of agreement between the two undertakers. The Order would seem to confer powers of operational direction over the Reservoir on another undertaker, without Portsmouth Water's agreement and without provision for compensation.	The Applicant notes this comment. The Project relies on the Havant Thicket Reservoir for its operation, and a detailed Scheme of Operation will be required to ensure the interface between the Project, the Reservoir and Portsmouth Water's network is managed effectively and safely, whilst ensuring the primary objective of both the Reservoir and the Project, which is to supply water to meet Southern Water's supply duty, is fulfilled. Please refer to RR-253-22: the funding arrangement is backed by the bulk supply agreement between Southern Water and Portsmouth Water, and guaranteed by regulatory provisions put in place by Ofwat, including certain conditions in both Southern Water's and Portsmouth Water's Instruments of Appointment (Licences). These confirm that the Reservoir is a new water resources infrastructure asset constructed solely to serve Southern Water's customers and water supply need. The Applicant is negotiating an agreement with Portsmouth Water, to include agreement as to the process for agreeing an Operating Protocol (equivalent to a Scheme of Operation) for the shared infrastructure. If no agreement is reached as to the form of the Operating Protocol, article 5 provides ultimately

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			for a Scheme of Operation to be determined by the Secretary of State, to ensure that there is no impediment to the delivery of the Project.
RR-253-24	The draft DCO	The Applicant's own draft Statement of Common Ground with Natural England (application document 5.8) [APP-069] records at row NE-ES-024 that 'The Applicant will not be the operator of Havant Thicket Reservoir'. The Environment Agency has recorded that it is taking legal advice on the inclusion of Article 5 and Schedule 8 in the draft Order, at row EA-EX-001 of its draft Statement of Common Ground with that body (application document 5.8) [AS-020].	The Applicant notes this comment. It is recognised that Portsmouth Water will operate the Havant Thicket Reservoir. Please refer to the Applicant's response to RR-253-20.
RR-253-25	The draft DCO	The Reservoir is a large raised reservoir and Portsmouth Water is the undertaker for the purposes of the Reservoirs Act 1975. The Order does not say which party is the undertaker for the purposes of that Act if the Applicant assumes operational control, or how the duties of a reservoir undertaker are to be discharged by a party which does not own the Reservoir. It is therefore unclear who would be responsible for (say) an emergency drawdown - which is a measure by which a dam breach is prevented - if the Applicant has assumed operational control of the reservoir.	Please refer to the Applicant's response to RR-253-20. The Applicant does not agree that article 5 would enable the Applicant to assume operational control of the reservoir. Article 5(6) provides a power for the Applicant to take such action as is appropriate to secure that the Havant Thicket Reservoir infrastructure is operated and maintained in accordance with the Scheme of Operation, which will have either been agreed by the parties or determined by the Secretary of State. This is an important safeguard to ensure that Southern Water can continue to meet its water supply duty in the event Portsmouth Water fails to operate and maintain the reservoir in the manner agreed or determined by the Secretary of State to be appropriate, having regard to the statutory functions of both statutory undertakers. Please also refer to RR-253-22.
RR-253-26	The draft DCO	The changes Portsmouth Water seeks under this head include - Ref - PW01. Application document and provision - 3.1 draft Order, article 5. Change sought - Noting the power to enter an agreement relating to the exercise of the Applicant's functions under article 5, Portsmouth Water considers that agreement must be in place before the Applicant may use and enjoy the Reservoir.	Article 5 expressly confirms in paragraph (9) that "the exercise of [the functions conferred by article 5] are subject to the terms and conditions of any such agreements". The Applicant is discussing the drafting of article 5 with Portsmouth Water and Ofwat to ensure that the relationship of this paragraph to the contracts is clear. However it should always be kept in mind that the purpose of article 5 is to ensure that the Project is capable of operating, even if the commercial agreement is not entered into, falls away or is terminated. It recognises the position in the bulk supply agreement and guaranteed by regulatory provisions put in place by Ofwat, including certain conditions in both Southern Water's and Portsmouth Water's Instruments of Appointment (Licences), that the Havant Thicket Reservoir is a new water resources infrastructure asset constructed solely to serve Southern Water's customers and water supply need. It is not required for Portsmouth Water to meet its water supply duty and is not an asset being funded by both companies for a shared benefit.
RR-253-27	The draft DCO	Ref - PW02. Application document and provision - 3.1 draft Order, article 5(3) and (4). Change sought - Removal of the Applicant's (i) power to give directions to Portsmouth Water and (ii) its power to specify a scheme of operation.	Please refer to the Applicant's response to RR-253-17 and RR-253-20. These provisions are required to ensure that the Project can be delivered if an agreement is not entered into, cannot be enforced for any reason, or falls away. Southern Water relies on use of the Havant Thicket Reservoir for the purposes of its statutory undertaking, and it is necessary to secure that use in order to ensure that Southern Water can comply with its statutory duties. The

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			Reservoir is funded solely by Southern Water and its customers; it is not required by Portsmouth Water to meet its water supply duty and the funding arrangement reflects that it is not being constructed for a shared benefit. For these reasons, it is necessary to have a statutory 'back-stop' in the event contractual arrangements are not in place or fall away for any reason.
RR-253-28	The draft DCO	Ref - PW03. Application document and provision - 3.1 draft Order, article 5(6). Change sought - Removal or particularisation of the power to 'take such action as it considers appropriate...'	Please refer to the Applicant's responses to RR-253-20, RR-253-23 and RR-253-25. This drafting enables any breach of or failure to carry out the Scheme of Operation to be rectified so that the operation of the Reservoir and associated infrastructure is carried out in the manner agreed, or determined by the Secretary of State. This minimises the potential for harm to occur were a breach permitted to continue, to both the Reservoir infrastructure and the ability of Southern Water to comply with its statutory duties. It reflects that the Havant Thicket Reservoir is being provided solely for Southern Water and its customers for the purposes of meeting Southern Water's confirmed water need and duty to supply. Article 5(6) does not authorise or permit the Applicant to assume operational control of the reservoir in the sense anticipated by Portsmouth Water.
RR-253-29	The draft DCO	Ref - PW04. Application document and provision - 3.1 draft Order, article 5(11). Change sought - Delete article 5(11) (or explain why the arbitration regime which applies elsewhere would be inappropriate here).	Please refer to the Applicant's response to RR-253-21. Determination of the Scheme of Operation by the Secretary of State, in default of an agreement, is considered appropriate where the Applicant and Portsmouth Water are both statutory water undertakers and the operation of the shared infrastructure is fundamental to the operation of the Project, which has been considered by government to be nationally significant, and Southern Water's ability to comply with its water supply duties to its customers. Arbitration under the general provision in article 55 of the draft DCO is considered to be wholly inappropriate to resolve a dispute of this nature.
RR-253-30	The draft DCO	Ref - PW05. Application document and provision - 3.1 draft Order, article 5 (general). Change sought - Make the exercise of article 5 powers subject to Schedule 10 Part 3.	Article 5 makes provision to ensure that the Project is capable of operating in the event an agreement is not reached on an Operating Protocol, by providing for a Scheme of Operation in default of agreement. This agreement is currently being negotiated with Portsmouth Water. Article 5 exists to protect the carrying out of Southern Water's statutory undertaking, and Southern Water's ability to comply with its water supply duty, as it utilises infrastructure that is held within the statutory undertaking of Portsmouth Water. The Protective Provisions in Part 3 of Schedule 10 to the draft DCO [APP-023] apply for the protection of Portsmouth Water, unless otherwise agreed between the parties. Their purpose is to protect Portsmouth Water's assets and the carrying on of its statutory undertaking. Article 5(11) provides for any dispute as to the Scheme of Operation to be determined by the Secretary of State. Please refer to the Applicant's responses to RR-253-21 and RR-253-29 for the reasons why this is wholly appropriate, given the nature of the dispute arising, the role of the Reservoir in enabling Southern Water to comply with its statutory supply duty, and the need

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			to secure the public benefits of both the Project and the Havant Thicket Reservoir. The effect of the request to make article 5 subject to the protective provisions, would be to make Southern Water's statutory duties subordinate to those of Portsmouth Water, fundamentally undermining the purposes for which both Havant Thicket Reservoir and the Project are being developed, and subjecting the statutory functions of Southern Water to the requirements of Portsmouth Water in a position that, unlike the commercial agreements, is fundamentally imbalanced to protect the sitting undertaker. The Havant Thicket Reservoir and the use of it by the Project has been agreed, commercially, and the funding arrangement in the BSA is backed by regulatory provisions, including conditions in both Southern Water's and Portsmouth Water's Instruments of Appointment (Licences). Whilst construction of the Project has the potential to affect Portsmouth Water's assets, for example if suitable stand-off distances to existing assets were not maintained, that is not the case in relation to the use of the reservoir – the principle of which is agreed and underpins the funding arrangement that is in place. Subjecting article 5 to the protective provisions in Part 3 of Schedule 10 would circumvent the dispute resolution mechanism built into article 5, and fails to recognise that the Scheme of Operation is required by the interests of both the Applicant and Portsmouth Water, to ensure that the shared infrastructure operates safely and effectively as it combines water sources from and sends water to each party's individual water networks. The Scheme of Operation is needed to secure the use of the Reservoir for Southern Water, which is key to it carrying out its statutory functions. The Scheme of Operation is therefore not a matter suitable for, or to be made subject to, the protective provisions for the benefit of Portsmouth Water; it is the mechanism through which the role of Havant Thicket Reservoir in the carrying out of Southern Water's statutory undertaking is recognised and secured in the event the contract is not agreed or falls away for any reason. In recognition of this role of Havant Thicket Reservoir serving the statutory functions of two water undertakers, any dispute over the Scheme of Operation must be determined by the Secretary of State.
RR-253-31	The draft DCO	Ref - PW06. Application document and provision - 3.1 draft Order, new article or article 5. Change sought - Preserve Portsmouth Water as Reservoirs Act 1975 undertaker in all circumstances.	Please refer to the Applicant's responses to RR-253-20 and RR-253-25.
RR-253-32	The draft DCO	Ref - PW07. Application document and provision - 3.1 draft Order, Schedule 10, Part 3. Change sought - Include a Protective Provision for Portsmouth Water's benefit which provides that there must be no measure at the intakes which reduces emergency drawdown capacity.	The Applicant acknowledges the importance of the Reservoir's emergency drawdown capacity via the intakes, also known as the Low Level and High Level Draw Offs. This is being discussed with Portsmouth Water and engagement is ongoing to ensure the coexistence of the hydraulic operation, long term maintenance and resilience of the joint infrastructure. No physical works are proposed to be carried out by the Applicant on the reservoir emergency drawdown infrastructure. This includes the intakes and the pipelines between the Havant Thicket Reservoir and Bedhampton Springs,

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			which are being designed and constructed by Portsmouth Water pursuant to planning permissions. The Applicant is engaging with Portsmouth Water to agree an Operating Protocol under contract that would cover matters relevant to Portsmouth Water meeting its requirements under the Reservoirs Act 1975, as well as other matters required for the onward supply of raw blended water to water treatment works. In the event this is not agreed for any reason, the Secretary of State would determine the Scheme of Operation under article 5, and in doing so would balance the statutory functions of both parties in relation to the Reservoir. In particular the Secretary of State would balance the functions relating to the safe operation of the Reservoir with the purposes for which the Reservoir has been constructed, namely to supply, directly and indirectly, water to Southern Water to enable it to comply with its supply duty under section 37 of the Water Industry Act 1991. A Scheme of Operation to manage the shared infrastructure would therefore include provision in relation to emergency drawdowns (see article 5(4)(i) of the Draft Development Consent Order (DCO) [APP-023]), as this is relevant to the coordination of the shared infrastructure and operation of each party's connected infrastructure during such an event. The importance of emergency drawdown is understood. In the unlikely event a proposed provision of a Scheme of Operation were thought to restrict emergency drawdown, this can be referred to the Secretary of State for determination under article 5(5), having regard to the public interest and the statutory functions of both Southern Water and Portsmouth Water. Please also refer to the Applicant's response to RR-253-33.
RR-253-33	EIA approach and methodology	Ref - PW08. Application document and provision - 6.1 ES Chapter 14 (Table 14-1) and ES Chapter 19. Change sought - Recognise the Reservoirs Act 1975 and address emergency drawdown.	The Applicant notes Portsmouth Water's request that the Reservoirs Act 1975 and emergency drawdown scenarios are reflected within the assessment. Please refer to RR-253-20, RR-253-25 and RR-253-32. Emergency drawdown ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1) assesses the likely significant effects arising from the planned construction and operation of the Project and therefore considers normal operational conditions rather than emergency scenarios. For the purposes of the reservoir modelling presented in ES Appendix 19.6 Havant Thicket Reservoir Compensatory Flows water quality modelling [APP-201], this comprised developing a withdrawal water quality envelope. The envelope establishes reasonable worst case limits for each of the modelled water quality parameters, to represent the water withdrawn from the Reservoir and released as compensatory flows to downstream watercourses. This includes an emergency drawdown drought scenario over five years when there would be a large increase in the operational discharges into and from Havant Thicket Reservoir and reduced volumes of spring water. With the implementation of additional phosphorus removal measures at the Water Recycling Plant, ES Appendix 19.6 Havant Thicket Reservoir Compensatory Flows water quality

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			modelling [APP-201] shows the operation of the Project would not result in a deterioration in water quality or biological status in receiving watercourses and water bodies downstream. In respect of the physical ability to conduct emergency drawdowns, operationally exceptional events are considered separately within ES Chapter 14 Major Accidents and Disasters [APP-093]. Emergency drawdown of Havant Thicket Reservoir is an operational control measure associated with the management of Havant Thicket Reservoir, and is an activity that would be undertaken by the operator of the reservoir, Portsmouth Water. The Applicant has therefore assessed the potential consequences of relevant major accident and disaster scenarios, including flooding and pipe failure events, rather than the emergency drawdown procedure itself. ES Chapter 14 Major accidents and disasters [APP-093] includes an assessment of operational major accident risks, including flooding, pipe leak or rupture events, emergency washout releases and emergency use of break pressure tank overflows. Associated mitigation and management measures are secured through the Operational Environmental Management Plan [APP-422], Outline Construction Environmental Management Plan (CEMP) (Document Reference 7.1, DCO Volume 7, Version 1), Invasive Non-Native Species Biosecurity Plan [APP-425] and Design Principles Document (Document Reference 5.11, DCO Volume 5, Version 1). The Applicant therefore considers that emergency scenarios have been appropriately considered through the Environmental Statement, with planned operational effects assessed within ES Chapter 19 Water Environment (Document reference 6.1, DCO Volume 6, Version 1) and emergency scenarios assessed within ES Chapter 14 Major accidents and disasters [APP-093]. The Reservoirs Act 1975 ES Appendix 19.1 Flood Risk Assessment – 2 of 8 documents [APP-190] and 6 of 8 documents [APP-194] acknowledge the role of the Reservoirs Act 1975 in the context of the design, construction, inspection and maintenance for large, raised reservoirs such as Havant Thicket Reservoir. Please also refer to the Applicant's responses to RR-253-20 and RR-253-25 in relation to Portsmouth Water's role as operator of the Reservoir for the purposes of the Reservoirs Act 1975.
RR-253-34	Portsmouth Water proposal	Water resources, abstraction and impounding Portsmouth Water set out its position on the Applicant's abstraction strategy on 19 May 2026, and received the Applicant's response on 27 May 2026, the day before the application was submitted. Portsmouth Water may develop these matters, and share the correspondence between the parties, in its written representations.	The Applicant shared the draft abstraction strategy with Portsmouth Water on 23 April 2026. Comments were not received from Portsmouth Water until 19 May. The Application was submitted on 21 May. The Applicant therefore received comments from Portsmouth Water only 48 hours before the draft DCO was submitted as part of the Application.

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RR-253-35	The draft DCO	Schedule 8 modifies (in Part 1) the Water Resources Act 1991 and (in Part 2) the Water Resources (Abstraction and Impounding) Regulations 2006 as they apply to the Reservoir, and it removes Portsmouth Water's protected rights at its own reservoir.	Please refer to the response to the joint statement in response to Action Point 9 in 8.9 The Applicant's written summaries of oral submissions at OFH1 and ISH1 and post hearing actions, submitted at Deadline 1. Havant Thicket Reservoir is a new resource being constructed solely to serve the needs of Southern Water and its customers. Whilst Southern Water does not have a proprietary right to the reservoir, Portsmouth Water has only very restricted rights to abstract the water from it. The Reservoir exists to store water to facilitate the bulk supply of water to Southern Water. Critically, it is not constructed for or required for the supply of water to Portsmouth Water's customers. In this regard, please refer to RR-253-17. All business-as-usual abstractions from Havant Thicket Reservoir are required to meet Southern Water's water supply need: Portsmouth Water is entitled only to take water from the Reservoir where it has already supplied an equivalent volume of water to Southern Water at Gaters Mill. Southern Water is entitled to take all of the remainder of the water from the Reservoir directly to serve its water supply. Whilst the commercial agreements do make provision for emergency (non-drought) circumstances and for Southern Water to agree to a further ad-hoc supply, these abstractions are very limited, rely on Southern Water permitting Portsmouth Water to take additional water, and so operate on an exceptions basis and do not reflect the ordinary use of the Reservoir. As has already been noted, Portsmouth Water does not require water from the Reservoir to meet its own duties under section 37 of the Water Industry Act 1991. Its abstraction would simply be to replace water it had previously supplied to Southern Water elsewhere; the Reservoir is not a new supply for Portsmouth Water's customers and it is not an asset being funded by both companies for a shared benefit. Schedule 8 to the draft DCO recognises this through requiring the grant of an abstraction licence to Southern Water of at least the full water supply requirement. It resolves the issue, caused by the fact that an abstraction licence may not be granted if it derogates from existing protected rights other than by agreement, by stipulating that Portsmouth Water's abstraction rights are not protected rights for this purpose. It is noted that, were Portsmouth Water's rights to be protected, and a later application by Southern Water was considered to derogate from those rights, Portsmouth Water would need to agree to the grant of the licence. If it did not do so, the Secretary of State would need to direct the EA to grant the licence notwithstanding the derogation, at which point compensation would become payable by the EA to Portsmouth Water. Accordingly, Schedule 8 provides a safeguard to ensure that Southern Water secures the full volumes of water relied on for its statutory water supply, consistent with the need, established and confirmed through the WRMP process, that is to be provided to Southern Water from the Havant Thicket Reservoir. It also avoids the perverse legislative incentive that would otherwise exist whereby it would be in Portsmouth Water's interests to refuse to agree to the grant of any licence that could derogate against its rights, despite those

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			rights being purely commercial in nature and contingent on an equivalent supply being provided to meet Southern Water's supply need elsewhere. Accordingly, the total abstraction required for Southern Water's supply need, that is sourced from the Havant Thicket Reservoir, is protected and that protection is held by Southern Water who must rely upon that water being available to fulfil its statutory duties under section 37 of the Water Industry Act 1991. The Applicant further notes that Portsmouth Water, as owner and operator of Havant Thicket Reservoir, would be able to stop any proposed future abstraction by a third party from the reservoir by simply refusing to agree to grant them the necessary right of access. Portsmouth Water therefore gains no material additional protection from the concept of protected rights within the Water Resources Act 1991 in respect of the reservoir.
RR-253-36	The draft DCO	Paragraph 37 (of Part 5, which includes provisions in abstraction licences for the Reservoir) requires the Applicant's licence to specify a minimum quantity of not less than 115 megalitres per day (Ml/d) and to remain in force until revoked. Paragraph 38 provides that no licence granted to any person other than the Applicant may authorise abstraction exceeding 25 Ml/d, aggregated across all such licences.	The Applicant confirms that this drafting provides certainty that the Project will be capable of providing the water supply need identified, reflecting the agreed principles underpinning the commercial arrangements under discussion and the purposes for which Havant Thicket Reservoir is being built for and funded by Southern Water customers. Please refer to RR-253-35. Havant Thicket Reservoir is not an asset being funded by both companies for a shared benefit because it is not required for Portsmouth Water to meet its water supply duty.
RR-253-37	The draft DCO	One undertaker is therefore given a guaranteed floor and no ceiling under paragraph 37; the other a permanent ceiling under paragraph 38, aggregated across every licence it may hold, and no floor.	The Applicant notes this comment. Please refer to RR-253-35. As confirmed in the joint statement in Appendix E in 8 The Applicant's written summaries of oral submissions at OFH1 and ISH1 and post hearing actions (Document reference 8.9, DCO Volume 8, Version 0), submitted at Deadline 1, negotiations for the bulk supply agreement do not make provision for any potential future water requirement for Portsmouth Water. As set out in RR-253-9, the full water resource to be abstracted from the Reservoir is required solely for the purposes of Southern Water's statutory supply duty under section 37 of the Water Industry Act 1991. Portsmouth Water is entitled to abstract water only in very restricted circumstances, being in exchange for the prior supply of a like quantity of water to Southern Water at Gaters Mill, and emergency and ad-hoc supplies subject to strict limitations and conditions. If a party other than Southern Water were to take water from the reservoir (beyond the rights accumulated through the bulk supply of water at Gaters Mill) this would reduce the amount of water available that is needed, in full, for Southern Water's water supply need. As set out in RR-253-26, the Reservoir is being funded solely by Southern Water and its customers; it is not being jointly funded for a shared benefit.
RR-253-38	The draft DCO	Paragraph 40 (of Part 6, which includes rules for the enforcement of abstraction licences) apportions responsibility for breach of the aggregated limit between the Applicant, to the extent of a breach of its own licence, and "the holder of any other licence, in relation to the remainder of the excess". An	An enforcement mechanism is required to ensure that one party is not held responsible for a breach of an abstraction licence by the other. The enforcement rules reflect the agreed commercial principle that Southern Water has unfettered access to the water within the Reservoir. That principle, in turn,

Reference	Theme	Summary of issue raised	The Applicant's response
		aggregate breach may therefore fall wholly on Portsmouth Water while Portsmouth Water is within its own licence. The operative term, "the aggregated limit", is not defined in the Order.	reflects the purpose of the Reservoir being to create a new water resource to meet Southern Water's water supply need. Aggregated limits are commonly used in abstraction licences. Paragraph 38 of Part 5 of Schedule 8 to the draft DCO [APP-023] requires that any licence other than a licence granted to Southern Water must include a limit, aggregated across all such licences, of not more than 25 Ml/d. Paragraph 39(b) requires all licences to be subject to a limit of at least the abstraction rights secured in Southern Water's individual licence. All licences will therefore be granted with an aggregated limit specified. The rules for enforcement in paragraph 40 of Schedule 8 apply to those licences as granted, and therefore leverage the aggregated limits included within the licences. It is therefore intentionally not defined as its meaning is clear from the operation of paragraphs 38 and 39(b). It should be noted that, if it was not possible to determine clearly the party responsible for over-abstraction, Southern Water would be adversely affected three times: • First, as both the Havant Thicket Reservoir and the Project are being built solely for Southern Water's water supply need, it would suffer from not being able to abstract the water itself, reducing its water supply and increasing the proportionate cost of the infrastructure to its customers. • Secondly, enforcement action could not be taken against the breaching party individually, but would affix to Southern Water as the sole or joint licence holder, even in circumstances where it is not responsible for the breach and has already experienced the loss of water supply and proportionate increase in the cost of the infrastructure. • Thirdly, the shortfall in water availability would lead to Southern Water not being able to act consistently with its WRMP24, risking further enforcement action if it compromised Southern Water's ability to meet its supply duties under section 37 of the Water Industry Act 1991, despite both the Havant Thicket Reservoir and the Project being constructed solely to meet Southern Water's WRMP-confirmed need. The Havant Thicket Reservoir and the Project are being funded solely by Southern Water and its customers, and the funding arrangement is backed by the bulk supply agreement between Southern Water and Portsmouth Water and guaranteed by regulatory provisions put in place by Ofwat. The benefit of the water supply provided by the Reservoir and the Project is to Southern Water's customers alone, and this is reflected in the approach to enforcement.
RR-253-39	The draft DCO	Portsmouth Water queried the increase in the Applicant's minimum from 90 Ml/d to 115 Ml/d in writing on 19 May 2026, nine days before the application was submitted, and recorded in the same email that it had not received Schedule 8 and could not comment on it. That email is at Appendix 2. The figure was carried into the application unchanged. Portsmouth Water considers its concerns can be addressed in an appropriate agreement with the Applicant;	Please refer to RR-253-34 in relation to the sharing of the Applicant's proposed abstraction strategy. Please refer to RR-253-35 in relation to the reason Schedule 8 secures for Southern Water the right to abstract water corresponding with the full water supply that is to be provided from Havant Thicket Reservoir to meet Southern Water's duty to provide a water supply under section 37 of the Water Industry Act 1991.

Reference	Theme	Summary of issue raised	The Applicant's response
		however, in the absence of any agreement, Portsmouth Water has proposed, as set out in the following paragraphs, certain amendments to the draft Order.	
RR-253-40	The draft DCO	The changes Portsmouth Water seeks under this head include - Ref - PW09. Application document and provision - 3.1 draft Order, Schedule 8, protected rights. Change sought - Retain the protected right or substitute an equivalent protection.	Please refer to the Applicant's response to RR-253-35. As noted, Portsmouth Water benefits from a greater than equivalent protection by the simple expedient that it owns and operates the reservoir and can refuse to grant the necessary right of access to any person seeking to abstract from it contrary to the water supply requirements being secured by contract and set out in the joint summary of the commercial position, submitted at Deadline 1 as Appendix E to The Applicant's written summaries of oral submissions at OFH1 and ISH1 and post hearing actions (Document reference 8.9, DCO Volume 8, Version 0).
RR-253-41	The draft DCO	Ref - PW10. Application document and provision - 3.1 draft Order, Schedule 8. Change sought - Ring-fence Portsmouth Water's share of the abstraction.	Please refer to the Applicant's response to RR-253-35. Schedule 8 to the draft DCO [APP-023] secures the volume of abstraction required for the Havant Thicket Reservoir and the Project to meet the water supply need confirmed to be met by this infrastructure in Southern Water's WRMP24. In the unlikely event Portsmouth Water applies for its abstraction licence after the Applicant, paragraph 5 of Schedule 8 secures that a licence may be granted to Portsmouth Water of up to 25Ml/d (the volume of water required under the underlying commercial arrangements) without this being a derogation from the Applicant's abstraction rights. This ensures that Southern Water is not perversely incentivised by the legislative regime to refuse to agree to the grant of the planned licence to Portsmouth Water, for the same reasons as are explained in RR-253-35. It should, however, always be kept in mind that Portsmouth Water's commercial right to abstract water from Havant Thicket Reservoir is extremely restricted in nature, reflecting that it is not funding any part of the reservoir or the Project and that the benefit of this infrastructure is solely for Southern Water's customers.
RR-253-42	The draft DCO	Ref - PW11. Application document and provision - 3.1 draft Order, Schedule 8, paragraph 37. Change sought - Limit the guaranteed minimum to the Applicant's actual requirement.	Please refer to the Applicant's response to RR-253-35 and RR-253-41. Schedule 8 exactly secures the Applicant's actual requirement for water, namely the minimum amount of 115Ml/d that is, directly or indirectly, required for Southern Water to meet its duty under section 37 of the Water Industry Act 1991 to make supplies of water available to meet customer demand. This accords with the need established through the Water Resources Management Plan (WRMP) process and confirmed to be provided from Havant Thicket Reservoir in Southern Water's WRMP24 (due to be published in December 2026). As set out in the joint statement in Appendix E to The Applicant's written summaries of oral submissions at OFH1 and ISH1 and post hearing actions (Document reference 8.9, DCO Volume 8, Version 0) Portsmouth Water does not require or rely upon the water in the Havant Thicket Reservoir for the purposes of meeting its section 37 duty; it abstracts volumes from Havant Thicket Reservoir under a displacement bulk supply agreement solely to rebalance volumes supplied by it elsewhere to Southern Water.

Reference	Theme	Summary of issue raised	The Applicant's response
RR-253-43	The draft DCO	Ref - PW12. Application document and provision - 3.1 draft Order, Schedule 8, paragraph 38. Change sought - Recast so that 25 Ml/d is not an absolute aggregated ceiling.	Please refer to RR-253-35 and RR-253-37, and RR-253-36. As confirmed in the joint statement in Appendix E to The Applicant's written summaries of oral submissions at OFH1 and ISH1 and post hearing actions (Document reference 8.9, DCO Volume 8, Version 0) the commercial discussions for use of the Reservoir do not make provision for any potential future water requirement of Portsmouth Water. That is the case for a requirement that may be identified in a WRMP as a potential future need that may be met from the Reservoir, and continues to be the case in the event of such a need being confirmed, in a future WRMP, to be met from the Reservoir. This is consistent with the Reservoir being funded solely by Southern Water's customers, as opposed to being funded by both companies for a shared benefit. The full water supply to be provided by Havant Thicket Reservoir is required solely to meet the water supply duty of Southern Water and the needs of its customers. This key principle is recognised by Ofwat in [RR-232]: the Havant Thicket Reservoir project "is being delivered by Portsmouth Water *for the benefit of Southern Water's customers*" [emphasis added]. Abstraction by Portsmouth Water (or any third party) in excess of the total permitted volume of 25Ml/d is not envisaged by the contractual negotiations. If carried out, it would be contrary to the purpose of the Reservoir as confirmed by Ofwat, and has the potential to reduce the water available to Southern Water's customers. For further information on the harm any additional abstraction would cause, please refer to RR-253-38.
RR-253-44	The draft DCO	Ref - PW13. Application document and provision - 3.1 draft Order, Schedule 8, paragraph 38. Change sought - Clarify the licences to which the Part applies. (Portsmouth Water assumes it applies to a 'full licence'; if so, Portsmouth Water suggests paragraph 38 should be amended accordingly').	The Applicant does not consider that any clarification is needed. Paragraph 9(b) provides that the provisions of Part 5 of Schedule 8 to the draft DCO [APP-023] must be included in every full licence for abstraction from Havant Thicket Reservoir. Paragraph 38 therefore applies to any full licence for abstraction, and a further reference would only serve as a duplication. Notwithstanding this, the Applicant is considering whether the application of this provision should be extended to cover any 'full', 'transfer' or 'temporary' licence, noting that any abstraction in excess of 25Ml/d, whether temporary or for the purposes of transfer only, has the potential to derogate against the abstraction rights required to meet Southern Water's water supply duty, which have been established to be met from Havant Thicket Reservoir through the WRMP process.
RR-253-45	The draft DCO	Ref - PW14. Application document and provision - 3.1 draft Order, Schedule 8, paragraph 40. Change sought - Delete, or allocate responsibility on evidence rather than by residue.	Please refer to the Applicant's response to RR-253-35, RR-253-38 and RR-253-42. Schedule 8 secures for Southern Water the right to abstract the full water supply that is identified in WRMP24 (due to be published in December 2026) to be provided from Havant Thicket Reservoir to meet Southern Water's water supply duty. The approach to enforcement achieves this by effectively ringfencing that supply, reflecting that over abstraction has the practical effect of reducing Southern Water's ability to access the water supply that both the Havant Thicket Reservoir and the Project are intended to make available to it.

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			As confirmed in the joint statement in Appendix E to The Applicant's written summaries of oral submissions at OFH1 and ISH1 and post hearing actions (Document reference 8.9, DCO Volume 8, Version 0), the current commercial discussions for use of the Reservoir will not make provision for any water requirement of Portsmouth Water, whether such a requirement is merely identified in a WRMP as a potential future need that may be met from the Reservoir, or that may be confirmed in a future WRMP to be met from the Reservoir.
RR-253-46	The draft DCO	Ref - PW15. Application document and provision - 3.1 draft Order, Schedule 8, paragraph 40. Change sought - Define 'the aggregated limit'.	Please refer to RR-253-38.
RR-253-47	The draft DCO	Ref - PW16. Application document and provision - 3.1 draft Order, Schedule 8, Part 5. Change sought - Leave any failure to supply to the arrangements between the undertakers.	The Applicant confirms that nothing in Part 5 of Schedule 8 makes provision in respect of any failure of supply.
RR-253-48	The draft DCO	Ref - PW17. Application document and provision - 3.1 draft Order, Schedule 8, paragraph 2. Change sought - Remove the text after 'SU 715 097'.	The definition of "Havant Thicket Reservoir" to be read into the interpretation section of the Water Resources Act 1991 provides that the pipelines for the transfer of water between Havant Thicket Reservoir and Bedhampton Springs are to be part of the same source of supply. This part of the definition facilitates the point of abstraction being located at Bedhampton Springs, at the point where the shared infrastructure is split into the independent water supply networks of Portsmouth Water and the Applicant. If this was not done, individual abstraction licences would not be possible as it would be necessary for the point of abstraction to be located on land contiguous to the Reservoir, i.e. in a location where the infrastructure is shared and it would not be possible to determine how much water was abstracted by each party (see s35(2) of the Water Resources Act 1991). Responsibility for any over abstraction must be individually determinable. Were this not done, and a single abstraction licence shared, then a breach of that licence would result in a three-fold harm to Southern Water, explained in RR-253-38. The two-licence solution is one of a number of elements of Schedule 8 that are required in order to secure and enable Southern Water's compliance with its statutory supply duty as a water undertaker, given that it does not own, operate or control the reservoir that sits in the middle of the Project.
RR-253-49	The draft DCO	Ref - PW18. Application document and provision - 3.1 draft Order, Schedule 8, paragraph 11. Change sought - Delete, or disapply to licences granted to Portsmouth Water.	Please refer to RR-253-35. The requested change would re-introduce the perverse incentive that exists in the unmodified legislation whereby whomever obtains an abstraction licence first is commercially incentivised to refuse to consent to the grant of the second licence. Paragraph 11 provides a further purpose in that it ensures that any discussions that may be had between a third party and Portsmouth Water for use of the Reservoir are also required to be had with Southern Water, for whose

Reference	Theme	Summary of issue raised	The Applicant's response
			customers' benefit the water is held in the Reservoir. It removes from the EA the potential liability to pay compensation where the Secretary of State directs it to grant an abstraction licence that derogates from existing rights, and places it on the relevant developer, thereby ensuring that the loss of water supply relied upon by Southern Water is met by the party displacing that supply. Further, as set out in RR-253-6, Southern Water and Southern Water's customers alone are funding the Havant Thicket Reservoir and the Project, to meet the water need of Southern Water and its customers only. The contractual position, confirmed in the joint statement in Appendix E to 8.9, The Applicant's written summaries of oral submissions at OFH1 and ISH1 and post hearing actions, is that the commercial discussions for use of the Reservoir will not make provision for any future water requirement of Portsmouth Water, whether such a requirement is merely identified in a WRMP as a potential future need that may be met from the Reservoir, or that may be confirmed in a future WRMP to be met from the Reservoir. The Reservoir is being funded by and is for the sole benefit of Southern Water customers; it is not jointly funded infrastructure for a shared benefit.
RR-253-50	The draft DCO	Ref - PW19. Application document and provision - 3.1 draft Order, Schedule 8, paragraph 39(d). Change sought - Limit to what each undertaker reasonably requires.	The Applicant notes that paragraph 39(1)(d) requires the sharing of abstraction information and data between the holders of any full licence for water to be abstracted that has been conveyed along the shared pipelines. It is considered appropriate, given the use of shared infrastructure, that there should be open and transparent data sharing between the parties to those licences, that will support a complete understanding of the movement of water into and out of Havant Thicket Reservoir and into the public water supplies of the Applicant and Portsmouth Water. This level of information is critical for an effective Scheme of Operation, where water levels in the Reservoir and any discharge or abstraction by one party will directly (and in real-time) affect the actions of the other party. This provision is inherently self-limiting by virtue of paragraph 39(2), which strictly limits its effect to only licences that utilise the shared infrastructure. Data sharing is not imposed in relation to any other licence that may be held by either party.
RR-253-51	The draft DCO	Ref - PW20. Application document and provision - 3.1 draft Order, Schedule 8, paragraph 39(a). Change sought - Confirm the point of abstraction is the flow meter, not a grid reference.	Paragraph 39(a) requires that each full licence must specify within it the point of abstraction. The exact location will be subject to detailed design, which will inform the location of the relevant flow meters that will be used to record abstraction volumes. The approach of specifying that the point of abstraction to be specified within the licence must be at or near to a grid reference ensures that the point of abstraction is a flow meter located at or near to Bedhampton Springs, after the water leaves the shared pipeline and enters each party's individual water supply network, and not in a location contiguous with Havant Thicket Reservoir.

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RR-253-52	Legislation, policy and permits	Consents, permits and access to the regulator Proposed regulation 9A of the Water Resources (Abstraction and Impounding) Regulations 2006 (As proposed to be inserted by paragraph 15 of Part 2 to Schedule 8.) provides that an application in relation to abstraction or impounding in connection with the Reservoir 'may only be made with the consent of Southern Water Services Limited'. Equivalent constraints are proposed in relation to water discharge permits under the Environmental Permitting (England and Wales) Regulations 2016, including on revocation. (See paragraphs 22 to 24 of Part 3 to Schedule 8.)	The Applicant notes this comment.
RR-253-53	The draft DCO	Portsmouth Water owns the Reservoir and will operate it. Proposed regulation 9A(2)(a) disapplies the requirement for consent for a single anticipated licence application of up to 25 Ml/d. Beyond that single anticipated licence application, Portsmouth Water could not apply to the Environment Agency in connection with its own reservoir without the consent of another undertaker.	The Applicant notes this comment. Please refer to the Applicant's responses to RR-253-35, RR-253-37, RR-253-42, RR-253-43, RR-253-48 and RR-253-49. The Applicant also refers to the joint statement in Appendix E of 8.9, The Applicant's written summaries of oral submissions at OFH1 and ISH1 and post hearing actions. This confirms that the commercial discussions for use of the Reservoir will not make provision for any future water requirement of Portsmouth Water, whether such a requirement is merely identified in a WRMP as a potential future need that may be met from the Reservoir, or that may be confirmed in a future WRMP to be met from the Reservoir. Portsmouth Water has no need for the water in the Havant Thicket Reservoir and is not contributing to the funding of the reservoir in order to have any shared entitlement to the water. Portsmouth Water has only restricted rights, reflecting the displacement bulk supply agreement, where it is entitled to take a like quantity of water from the reservoir to that supplied to Southern Water at Gaters Mill for the purposes of Southern Water's supply duty. It is therefore correct that Portsmouth Water should not be able to apply for a further licence without Southern Water's consent. This is entirely appropriate as the benefit of the Havant Thicket Reservoir and the Project is for Southern Water's customers and the investment has not been shared by, and accordingly the benefit should not be shared with, Portsmouth Water customers. As confirmed in the joint statement, Portsmouth Water does not require or rely upon the water in Havant Thicket Reservoir for the purposes of meeting its section 37 duty, and any potential future water supply need would be subject to a further bulk supply agreement to include appropriate commercial terms for that supply.
RR-253-54	The draft DCO	The constraint on revocation, at proposed regulation 22 of the Environmental Permitting Regulations (See paragraph 24 of Part 3 to Schedule 8), is more serious still: revocation is the regulator's principal remedy, and the Order would make it exercisable only with the consent of a third party.	Part 4 of the Environmental Permitting (England and Wales) Regulations 2016 (the EP Regulations) provides for the enforcement and offences relating to environmental permits. Schedule 8 makes no modification of Part 4 of the EP Regulations and therefore does not restrict or limit the Environment Agency's power to enforce a breach of environmental permit, affect the offences created, or modify the penalties and enforcement undertakings. Regulation 37 provides that the Environment Agency may suspend an environmental permit by serving a suspension notice on the operator. The

Reference	Theme	Summary of issue raised	The Applicant's response
			effect of such a notice is that the environmental permit ceases to have effect to the extent stated in the notice, until the notice is withdrawn (Regulation 37(10). The modification made by paragraph 25 of Schedule 8 secures the permit for the discharge of the recycled water from unilateral revocation where there is no breach of that permit. This secures the sustainable supply of recycled water, required to increase the deployable output of Havant Thicket Reservoir, for as long as it is required. It in no way limits the action that the Environment Agency may take in the event the conditions of the permit were breached.
RR-253-55	The draft DCO	Paragraph 4 of Schedule 8 would also change the enforcement test as it applies to the Water Resources Act 1991. At this reservoir alone, so far as Portsmouth Water is aware, the condition for an enforcement notice would no longer be that the breach is likely to cause significant environmental damage, but that there is likely to be a risk to the resilience of a public water supply. The reservoir sits in a karstic chalk catchment above Portsmouth Water's springs; it is therefore essential for Portsmouth Water's undertaking that the integrity of these springs is maintained. Portsmouth Water considers the Environment Agency should retain its powers to ensure there is an appropriate standard for water supply and an appropriate environment for local wildlife.	The Applicant notes this comment. The Applicant is confident that any over abstraction would give rise to a risk to public water supplies before any risk of environmental harm arises. Notwithstanding this, the Applicant is content to amend paragraph 4 of Schedule 8 to reinstate the ability of the EA to issue an enforcement notice where there is a risk of environmental harm, and to clarify the mechanism by which the EA would be aware that there is a risk to a public water supply. The Applicant intends to discuss revised drafting with the EA and this amendment will be included in an update to the draft DCO in due course.
RR-253-56	The draft DCO	The changes Portsmouth Water seeks under this head include - Ref - PW21. Application document and provision - 3.1 draft Order, Schedule 8 Part 2 - A&I Regs, paragraph 15, proposed regulation 9A. Change sought - Remove the requirement to obtain the Applicant's consent. (The effect of this request is that paragraphs (1) and (2) of proposed regulation would be omitted).	Paragraph 15 of Schedule 8 provides protection for the Applicant in recognition that the Project relies on the Havant Thicket Reservoir as a fundamental component, and that use of the Reservoir is fundamental to Southern Water's water supply duty, but that the Reservoir is an asset that is owned, operated, managed and controlled by a third party. In order to secure the public benefits of the Project, and to secure that the Applicant can comply with its statutory duties as intended, it is important to ensure that it is not possible for a third party to unilaterally apply for new licences, variations to existing licences, or to surrender licences that would directly affect the security of the water supply to be provided by the Project. This drafting addresses the risks to the Project that are inherent in the reliance on third party infrastructure that the Applicant does not own and control.
RR-253-57	The draft DCO	Ref - PW22. Application document and provision - 3.1 draft Order, Schedule 8 Part - EP Regs, regulations 13 (inserted by paragraph 22), 20 (paragraph 23) and 22 (paragraph 24). Change sought - Remove the requirement for the Applicant's consent. (The effect of this request is that paragraphs 22 to 24 would be omitted).	Paragraphs 22 to 24 of Schedule 8 provide protection for the Applicant in recognition that the Project relies on the Havant Thicket Reservoir as a fundamental component, but this is an asset that is owned, operated, managed and controlled by a third party. In order to secure the public benefits of the Project, it is important to ensure that it is not possible for a third party to unilaterally apply for new discharge permits, or to vary or surrender any existing permit, as this would directly affect the security and quality of the water supply to be provided by the Project. This drafting addresses the risks to the Project that are inherent in the reliance on third party infrastructure that the Applicant does not own and control.

Reference	Theme	Summary of issue raised	The Applicant's response
RR-253-58	The draft DCO	Ref - PW23. Application document and provision - 3.1 draft Order, Schedule 8 Part 3 - EP Regs, revocation. Change sought - Delete the constraint on the Environment Agency's power of revocation.	Please refer to the Applicant's response to RR-253-54. The modifications in Schedule 8 do not affect the enforcement powers available to the regulator.
RR-253-59	The draft DCO	Ref - PW24. Application document and provision - 3.1 draft Order, Schedule 8 Parts 2 and 3. Change sought - Confer equal rights of notification, representation, hearing and appeal upon Portsmouth Water.	The provisions referred to provide protection for Southern Water in recognition that the Project relies on the Havant Thicket Reservoir as a fundamental component, but this is an asset that is owned, operated, managed and controlled by a third party. It also reflects, as set out in RR-253-6 and RR-253-17, that the Havant Thicket Reservoir and the Project are being delivered for the benefit solely of Southern Water's customers, and that Portsmouth Water does not rely on the reservoir to meet its water supply duty. In order to secure the public benefits of the Project, it is important to ensure that Southern Water is consulted and given full rights to be heard in relation to an application, addressing the risk that, as it does not own the Havant Thicket Reservoir, it is not able simply to refuse to allow a third party to access, use or otherwise affect the Reservoir. As noted in RR-253-40, Portsmouth Water, as the owner and operator of Havant Thicket Reservoir, does not require equivalent provision as it does not incur the same risk as this arises from the use of third party assets. Portsmouth Water, as the owner of the Reservoir, is able simply to refuse to allow a third party to access, use or affect the Reservoir, and can ensure as part of that contractual arrangement that the rights are only given to the third party if the relevant licence or permit is granted on terms that are acceptable to Portsmouth Water. There is therefore no gap in Portsmouth Water's protection to be rectified by the draft DCO.
RR-253-60	The draft DCO	Ref - PW25. Application document and provision - 3.1 draft Order, Schedule 8, paragraphs 4 (of Part 1) and 19 of Part 2. Change sought - Delete paragraphs 4 and 19 (and therefore restore the 'significant environmental damage' test.	Please refer to the Applicant's response to RR-253-55.
RR-253-61	The draft DCO	Ref - PW26. Application document and provision - 3.1 draft Order, Schedule 8, paragraph 10. Change sought - Delete, and confirm the scope of the words 'within, adjacent to or an extension of Havant Thicket Reservoir) in proposed regulation 9A(7)(c) (which would be inserted by paragraph 15).	The Applicant considers that each of the words highlighted has a plain English meaning, and that the draft DCO uses these words in accordance with that plain English meaning. Any attempt to define terms that have a plain English meaning is likely to lead to a reduction of clarity and risks protracted argument about how the strictly defined term applies to a given scenario. This risk is especially true where the term is not used in any limited or particular manner that deviates from the plain English meaning.
RR-253-62	The draft DCO	Protection of Portsmouth Water's sources and water quality Article 46(1)(g) would disapply byelaws made under section 157 of the Water Industry Act 1991 in relation to the authorised development. Portsmouth Water is conducting an analysis of its byelaws to properly consider the effect of disapplication on its undertaking. Until satisfied that disapplication will not have a detrimental effect, Portsmouth Water seeks an exemption for its byelaws from article 41(1)(g). Portsmouth Water would be content for such an	The Applicant notes that Portsmouth Water's byelaws are disapplied in relation to the construction, operation and maintenance of the authorised development; they are not disapplied generally. This approach ensures that the byelaws will continue to apply, save where they would operate to impede the delivery of the Project. This is done so that the development authorised by the DCO can be lawfully implemented as intended by the Secretary of State, without breaching other legislation, namely the byelaws.

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		exemption to be included in the Protective Provisions included in Schedule 10 to the draft Order.	Protective provisions for Portsmouth Water are provided in Part 3 of Schedule 10 to the draft DCO [APP-023], which apply to protect Portsmouth Water's undertaking ensuring that detriment will not be caused even though the byelaws would not apply.
RR-253-63	Construction impacts and effects	The commitments which protect Source Protection Zone 1 are triggered by a screening question in the Outline Foundation Works Risk Assessment (application document 7.4) [APP417]. At Table 3-3 of that document the Applicant asks, for each structure, whether it is 'In groundwater SPZ and abstractions within 250 m?'. For the Mill Lane East shaft the answer given is 'No', in a row which in the same cell records that a Source Protection Zone 1 lies approximately 35 metres north, that a groundwater abstraction lies approximately 155 metres north-east of the shaft, that 'The abstraction is operated by Portsmouth Water', and that it is permitted for 'up to 137,000m3 of groundwater per day for public drinking water supply'.	The question provided in the heading states whether the structure is in the groundwater SPZ and abstractions within 250m inclusive. Whilst the Mill Lane East shaft does have a groundwater abstraction within 250m, it is not in a groundwater SPZ with the nearest SPZ being 35m north of the shaft. As such the answer of 'No' is correct as only one of the conditions has been met. However, given the site is located only 35m from an SPZ1 and only 155m from an abstraction point and to provide a suitably conservative assessment, the shaft does undergo further risk assessment later in the report, particularly in Section 4.6 of the Outline Foundation Works Risk Assessment - 1 of 3 documents [APP-417], from paragraph 4.6.18, with regard to Pollution Scenario 3, *"contamination of groundwater and, subsequently, surface waters by wet concrete, cement paste, or grout"* which goes on to determine that the risk is Low - Moderate noting that *"the receptor Sensitivity is rated very conservatively as it is only close to and not within an SPZ. A reduced Sensitivity rating from 'Very high' to 'High' would result in a consequence of 8 ('Mild'), reducing the Risk to 'Moderate/ Low' to 'Very low'"*. The Applicant has not amended the outline FWRA [APP-417] as requested as doing so would introduce an error into the assessment, because the location of the shaft is outside of the SPZ1. The commitments to protect the SPZ1 are also secured in the outline CEMP, and apply in the circumstances set out in the outline CEMP. To ensure that there is complete clarity that the Applicant must consult with Portsmouth Water on this matter, the Applicant has updated measure LQGC8 in the Outline CEMP – 1 of 3 documents (Document reference 7.1, DCO Volume 7, Version 1) to explicitly include the Mill Lane East shaft and Mill Lane West shaft, so that the relevant water company, Portsmouth Water, will be consulted on the detailed FWRA for these works.
RR-253-64	Construction impacts and effects	An abstraction 155 metres from the shaft is clearly within 250 metres of it and so Portsmouth Water would expect a risk assessment to have been undertaken in respect of the Mill Lane East shaft. Because the commitments which protect Source Protection Zone 1 are triggered by that screening, an answer of 'No' removes Portsmouth Water from the consultation the Outline Construction Environmental Management Plan (application document 7.1) [APP-412] otherwise provides.	Please refer to the Applicant's response to RR-253-63.
RR-253-65	Water environment	Appendix 19.3, the hydrological impact assessment (application document 6.2) [APP-198], records at paragraph 5.5.2 that the pipelines east of Mill Lane "would consist of a section of above-ground pipelines within Bedhampton Springs over a distance of approximately 200m", because of the proximity to	The Applicant acknowledges the comment from Portsmouth Water that paragraph 5.5.2 of ES Appendix 19.3 Hydrogeological Impact Assessment [APP-198] does mention using above-ground pipelines within Bedhampton

Reference	Theme	Summary of issue raised	The Applicant's response
		the abstraction and the location within Source Protection Zone 1. Graphic D 11 to the same appendix shows a mixture of above-ground and open-cut pipeline through that length, and no requirement in Schedule 2 requires the pipelines there to be laid above ground.	Springs to avoid the SPZ, whereas other figures and documents show a mixture of open-cut and above ground infrastructure. The wording in paragraph 5.5.2 of ES Appendix 19.3 Hydrogeological Impact Assessment [APP-198] was not intended to preclude potential shallow works east of Mill Lane, and does not impact the conclusions of our hydrogeological impact assessment, which has considered that shallow open-cut excavations may be undertaken in the SPZ1 with the control measures implemented as per the Outline Construction Environmental Management Plan (CEMP) – 1 of 3 documents (Document Reference 7.1, DCO Volume 7, Version 1). Schedule 2 to the draft Development Consent Order (DCO) [APP-023] does not include any requirement in relation to the pipeline being laid above ground. There are constraints on the Bedhampton site which mean that above ground pipework may not be feasible in some areas and managed shallow open-cut excavations would be required; this would be worked through as part of detailed design. The Design Principles Document (Document Reference 5.11, DCO Volume 5, Version 1) includes a design principle which relates to groundwater resources. Design principle PL_4 states that the Project should seek to minimise works that interact with the chalk within SPZ1 and SPZc as far as reasonably practicable. It also notes that where interaction with the chalk in SPZ1 or SPZc cannot be avoided works are to be undertaken in line with the measures in the Outline CEMP – 1 of 3 documents (Document Reference 7.1, DCO Volume 7, Version 1). The Outline CEMP – 1 of 3 documents (Document Reference 7.1, DCO Volume 7, Version 1) (Section A.3) does restrict trenchless crossings in this area, which would be the highest risk to the SPZ1. The Outline CEMP – 1 of 3 documents (Document Reference 7.1, DCO Volume 7, Version 1) also requires the contractor to prepare a Risk Assessment and Method Statement (RAMS) specific to works within SPZ, which would be agreed with the relevant parties post-consent (Requirement WE2). Please refer to Appendix A in The Applicant's response to ISH1 post hearing action 1(b) and 1(c) (Document Reference 8.14, DCO Volume 8, Version 0) for further information about the need to retain flexibility for the pipelines in the vicinity of Bedhampton Springs. The Applicant has updated also measure LQGC8 in the Outline CEMP – 1 of 3 documents (Document reference 7.1, DCO Volume 7, Version 1) to include an express reference to the Mill Lane East shaft and Mill Lane West shaft, so that the relevant water company will be consulted on the detailed FWRA for these works.
RR-253-66	Design principles	The design principles are secured by requirement 3 of Schedule 2, which provides that the authorised development must be constructed 'substantially in	The post consent approval function under requirement 3(3) relates to the external appearance of above ground installations. The Applicant is unclear on

Reference	Theme	Summary of issue raised	The Applicant's response
		accordance with the relevant design principles' and permits the relevant planning authority to approve a detailed design which departs from them where it is satisfied that to do so 'would not give rise to any materially new or materially different environmental effects in comparison with those reported in the environmental statement'. Portsmouth Water is not consulted on that approval, and it wishes to be.	how the subject matter of the requirement has any bearing on Portsmouth Water's functions. Please refer to the Applicant's response to RR-253-72. Protective Provisions for Portsmouth Water have been included at Part 3 of Schedule 10 to the draft DCO [APP-023] and operate to protect Portsmouth Water's undertaking from harm.
RR-253-67	Water environment	Paragraphs D.6.3.2 and D.6.3.3 of Annex D to ES Appendix 19.3 anticipates, for the Mill Lane West shaft, a zone of influence of dewatering of 1,540.6 metres, and states that because of the dominant hydraulic boundary this is likely to be significantly smaller. That boundary is the feature which delivers spring flow to Bedhampton.	The Applicant acknowledges the comment from Portsmouth Water that paragraph D.6.3.3 of ES Appendix 19.3 Hydrogeological Impact Assessment [APP-198] states that the actual Zone of influence for Mill Lane West shaft is likely to be significantly smaller and constrained to the local area due to the dominant hydraulic boundaries in the area which are of importance to the Bedhampton Springs. The calculations in Annex D of ES Appendix 19.3 Hydrogeological Impact Assessment [APP-198] are based on an outline design and may be subject to change, as the design of the shafts will be developed in the detailed design stage. Any dewatering operations required and appropriate mitigation and monitoring would be identified and consented through the abstraction licensing process, post DCO. Environmental measure WE16 in Outline Construction Environmental Management Plan (Document Reference 7.1, DCO Volume 7, Version 1) notes that: *'The Contractor will undertake any dewatering operations in compliance with the appropriate abstraction licences and discharge permits, including monitoring and mitigation measures (also see WE9).* *As opposed to consumptive groundwater abstractions, mitigation measures are available to temporary dewatering operations to reduce groundwater flow to the abstraction point or return the abstracted water to the environment. Should any additional mitigation measures be identified as required following monitoring, these may include:* *- Limiting the extent of the excavation or dewatering system so that the zone of dewatering influence does not affect sensitive features.* *- Using 'closed-circuit' dewatering systems that involve recharging the abstracted water to ground within or close to the site, rather than pumping off-site.* *- Recharging the abstracted water directly into surface watercourses, lakes or other water features that could potentially be affected.* *- Installation of a low-permeability cut-off barriers around all or part of the site, or between the excavation and sensitive features (alternatively fissure grouting may be feasible in fractured bedrock).* *- Providing alternative water supplies to impacted abstractions.*

Reference	Theme	Summary of issue raised	The Applicant's response
			- Continuous monitoring of water levels in nearby receptors, or flows in watercourses, so that additional mitigation measures can be provided as required.' In addition, the Applicant has updated measure LQGC8 in the Outline CEMP – 1 of 3 documents (Document reference 7.1, DCO Volume 7, Version 1) to include the Mill Lane East shaft and Mill Lane West shaft, so that the relevant water company will be consulted on the detailed FWRA for these works.
RR-253-68	The draft DCO	Portsmouth Water is named extensively in the Outline Water Monitoring Plan (ES Appendix 19.9, application document 6.2) [APP-204], but nothing in the Order secures that role, and the Reservoir is not among the receptors to be monitored.	Please refer to the Applicant's response to RR-253-78. The ES Appendix 19.9 Outline Water Monitoring Plan [APP-204] is intended to be utilised to specify monitoring requirements in relation to construction of the Project. Havant Thicket Reservoir and the shared pipelines between the Reservoir and Bedhampton Springs are being constructed by Portsmouth Water. The DCO does not include any works at the Reservoir and the Reservoir is therefore not a relevant receptor that may be affected by the Applicant's construction works. Please also refer to the Applicant's response RR-253-72 for the Applicant's position regarding Portsmouth Water's role in the Outline Water Monitoring Plan.
RR-253-69	The draft DCO	The changes Portsmouth Water seeks under this head include - Ref - PW27. Application document and provision - 3.1 draft Order, article 46(1). Change sought - Exempt any of Portsmouth Water's byelaws made under section 157 byelaws from the power in article 46(1).	Please refer to the Applicant's response to RR-253-62.
RR-253-70	Construction impacts and effects	Ref - PW28. Application document and provision - 7.4 Outline Foundation Works Risk Assessment, Table 3-3. Change sought - Correct the screening answer and bring Portsmouth Water within the consultation regime.	Please refer to the Applicant's response to RR-253-63.
RR-253-71	EIA approach and methodology	Ref - PW29. Application document and provision - 6.2 ES Appendix 5.5 Commitments Register; 7.1 Outline CEMP. Change sought - Name Portsmouth Water in place of 'the relevant water company'.	The Applicant acknowledges Portsmouth Water's request to replace references to 'the relevant water company' with 'Portsmouth Water' in ES Appendix 5.5 Commitments Register [APP-108] and the Outline CEMP – 1 of 3 documents (Document Reference 7.1, DCO Volume 7, Version 1). After consideration, the Applicant considers it appropriate to retain the term 'the relevant water company' within these documents. This terminology has been used to provide flexibility across the Project where responsibilities may relate to different water undertakers, infrastructure owners or operational arrangements, depending on the location and nature of the works. The Applicant considers that the existing wording remains sufficiently clear and does not affect the implementation or enforceability of the relevant commitments and mitigation measures. As explained above, the Applicant has updated measure LQGC8 in the Outline CEMP – 1 of 3 documents (Document reference 7.1, DCO Volume 7, Version 1) to include the Mill Lane East shaft and Mill Lane West shaft, so that the relevant water company will be consulted on the detailed FWRA for these

Reference	Theme	Summary of issue raised	The Applicant's response
			works. This update has also been reflected in ES Appendix 5.5 Commitments Register (Document reference 6.2, DCO Volume 6, Version 1).
RR-253-72	The draft DCO	Ref - PW30. Application document and provision - 3.1 draft Order, Schedule 2, requirements. Change sought - Portsmouth Water ought to be consulted as part of discharge of certain requirements including requirements 3 (detailed design) and 16 (water monitoring). Alternatively, equivalent protections should be included in the Protective Provisions included in Schedule 10 to the draft Order.	The Applicant does not consider there to be any need for PW to be a named consultee under Requirement 3 of Schedule 2 to the draft DCO [APP-023]. Requirement 3 requires the authorised development to be constructed substantially in accordance with the relevant design principles, set out in the Design Principles Document (Document Reference 5.11, DCO Volume 5, Version 1). The Requirement relates to the external appearance of the above ground installation, requiring consultation with the South Downs National Park Authority whose interest in the visual impact to the National Park from Work Nos. 5B, 5C and 5D is clear. Detailed design approval under Requirement 3 rests solely with the relevant local planning authorities. To the extent there is any interaction between a design to which the parameters in the Design Principles Document (Document Reference 5.11, DCO Volume 5, Version 1) apply and Portsmouth Water's assets, the Protective Provisions for Portsmouth Water at Part 3 of Schedule 10 to the draft DCO [APP-023] have effect including, at paragraph 24, a requirement for a plan of specified works to be submitted to and approved by Portsmouth Water. It is not considered that the external appearance of above ground infrastructure is a matter within Portsmouth Water's remit as a statutory water undertaker and, accordingly, the Applicant does not consider there is any basis to add Portsmouth Water as a consultee to Requirement 3. With regard to Requirement 16, the Applicant intends to update this at the first available opportunity to list Portsmouth Water as a consultee on the Water Monitoring Plan, insofar as this relates to Portsmouth Water's undertaking, i.e. the Bedhampton and Havant Springs Public Water supplies. This ensures consistency with the commitments made in the Outline Water Monitoring Plan [APP-204] to consult with Portsmouth Water on the Water Monitoring Plan.
RR-253-73	The draft DCO	Ref - PW31. Application document and provision - Not used. Change sought - Not used.	The Applicant notes that this reference is not used.
RR-253-74	The draft DCO	Ref - PW32. Application document and provision - 3.1 draft Order, Schedule 2 (new requirement). Change sought - Require the pipelines at Bedhampton Springs to be laid above ground, in accordance with the details included at paragraph 5.5.2 of [APP-198].	Please refer to the Applicant's response to Appendix A of 8.9, The Applicant's written summaries of oral submissions at OFH1 and ISH1 and post hearing actions, which sets out the need for retained flexibility to lay pipelines underground in this area and the ways in which the aquifers will be protected during these works. For the reasons set out in that Appendix, the Applicant is unable to make the changes sought in relation to requiring the pipelines at Bedhampton Springs to be laid above ground.
RR-253-75	Water environment	Ref - PW33. Application document and provision - 6.2 ES Appendix 19.3, Graphic D11. Change sought - Correct the graphic to accord with paragraph 5.5.2	Please refer to the Applicant's response to RR-253-65. For the reasons set out in that response, the Applicant is unable to make the changes sought in relation to requiring the pipelines at Bedhampton Springs to be laid above ground.

Reference	Theme	Summary of issue raised	The Applicant's response
RR-253-76	Water environment	Ref - PW34. Application document and provision - 6.2 ES Appendix 19.3, Appendices D.6 and D.7. Change sought - Revisit the dewatering assessment with Portsmouth Water.	The calculations in Annex D of ES Appendix 19.3 Hydrogeological Impact Assessment [APP-198] are based on an outline design and may be subject to change, as the design of the shafts will be developed in the detailed design stage. Any dewatering operations and appropriate mitigation and monitoring would be identified and consented through the abstraction licensing process, post DCO. Due to the above, the Applicant therefore considers that potential impacts have been appropriately assessed at this stage within the Environmental Statement and that a proportionate and enforceable framework of mitigation and control measures has been established through the Development Consent Order Application documents. Further assessment would be undertaken during the detailed design stage, as part of the environmental permitting process for dewatering operations.
RR-253-77	Water environment	Ref - PW35. Application document and provision - 6.2 ES Appendix 19.3, Section E, paragraph 5.6.7 onwards. Change sought - Assess the water quality risk to the Maindell abstraction.	As noted in ES Appendix 19.3 Hydrogeological Impact Assessment [APP-198], the SPZ2 and SPZ3 of the Maindell abstraction is crossed by the proposed pipeline in Section F, including at the location of the proposed river Wallington crossing. The Maindell abstraction is approximately 1.4km south of the trenchless crossing. Potential impacts of the Project on the quantity and quality of groundwater resources are considered in ES Appendix 19.3 Hydrogeological impact Assessment [APP-198] and this has informed the specification of environmental measures set out in ES Appendix 19.9 Outline Water Monitoring Plan [APP-204] and Outline Construction Environmental Management Plan – 1 of 3 documents (Document Reference 7.1, DCO Volume 7, Version 1). Relevant environmental measures within the Outline Construction Environmental Management Plan – 1 of 3 documents (Document Reference 7.1, DCO Volume 7, Version 1) include the following: • WE1: The Contractor will adhere to the Environment Agency's Approach to Groundwater Protection (2018) framework. • WE2: The Contractor will prepare a RAMS, specific to works within Source Protection Zones in accordance with the Outline Water Monitoring Plan. • WE3: A Voids Treatment Protocol will be developed by the Contractor to set out how voids encountered during construction within the chalk will be mitigated to avoid pollution or flow impacts on groundwater bodies. • WE7: The design of piled foundations and deep structures will include a Foundation Works Risk Assessment, undertaken in accordance with relevant CL:AIRE published guidance. The Contractor will also undertake a Piling Risk Assessment to develop site-specific measures to manage risks to potable water supplies.

Reference	Theme	Summary of issue raised	The Applicant's response
			• WE16: The Contractor will undertake any dewatering operations in compliance with the appropriate abstraction licences and discharge permits, including monitoring and mitigation measures. • WE17: Any trenchless construction works will use a methodology that excludes groundwater, unless agreed with the Environment Agency beforehand. The Applicant therefore considers that potential impacts on the Maindell abstraction have been appropriately assessed at this stage within the Environmental Statement and that a proportionate and enforceable framework of mitigation and control measures has been established through the DCO Application documents. Any groundwater control at the river Wallington would be undertaken in line with relevant abstraction licences and environmental permits.
RR-253-78	Water environment	Ref - PW37. Application document and provision - 6.2 ES Appendix 19.9 Outline Water Monitoring Plan, section 4.3. Change sought - Include Havant Thicket Reservoir as a receptor.	The ES Appendix 19.9 Outline Water Monitoring Plan [APP-204] is intended to be utilised to specify monitoring requirements in relation to construction of the Project. As such, the Applicant considers it is not appropriate for Havant Thicket Reservoir to be included as a receptor as it is not impacted by construction activities undertaken as part of the Project. Havant Thicket Reservoir and the pipelines connecting the reservoir to Bedhampton Springs are being carried out by Portsmouth Water pursuant to planning permissions; the Project will connect to these pipelines at Bedhampton Springs. The draft DCO [APP-023] does not authorise construction works to be carried out at or near Havant Thicket Reservoir. The monitoring plan is intended to compliment, rather than duplicate, the existing environmental permitting regime. The monitoring requirements for the operational discharge of the Water Recycling Plant will be subject to and controlled by the environmental permit.
RR-253-79	Water environment	Ref - PW38. Application document and provision- 6.2 ES Appendix 19.9 Outline Water Monitoring Plan, sections 4.6.2, 4.6.3 and 4.6.6. Change sought - Include water quality triggers and liaison with Portsmouth Water.	The Applicant considers that these matters are already sufficiently addressed in section 3.6 of ES Appendix 19.9 Outline Water Monitoring Plan [APP-204], which identifies an outline water quality monitoring suite to be developed with stakeholders on a risk dependent basis. Paragraph 3.6.3 notes that *'an indicative water quality monitoring suite is outlined in Table 3-2. The final sampling suite and limits of detection will be agreed with the EA (and water companies when relevant to their public water supplies).'*. The output from the water recycling plant will be controlled by an environmental permit which will include conditions in relation to the parameters for water quality. The Applicant does not consider that there is any justification for the DCO to provide for alternative water quality triggers or parameters with

Reference	Theme	Summary of issue raised	The Applicant's response
			Portsmouth Water in light of the applicable regulatory regime. Please also refer to Appendix F of 8.9, The Applicant's written summaries of oral submissions at OFH1 and ISH1 and post hearing actions, which explains the *Gateshead* principle and how it applies to the application for development consent for the Project.
RR-253-80	Water environment	Ref - PW39. Application document and provision - 6.2 ES Appendix 19.9 Outline Water Monitoring Plan, Table 3-2. Change sought - Align the monitoring suite with the risks already identified.	As noted in RR-253-79, paragraph 3.6.3 of ES Appendix 19.9 Outline Water Monitoring Plan [APP-204] states *'an indicative water quality monitoring suite is outlined in Table 3-2. The final sampling suite and limits of detection will be agreed with the EA (and water companies when relevant to their public water supplies).'* The Applicant considers that the outline monitoring suite captures likely determinands, but also allows flexibility as the design is further developed and to enable alignment with any environmental permits that will be obtained post-consent. Please also refer to the Applicant's response to RR-253-78 and RR-253-79.
RR-253-81	The draft DCO	Ref - PW40. Application document and provision - 6.2 ES Appendix 19.9 Outline Water Monitoring Plan. Change sought - Secure Portsmouth Water's role by requirement.	Please refer to the Applicant's responses to RR-253-68 and RR-253-72.
RR-253-82	The draft DCO	Commissioning and the admission of water Commissioning is referred to once in the operative parts of the Order. Article 38(13)(a) contemplates that water is supplied into the water supply network during commissioning and testing. No requirement in Schedule 2 mentions commissioning, testing or first supply.	The Applicant assumes that the concern in relation to commissioning relates to the commissioning of the water recycling plant and the potential for water to enter the shared Havant Thicket Reservoir infrastructure during this time. Please refer to RR-253-87 which sets out how the water recycling plant will be commissioned. It should be noted that the output of the water recycling plant will be subject to an environmental permit, including during commissioning. As such, the commissioning risks are already appropriately controlled by the environmental permitting regime. Paragraph 3.8.3 of the National Policy Statement for Water Resources Infrastructure confirms that the Secretary of State "should work on the assumption that, in terms of the control and enforcement, the relevant pollution control or other consenting regime will be properly applied and enforced. Decisions under the Planning Act should complement *but not duplicate* those taken under the relevant pollution control regime" [emphasis added]. Accordingly, it would not be appropriate for Schedule 2 to include any Requirement relating to the quality of the water to be discharged into the reservoir. The Applicant also notes that article 38 of the draft DCO [APP-023] provides the Applicant with the power to temporarily use land for the purpose of maintaining the authorised development for a time limited "maintenance period". Paragraph (13)(a) of that article merely defines one of the applicable

Reference	Theme	Summary of issue raised	The Applicant's response
			time limited periods during which temporary possession for maintenance purposes may be taken. Please also refer to Appendix F of 8.9, The Applicant's written summaries of oral submissions at OFH1 and ISH1 and post hearing actions, which explains the *Gateshead* principle and how it applies to the application for development consent for the Project.
RR-253-83	Portsmouth Water proposal	The recycled water enters Portsmouth Water's pipelines at Portsmouth Water's own source site. The Statement of Reasons (application document 4.1) [APP-025] records at paragraph 4.4.3 that 'Connection infrastructure would be developed at Bedhampton Springs to connect into Portsmouth Water's pipelines between Bedhampton Springs and Havant Thicket Reservoir'.	The Applicant notes this comment.
RR-253-84	The draft DCO	Commissioning is the period of greatest risk to water quality, and it is noted that no requirement in Schedule 2 provides a mechanism for (say) acceptance criteria, a mechanism for the exchange of information between the undertakers, or any means by which Portsmouth Water may withhold admission or require that it cease. Having discussed this point in correspondence with the Applicant ahead of the submission of this Relevant Representation, the Applicant has stated the ordinary Environmental Permitting regime will regulate commissioning. Portsmouth Water is considering this point further and is considering whether changes to the Order would aid in clarifying this point.	The Applicant confirms that, due to the nature of the water recycling plant, all discharges, including those associated with commissioning, may only be made where they are in accordance with the conditions of an environmental permit. Please refer to RR-253-82.
RR-253-85	The draft DCO	Nor does the Order fix the quality of the water to be admitted. ES Chapter 3 (application document 6.1) [APP-082] records at paragraph 3.6.11 that the future water quality envelope remains dependent on discussions with the Environment Agency, while the assessments at ES Chapter 19 (application document 6.1) [APP-098] proceed on the basis that no change occurs, and sub-paragraph 5 of paragraph 19.8.63 predicts a future "high" status for the Reservoir. The Environmental Statement therefore predicts an outcome which rests on an envelope expressly left to be agreed after the Order is made.	Please refer to the Applicant's responses to RR-253-78, RR-253-79, RR-253-80 and RR-253-82. The water quality of the output from the water recycling plant will be controlled by and managed in accordance with the environmental permit.
RR-253-86	The draft DCO	Portsmouth Water's would welcome clarification as to how its minimum water quality standards for the Applicant will be maintained for that discharge. The way in which that quality is achieved is a matter for the Applicant. Portsmouth Water will hold that water in its reservoir and answer for its wholesomeness. The limits which define a discharge acceptable to Portsmouth Water, and the circumstances in which a discharge is to cease, have been developed and are being agreed between the two undertakers. They are not secured in the Order and Portsmouth Water would welcome clarification as to how this will be managed.	Please refer to the Applicant's responses to RR-253-78, RR-253-79, RR-253-80 and RR-253-82. It is noted that the environmental discharge permit is the applicable regulatory regime that will specify the water quality parameters applicable to the discharge into the Havant Thicket Reservoir. Duplication of the measures and controls that will be stipulated by the environmental permit would be disproportionate and create an onerous duplication across regimes that is both contrary to the National Policy Statement for Water Resources Infrastructure and unnecessary. The Applicant does not consider that there is any justification to agree alternative water quality parameters with Portsmouth Water in light of the applicable regulatory regime.

Reference	Theme	Summary of issue raised	The Applicant's response
			Operational considerations related to matters such as the flow rate of water from the water recycling plant is a matter for the Scheme of Operation to be agreed or determined under article 5 of the draft DCO [APP-023]. Please also refer to Appendix F of 8.9, The Applicant's written summaries of oral submissions at OFH1 and ISH1 and post hearing actions, which explains the *Gateshead* principle and how it applies to the application for development consent for the Project.
RR-253-87	The water recycling process	For the avoidance of doubt, Portsmouth Water's comments in this section are focused on the commissioning stage and not about (say) the quality of recycled water per se. Portsmouth Water is confident in the quality and wholesomeness of recycled water from a properly commissioned plant	The Applicant notes this comment and that Portsmouth Water's concerns relate only to the water quality verification being developed during the commissioning process. During the commissioning period, recycled water will be discharged via the Long Sea Outfall (LSO) until compliance with the regulated and water quality parameters specified in the environmental permit for discharge into the Havant Thicket Reservoir have been demonstrated. Recycled water will not be discharged into the operational system until these requirements have been met, as controlled through the environmental permitting regime.
RR-253-88	The draft DCO	The changes Portsmouth Water seeks under this head include- Ref - PW41. Application document and provision - 3.1 draft Order, Schedule 2 (new requirement or (Schedule 10, Part 3) Protective Provisions, as appropriate). Change sought - Portsmouth Water seeks a new provision, the effect of which would be to - Prohibit water from being supplied by any part of the authorised development to the water supply network during commissioning and testing until: • the Applicant and Portsmouth Water have agreed acceptance criteria for that supply; and • an interface protocol (covering matters including the period of notice that the undertaker must provide to Portsmouth Water before any supply occurs) has been agreed between the undertakers.	The Applicant notes that this request is consistent with the existing provision made in article 5 for a Scheme of Operation to be agreed or, in default of agreement, determined by the Secretary of State. No amendment to the draft DCO [APP-023] is therefore required.
RR-253-89	The draft DCO	Ref - PW42. Application document and provision - 3.1 draft Order, Schedule 2 (new requirement) or (Schedule 10, Part 3) Protective Provisions, as appropriate). Change sought - Portsmouth Water seeks a new provision, the effect of which would be to - Prohibit water from being admitted by any part of the authorised development to the Reservoir except in accordance with a protocol agreed with Portsmouth Water. The protocol would include such matters as: • The limits of admission; • Provision for monitoring of the admission by Portsmouth Water;	The Applicant notes that this request is consistent with the existing provision made in article 5 for a Scheme of Operation to be agreed or, in default of agreement, determined by the Secretary of State. No amendment to the draft DCO [APP-023] is therefore required.

Reference	Theme	Summary of issue raised	The Applicant's response
		• Provision for the cessation or withholding of admission by Portsmouth Water. Admission would have to take place in accordance with the agreed protocol.	
RR-253-90	Water quality at Havant Thicket Reservoir	Ref - PW43. Application document and provision - 6.1 ES Chapters 8 and 19; 6.2 ES Appendix 19.2. Change sought - Provide numeric values for the key water quality determinands.	The Applicant has updated ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1), ES Appendix 19.2 Water Environment Regulations compliance assessment (Document reference 6.2, DCO Volume 6, Version 1) and ES Appendix 19.11 Havant Thicket Reservoir water quality modelling (Document reference 6.2, DCO Volume 6, Version 1) for submission at Deadline 1. Numerical values to support the modelled water quality data presented in Graphics 19-1 to 19-3 of ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1) and Figure 8-1 of ES Appendix 19.2 Water Environment Regulations compliance assessment (Document reference 6.2, DCO Volume 6, Version 1) have been provided at Deadline 1. However, it should be noted that while these values have informed the environmental assessment, the actual discharge will be regulated by, and must comply with, the parameters specified in the environmental permit. Please refer to the Applicant's responses to RR-253-78, RR-253-79, RR-253-80, RR-253-82 and RR-253-86 for additional information. Please also refer to Appendix F of 8.9, The Applicant's written summaries of oral submissions at OFH1 and ISH1 and post hearing actions, which explains the *Gateshead* principle and how it applies to the application for development consent for the Project.
RR-253-91	Water quality at Havant Thicket Reservoir	Ref - PW44. Application document and provision. Application documents (2024 GHD water quality modelling report). Change sought - Provide the 2024 water quality modelling report.	The assessments of impacts on water quality within Havant Thicket Reservoir presented in ES Chapter 8 Terrestrial and freshwater biodiversity [APP-087], ES Chapter 19 Water environment [APP-098] and ES Appendix 19.2 WER compliance assessment [APP-197] were based on the latest iteration of GHD's water quality modelling at the time of writing. This report, completed in August 2025, was provided as ES Appendix 19.11 Havant Thicket Reservoir water quality modelling [APP-206]. Changes to the design of the reservoir have since required further updates to the modelling, with an updated report produced by GHD in November 2025. The Applicant has updated ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1), ES Appendix 19.2 Water Environment Regulations compliance assessment (Document reference 6.2, DCO Volume 6, Version 1), and ES Appendix 19.11 Havant Thicket Reservoir water quality modelling (Document reference 6.2, DCO Volume 6, Version 1) for submission at Deadline 1. ES Appendix 19.11 will include the November 2025 modelling report. The Applicant therefore believes that, given the 2024 modelling report has been superseded and is no longer relevant to the impact assessment, it would be confusing to issue the report at this stage.

Reference	Theme	Summary of issue raised	The Applicant's response
RR-253-92	The draft DCO	Protective Provisions for Portsmouth Water Article 52 gives effect to Schedule 10, Part 3 of which is bespoke to Portsmouth Water.	The Applicant notes this comment.
RR-253-93	The draft DCO	The definition of "specified works" at paragraph 18 of Schedule 10 Part 3 leaves the stand-off distance as an unfilled placeholder - "within X metres". Because that definition is incomplete, the trigger for paragraphs 22, 24, 25 and 26 alike is unclear.	The Applicant provided draft protective provisions to Portsmouth Water on 2 April 2026. Comments on the draft protective provisions were only received on 28 October 2026. The Applicant is seeking to agree the form of protective provisions with Portsmouth Water, including to agree the appropriate distance from its assets to be utilised in the definition of specified works.
RR-253-94	The draft DCO	Part 3 contains no ground movement or subsidence provision and nothing on water quality, source protection, construction compounds or haul roads. It contains nothing similar to the indemnities conferred on the Environment Agency by paragraphs 50 and 51 of Part 5, and paragraph 25 does not extend to the cost to Portsmouth Water of examining and approving plans.	The Applicant notes that the definition of specified works includes any work that may adversely affect any of Portsmouth Water's apparatus. No attempt is made to define the way in which such adverse effect may arise, to avoid restricting the scope of the protections conferred by the protective provisions. In relation to water quality and the role of the environmental permit, please refer to the Applicant's response to RR-253-86.
RR-253-95	The draft DCO	Portsmouth Water is concerned about, amongst other provisions, paragraph 29 (conflicting development) which restrains Portsmouth Water from taking steps which would materially prevent the authorised development, with no carve-out for (say) the Farlington to Nelson pipeline, which will shortly be under construction.	The Applicant does not agree with the interpretation presented by Portsmouth Water. The purpose and effect of paragraph 29 is to restrict Portsmouth Water from taking steps in relation to land within the Order Limits that would materially prevent the Applicant from carrying out the authorised development. Nothing in paragraph 29 prevents Portsmouth Water from progressing its developments, including the Farlington to Nelson pipeline. It is only where such development would materially prevent delivery of the Project that paragraph 29 applies. In such circumstances, Southern Water can still agree to that development, notwithstanding that it would materially prevent the Project from being implemented, and such agreement must not be unreasonably withheld. Paragraph 29 therefore operates to ensure that Portsmouth Water cannot unilaterally act to prevent the Project from being delivered. It operates to ensure that a solution to conflicting development is found that enables both Portsmouth Water projects and the Project to coexist.
RR-253-96	The draft DCO	The Applicant's case on compulsory acquisition rests on the adequacy of Schedule 10 (See, for example, paragraph 8.4.4 of the Statement of Reasons (application document 4.1) (APP-025).), and on its own account at paragraph 8.4.8 of the Statement of Reasons (application document 4.1) (APP-025) the form of the Protective Provisions is still under discussion. The compulsory acquisition case therefore depends on protection which has not been settled.	The Applicant notes this comment.
RR-253-97	The draft DCO	The changes Portsmouth Water seeks under this head include -	The Applicant provided draft protective provisions to Portsmouth Water on 2 April 2026. Comments on the draft protective provisions were only received on 28 October 2026. The Applicant is seeking to agree the form of protective provisions with Portsmouth Water.

Reference	Theme	Summary of issue raised	The Applicant's response
		Ref - PW45. Application document and provision - 3.1 draft Order, Schedule 10 Part 3, 'specified works'. Change sought - Complete the definition of 'specified works' by agreement with Portsmouth Water.	
RR-253-98	The draft DCO	Ref - PW46. Application document and provision - 3.1 draft Order, Schedule 10 Part 3. Change sought - Extend to include provisions regarding ground movement, water quality and source protection.	Please refer to the Applicant's response to RR-253-94.
RR-253-99	The draft DCO	Ref - PW47. Application document and provision - 3.1 draft Order, Schedule 10 Part 3. Change sought - Confer indemnities equivalent to those given to the Environment Agency.	The Applicant provided draft protective provisions to Portsmouth Water on 2 April 2026. Comments on the draft protective provisions were only received on 28 October 2026. The Applicant is seeking to agree the form of protective provisions with Portsmouth Water,
RR-253-100	The draft DCO	Ref - PW48. Application document and provision - 3.1 draft Order, Schedule 10 Part 3, paragraph 25. Change sought - Extend to cover other costs, including the cost of examining and approving plans.	The Applicant provided draft protective provisions to Portsmouth Water on 2 April 2026. Comments on the draft protective provisions were only received on 28 October 2026. The Applicant is seeking to agree the form of protective provisions with Portsmouth Water, The Applicant has no objection to the principle of meeting the cost of examining and approving plans, but notes that discussions to date have deferred the detail of this aspect of cost-recovery as such costs would not be incurred until after the DCO is granted.
RR-253-101	The draft DCO	Ref - PW49. Application document and provision - 3.1 draft Order, Schedule 10 Part 3, paragraph 29. Change sought - This paragraph will need to be reworked, and this will need to include, in particular, a carve out to enable Portsmouth Water's protection of its own assets.	Please refer to the Applicant's response to RR-253-95. The Applicant does not consider the request to be appropriate, noting that it would enable Portsmouth Water to unilaterally impede and frustrate delivery of the Project. The Applicant assumes that this is not the intention of Portsmouth Water and that this request is predicated upon a misunderstanding of the effect of paragraph 29.
RR-253-102	The draft DCO	Ref - PW50. Application document and provision - 3.1 draft Order, Schedule 10 Part 3, paragraph 30. Change sought - Reconcile with article 55.	The Applicant considers that it is appropriate for any dispute arising under the protective provisions to be referred to the Secretary of State to appoint an arbitrator (if one cannot be agreed by the parties). This is typical in protective provisions for statutory undertakers and is considered appropriate in this case given the extensive and complex interaction between the Project and Portsmouth Water's statutory undertaking.
RR-253-103	The draft DCO	Ref - PW51. Application document and provision - Outside the Order - asset protection agreement. Change sought - Agree an asset protection agreement before the close of the examination.	The Applicant does not consider that an asset protection agreement is required or appropriate at this time. The Applicant is seeking to agree the form of protective provisions with Portsmouth Water which, in the usual way, will provide a statutory protection for its assets. The Applicant is also negotiating a commercial agreement with Portsmouth Water for the use of Havant Thicket Reservoir for the Project. The Project will also be delivered by a competitively appointed provider, rather than the Applicant directly. In this context, an asset protection agreement would duplicate the protections conferred by the draft DCO, be premature as a contractor has not yet been appointed, and could conflict with or detract from the existing negotiations.

Reference	Theme	Summary of issue raised	The Applicant's response
RR-253-104	The draft DCO	In addition to these points, Portsmouth Water has several other drafting points and several points of detail that it intends to raise with the Applicant before the start of the Examination.	The Applicant notes this comment.
RR-253-105	Landowner engagement	Compulsory acquisition of Portsmouth Water land, rights and apparatus Portsmouth Water refers to the land at plots 06-086, 06-092, 06-093 and 06-095 as George Reservoir and its adjacent land. The Book of Reference (application document 4.3) (APP-027) records Portsmouth Water as owner of each.	The Applicant notes this comment and confirms the interests in the plots.
RR-253-106	Landowner engagement	The Book of Reference records, and the Land Plans (application document 2.2) (APP-009) show, that the Applicant seeks the freehold acquisition of plot 06-095, being '12616 square metres of agricultural land and hedgerow (north of Portsdown Hill Road, B2177)'; rights over plot 06-086, being '5221 square metres of grassland, hedgerow and access track (George Reservoirs) and public footpath (21)'; rights over plot 06-092, being '910 square metres of solar panels and grassland (north of George Reservoirs)'; and temporary possession of plot 06-093.	The Applicant notes this comment and confirms the acquisition type of the plots.
RR-253-107	Portsmouth Water proposal	Plot 06-086 carries the access track to the reservoirs, without which the site cannot be operated or maintained. Plot 06-092 carries a solar array committed to Portsmouth Water's decarbonisation programme. Both limbs of section 127(1)(a) and (b) are met, and the acquisition of rights and the taking of temporary possession would appear to diminish Portsmouth Water's ability to carry on production operations at that site. Portsmouth Water have discussed this point in recent correspondence with the Applicant. The Applicant has directed Portsmouth Water to relevant text in the outline Construction Environmental Management Plan (and has explained how it considers the Protective Provisions provide suitable protection in respect of this point). Portsmouth Water is considering the Applicant's comments and will respond to them in due course.	The Applicant acknowledges that Portsmouth Water is reviewing the comments provided and will await its response. Plot 06-086 and plot 06-092, as shown on Sheet 6 of the Land Plans - 2 of 3 documents (Document reference 2.2, DCO Volume 2, Version 2), form part of the pipeline between the Water Recycling Plant (WRP) site and the ridge of Portsdown Hill. In this location, the pipeline will be constructed using trenchless construction, as secured by the Outline Construction Environmental Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3) ([APP-413] and [APP-414] for documents 2 and 3). Sheet 6 of 30 in the Reduced Working Widths and Trenchless Crossings Plan in Appendix A of the Outline CEMP - 2 of 3 documents [APP-413] highlights this as TC_D_1. Therefore, no above ground works are proposed at the access track to the George Reservoir or the solar array. No impact is therefore anticipated on Portsmouth Water's access to the Reservoir or the solar array. As a result, the Applicant considers that the tests in section 127(1) of the Planning Act 2008 have been met. The protective provisions at Part 3 of Schedule 10 to the Draft Development Consent Order [APP-023] require the Applicant to ensure that access to Portsmouth Water's apparatus is maintained or to provide an alternative means of access. The Secretary of State can therefore be satisfied that no serious detriment would be caused to Portsmouth Water's undertaking.
RR-253-108	Landowner engagement	Beyond that site, the Applicant seeks the freehold of eleven further plots over which Portsmouth Water holds apparatus or rights, all for Work No. 5 (Above	The Applicant notes this comment.

Reference	Theme	Summary of issue raised	The Applicant's response
		Ground Plant), the acquisition of rights over more than one hundred plots, and temporary possession of others.	
RR-253-109	The draft DCO	The Order limits extend over land in respect of which planning permission has been given for the Reservoir and on which the Reservoir is being constructed. Where works for the Reservoir are already consented and under construction, no case for statutory powers over that land has been made.	The Applicant is not proposing any works on the Reservoir site. The draft DCO [APP-023] includes the power to acquire compulsorily rights over land at the reservoir for the purposes set out in Schedule 5 to the draft DCO. These purposes relate to the need to access the Reservoir, inspect and monitor the Havant Thicket Reservoir infrastructure (as defined in the draft DCO), and ensure that its operation accords with the (agreed or determined) Scheme of Operation. The Applicant is seeking an agreement with Portsmouth Water for the land interests required, with these interests to be in common with Portsmouth Water's land ownership and rights. The rights required are necessary for implementation of the Project as set out in more detail in the Statement of Reasons [APP-025].
RR-253-110	The draft DCO	The Order is made in exercise of powers under sections 114, 115, 117, 120, 122, 123, 138 and 149A of the Planning Act 2008. Section 138(4) permits the extinguishment of a statutory undertaker's rights or the removal of its apparatus 'only if the Secretary of State is satisfied that the extinguishment or removal is necessary for the purpose of carrying out the development to which the order relates'.	The Applicant notes this comment. Please refer to the Applicant's response to RR-253-109. The rights required are set out in Schedule 5 to the draft DCO [APP-023] and are necessary for implementation of the Project.
RR-253-111	The draft DCO	The changes Portsmouth Water seeks under this head include - Ref - PW52. Application document and provision - 3.1 draft Order, Schedule 4; 4.3 Book of Reference. Change sought - Reduce the extent of land to the minimum required.	As set out within the Statement of Reasons [APP-025], the Applicant has included the minimum amount of land necessary to deliver the Project within the Order Limits whilst ensuring suitable flexibility is retained until the detailed design has been confirmed. The Applicant would only be able to exercise the compulsory acquisition and temporary use powers over land actually required to deliver the Project. This approach to flexibility ensures efficiency in the design, consenting and delivery processes and is commonly applied to projects of national significance that are developed over a long period of time. It also provides benefits for customers by providing the contractor with flexibility for innovation and lower whole life costs. The Applicant's proposed use of the land is set out in the Works Plans [AS-007, AS-008 and APP-014]. The Applicant is seeking an agreement with Portsmouth Water for the land interests required, with these interests to be in common with Portsmouth Water's land ownership and rights. The rights required are necessary for the implementation of the Project as set out in more detail in the Statement of Reasons [APP-025].
RR-253-112	The draft DCO	Ref - PW53. Application document and provision - 3.1 draft Order, Schedule 4. Change sought - Exclude land required for the Reservoir from compulsory acquisition.	Please refer to the Applicant's responses to RR-253-109 and RR-253-110. Rights for the Applicant to access the Reservoir are necessary for implementation of the Project.

Reference	Theme	Summary of issue raised	The Applicant's response
RR-253-113	Portsmouth Water proposal	Ref - PW54. Application document and provision - 4.3 Book of Reference, plots 06-086, 06-092, 06-093, 06-095. Change sought - Exclude the George Reservoir and its adjacent land from the compulsory acquisition powers.	Rights over land adjacent to and including part of the George Reservoir site are required for the proposed BPT/IPS-E (Work No. 5C) and pipeline works (Work No. 4). The Applicant consulted on the use of this land for the Project at the Summer 2022 Consultation, Summer 2024 Consultation and the Spring 2025 Consultation. Portsmouth Water did not make representations about its future proposals for the replacement of its George Reservoir either in response to the Applicant's consultations or through the ongoing extensive engagement with the Applicant. The Applicant only became aware of these future proposals after the DCO application was submitted. Technical engagement with Portsmouth Water during 2024 informed the siting of the proposed BPT/IPS-E site in order to safeguard for Portsmouth Water's planned Nelson to Farlington pipeline, which is planned to run between the proposed BPT/IPS-E site and its existing George Reservoir. Again, no representations were made by Portsmouth Water about future plans for replacement of the George Reservoir. The Applicant is confident that the acquisition of this land for the Project will not result in serious detriment to Portsmouth Water; the acquisition will not affect the function and operation of the George Reservoir and will not affect Portsmouth Water's ability to supply water to its customers. Notwithstanding this, in order to understand if the Project will make a future replacement of the George Reservoir more challenging, the Applicant has offered to cover the cost of a feasibility study. This feasibility study would establish whether there remains sufficient land for an offline replacement of the George Reservoir, whilst it remains in use. If the feasibility study demonstrates it is not possible to replace the George Reservoir whilst it remains connected to Portsmouth Water's network, the Applicant has agreed to cover the cost of a distribution study to understand the extent of any additional challenges for its replacement. The Applicant awaits Portsmouth Water's response to the offer of a feasibility study to understand the extent of any challenges to the replacement and to determine whether a distribution study is necessary. The Applicant is mindful that the failure of Portsmouth Water to make the Applicant aware of any potential challenges arising from the proposed use of this land for the Project strongly indicates that any such challenges would be minor in nature and would not materially impede or obstruct delivery of a replacement reservoir.
RR-253-114	Portsmouth Water proposal	Ref - PW55. Application document and provision - 2.2 Land plans; 3.1 draft Order, article 2. Change sought - Withdraw from the Order limits Portsmouth Water land which benefits from planning consent and upon which construction is already taking place.	The Applicant is not proposing any works on the Havant Thicket Reservoir site. The draft DCO [APP-023] includes the power to acquire compulsorily rights over land at the reservoir for the purposes set out in Schedule 5 to the draft DCO. These purposes relate to the need to access the Reservoir, inspect and monitor the Havant Thicket Reservoir infrastructure (as defined in the draft DCO), and ensure that its operation accords with the (agreed or determined) Scheme of Operation. The Applicant is seeking an agreement with Portsmouth Water for the land interests required, with these interests to be in common with Portsmouth Water's land ownership and rights. The rights required are

Reference	Theme	Summary of issue raised	The Applicant's response
			necessary for implementation of the Project, as set out in more detail in the Statement of Reasons [APP-025]. The Applicant recognises that Portsmouth Water is currently implementing its planning permission for the Havant Thicket Reservoir, with a further planning permission to be implemented in relation to the pipelines between Havant Thicket Reservoir and Bedhampton Springs. Article 49(3) of the draft DCO [APP-023] provides that, to the extent of any inconsistency between a planning permission and the exercise of the functions conferred by the Order, that inconsistency is to be disregarded for the purposes of establishing whether the planning permission is capable of physical implementation, and no enforcement action may be taken in respect of that inconsistency. This drafting ensures that, if there is any conflict between the authorised development and any planning permission, including those held by Portsmouth Water in relation to the reservoir and pipelines, this will not cause the planning permission to be extinguished through the operation of the principles established in *Hillside Parks Ltd v Snowdonia National Park Authority* (2022); nor could enforcement action be taken in respect of that inconsistency. In this way, the draft DCO [APP-023] ensures that Portsmouth Water will be able to continue to construct and operate the Havant Thicket Reservoir infrastructure, notwithstanding the inclusion of this land within the Order Limits as it is required to deliver the Project.
RR-253-115	The draft DCO	Who may exercise the powers, and against whom Article 9 permits the undertaker, with the consent of the Secretary of State, to transfer or grant to another person any interest in the authorised development or its right to construct, maintain, use or operate it, and Article 9(3) provides that references to the undertaker are then to be read as including the transferee.	The Applicant notes this comment.
RR-253-116	The draft DCO	Nothing requires the transferee to be a water undertaker, and nothing requires Portsmouth Water to be consulted. Paragraph 8.24 of the Explanatory Memorandum (application document 3.2) [APP-024] records that the benefit of the Order may be transferred to a Competitively Appointed Provider.	The Applicant notes this comment.
RR-253-117	The draft DCO	The powers conferred by Article 5 over the Reservoir, and the powers of compulsory acquisition over Portsmouth Water's land, could therefore be exercised by an entity with which Portsmouth Water has no relationship and no agreement.	The Applicant notes this comment.
RR-253-118	The draft DCO	The changes Portsmouth Water seeks under this head include - Ref - PW56. Application document and provision - 3.1 draft Order, article 9. Change sought - Consult Portsmouth Water before any transfer or grant and inform Portsmouth Water as soon as reasonably practicable after such a transfer or grant has occurred.	Article 9 provides for the transfer of the powers under the DCO only with the consent of the Secretary of State. The Secretary of State may consult with any party that they consider to be relevant before confirming or refusing consent to the proposed transfer. This approach enables consultation by the Secretary of State to be proportionate and targeted towards relevant bodies, avoiding consultation that may not be relevant. The exception to this is in relation to the

Reference	Theme	Summary of issue raised	The Applicant's response
			deemed marine licence which, once the DCO is made, stands as a distinct licence as though granted under the Marine and Coastal Access Act 2009 and is able to be amended by the MMO without requiring a change to the DCO. This consultation is mandated to ensure that the MMO is aware if the Secretary of State consents to a transfer of the standalone marine licence. There is no equivalent interaction in the case of Portsmouth Water.
RR-253-119	Portsmouth Water proposal	The Order and the agreement between the two undertakers Portsmouth Water and the Applicant have worked together on the delivery of their respective schemes over a number of years and continue to do so.	The Applicant notes this comment and will continue to engage and work closely with Portsmouth Water on the delivery of their respective projects.
RR-253-120	The draft DCO	The relationship between the two undertakers in respect of the Reservoir is governed by an agreement between them. A replacement agreement is under negotiation between the two companies and that negotiation is not concluded. It is possible development consent could be granted before any agreement is agreed.	The Applicant confirms that a detailed agreement is being negotiated to govern the use of Havant Thicket Reservoir for the Project. This builds on the existing agreement under which Southern Water's customers are funding the construction of the Havant Thicket Reservoir to store water solely to meet the identified water need of the Applicant. It should be borne in mind that Havant Thicket Reservoir, whilst owned and operated by Portsmouth Water, is an asset for the provision of water to meet, with increased resilience, the Applicant's water supply need in accordance with its duty under section 37 of the Water Industry Act 1991. This is the basis upon which need has been considered and addressed through the WRMP process and is confirmed by Ofwat in its relevant representation [RR-232].
RR-253-121	The draft DCO	The draft Order confers powers over the Reservoir, fixes abstraction volumes and provides for the resolution of disputes, in each case irrespective of the terms of that agreement. While Portsmouth Water welcomes the inclusion of article 5(9) (which provides for the Applicant and Portsmouth Water to enter into agreements relating to the Applicant's use and enjoyment of the Reservoir and notes that any such agreement would circumscribe the Applicant's article 5 functions) no such agreement is yet in place. Moreover, the agreement under article 5(9) would relate to functions under that article and Portsmouth Water has concerns which go beyond article 5. In any event, Portsmouth Water intends to discuss this point with the Applicant ahead of the Examination and would hope to be in a position to provide an update on the same at Deadline 1.	The abstraction licensing regime is statutory in nature and cannot be circumscribed or otherwise affected by the terms of contractual agreements. The modifications to the statutory abstraction licensing regime made by Schedule 8 operate to secure the contractual principles that have already been agreed between the parties, in particular the water volumes required to meet the Applicant's water supply duty to be provided directly by the Project and Havant Thicket Reservoir, and the displacement volumes to which Portsmouth Water is entitled. Please refer to the joint statement in Appendix E of 8.9, The Applicant's written summaries of oral submissions at OFH1 and ISH1 and post hearing actions. The powers contained within the draft DCO [APP-023] are drafted so that they are circumscribed by any agreement that is entered into by the Applicant and Portsmouth Water. This reflects the intention that the Project should operate and interact with the Havant Thicket Reservoir pursuant to a detailed agreement, but that if no agreement is reached it remains necessary for a Scheme of Operation to exist that governs how the interaction will operate in practice. For the avoidance of doubt, it is not considered appropriate that a contractual agreement should be capable of circumscribing the statutory regulatory regime governing abstraction.

Reference	Theme	Summary of issue raised	The Applicant's response
RR-253-122	The draft DCO	The changes Portsmouth Water seeks under this head include - Ref - PW57. Application document and provision - 3.1 draft Order, new provision. Change sought - Portsmouth Waer considers the provisions of its bulk supply agreements with the Applicant should prevail over the Order and this should be made clear on the face of the Order. Noting the power to enter an agreement relating to the exercise of the Applicant's functions under article 5, Portsmouth Water considers that agreement must be in place before the Applicant may use and enjoy the Reservoir.	Please refer to the Applicant's response to RR-253-26. Article 5(9) achieves the requested effect. Article 5 provides a mechanism for the operational processes to be determined in the event an agreement is not entered into, ensuring that there is no impediment to delivery of the Project. However it is expressly confirmed in article 5(9) that "the exercise of [the functions conferred by article 5] are subject to the terms and conditions of any such agreements".
RR-253-123	The draft DCO	Ref - PW58. Application document and provision - 3.1 draft Order, article 5 and Schedule 8. Change sought - In respect of article 5, please see PW01. In respect of Schedule 8, please PW57.	The Applicant notes this comment. Please refer to the Applicant's responses to RR-253-26 and RR-253-122.
RR-253-124	The draft DCO	Ref - PW59. Application document and provision - 3.1 draft Order, Schedule 10 Part 3. Change sought - In respect of Schedule 10, please PW57.	Please refer to the Applicant's response to RR-253-122.
RR-253-125	The draft DCO	Streets, accesses and rights of way affecting Portsmouth Water operations Articles 11 to 20 and Schedule 3 permit the alteration of street layouts, the temporary and permanent closure and diversion of public rights of way, the formation of new means of access, and traffic regulation measures. Article 16(4)(a) allows the temporary closure of public rights of way without the provision of a temporary diversion.	The Applicant acknowledges Portsmouth Water's feedback regarding articles 11 to 20 of, and Schedule 3 to, the draft Development Consent Order (DCO) [APP-023].
RR-253-126	The draft DCO	Portsmouth Water requires continuous vehicular access to Bedhampton Springs, Farlington and its assets along the route for operational, maintenance and emergency purposes. Interruption to access can affect the security of public water supply.	The Applicant acknowledges Portsmouth Water's concerns regarding the need to maintain continuous vehicle access to Bedhampton Springs and Farlington. As detailed in the Traffic Management Strategy [APP-416], access to properties would be maintained during temporary land and road closures. It should also be noted that paragraph 27 of the protective provisions for Portsmouth Water in Part 3 of Schedule 10 to the draft Development Consent Order (DCO) [APP-023], makes provision for alternative access to be provided in the event access to apparatus is obstructed or rendered materially less convenient. The Applicant considers this to protect Portsmouth Water's access to its assets appropriately, and is seeking to agree the form of protective provisions. The Framework Construction Traffic Management Plan [APP-415] outlines the management measures proposed to control construction traffic associated with the Project. These management measures would not apply to construction or operational traffic associated with Portsmouth Water assets.
RR-253-127	Traffic and transport	In the draft version of this document, which was shared with the Applicant, Portsmouth Water raised questions in respect of ES Chapter 18 (application document 6.1) [APP-097] and its treatment of the future baseline. It also queried whether the concurrent construction of Portsmouth Water's own schemes should be treated as committed development (it will be noted that	The Applicant acknowledges that Portsmouth Water is currently considering a previous response and looks forward to receiving any further comments in due course. As confirmed in a previous response to Portsmouth Water, ES Appendix 18.1 Transport Assessment [APP-186 to APP-188 – 3 documents] details which

Reference	Theme	Summary of issue raised	The Applicant's response
		Harts Farm Way, Bedhampton Road, Meyrick Road, West Street, Middle Park Way and Gillman Road are approved construction routes for Portsmouth Water's schemes, with agreed levels of heavy goods vehicle movement. Two major water infrastructure projects are to be constructed at the same time, on the same roads, in the same communities). Portsmouth Water is considering the Applicant's response to the points raised and will reply to that response in due course.	cumulative developments have been included in the future baseline traffic model. These sites were agreed with Hampshire County Council following extensive engagement. Havant Thicket Reservoir was considered as a standalone development, with construction and operational traffic data from this project extracted and input into the traffic model. The Nelson to Farlington pipeline and Farlington Water Treatment Works do not have supporting transport assessments and therefore traffic data were not available to include in the Applicant's traffic model. Other Portsmouth Water projects, such as the new pipeline to transfer water from Bedhampton Springs to Havant Thicket Reservoir, were also considered as per ES Appendix 20.1 List of other developments – longlist and shortlist [APP-208] (please also refer to RR-253-129 below).
RR-253-128	Portsmouth Water proposal	Portsmouth Water holds land north of Portsdown Hill Road for the offline replacement of George Reservoir, a potable storage asset constructed in 1952 and programmed for replacement. That land is required by the Applicant for the Project. If it is acquired, offline replacement is no longer available to Portsmouth Water and the asset must be demolished and rebuilt in situ, with the supply zone retasked and without local storage for the duration of the works.	The Applicant consulted on the use of this land for BPT/IPS-E (Work No. 5C) at the Summer 2022 Consultation, Summer 2024 Consultation and the Spring 2025 Consultation. Portsmouth Water did not make representations about its future proposals for this land either in response to the Applicant's consultations or through the ongoing extensive engagement with the Applicant during the pre-application stage. The Applicant was only made aware of these future proposals after the DCO application was submitted. The Applicant will, however, engage with Portsmouth Water to consider the interface between BPT/IPS-E (Work No. 5C) and potential upgrades to the George Reservoir. Please also refer to RR-253-113.
RR-253-129	Cumulative effects	ES Appendix 20.1 (application document 6.2) [APP-208] identifies the Portsmouth Water developments considered as part of the future baseline or assessed in the cumulative effects assessment. The replacement of George Reservoir is not identified among them, although the Farlington to Nelson pipeline on which the retasked configuration would depend is included. Portsmouth Water considers the George Reservoir needs to be considered within ES Appendix 20.1 and would invite the Applicant to do so.	The Applicant acknowledges that Portsmouth Water intends to replace George Reservoir at a future point in time. Section 5 of ES Chapter 20 Cumulative and in-combination effects [APP-099] provides the assessment methodology for the cumulative effects assessment and within this, Table 20-9 provides the tiered approach used to identify 'other development' projects for consideration in the cumulative effects assessment. Table 20-9 sets out the three tiers of other existing and / or approved development as set out in Table 2 of the Planning Inspectorate (2024) Nationally Significant Infrastructure Projects: Advice on Cumulative Effects Assessment. The replacement of George Reservoir is not a project that falls into one of the three tiers as the site: • is not under construction, permitted application under the Planning Act (2008) or submitted application under the Planning Act or other regime but not yet determined (Tier 1); • is not a project on the Planning Inspectorate's programme of projects (Tier 2); and • is not a project on the Planning Inspectorate's programme of projects where a scoping report has not been submitted, identified in the relevant Development Plan and emerging Development Plan, or identified in other plans and programmes as appropriate, which set the framework for future

Reference	Theme	Summary of issue raised	The Applicant's response
			development consents or approvals, where such development is reasonably likely to come forward (Tier 3). As the site does not fall within one of the three tiers, it is not a site that is taken forward for the cumulative effects assessment (CEA), and there is also no adequate environmental information available in the public domain for any cumulative assessment of this project to be undertaken in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations). It should also be noted, as set out above in RR-253-113, that Portsmouth Water did not advise the Applicant of its intention to replace the George Reservoir until after the DCO application had been submitted.
RR-253-130	The draft DCO	The changes Portsmouth Water seeks under this head include - Ref - PW60. Application document and provision - 3.1 draft Order, articles 11 to 20 and Schedule 3. Change sought - Ensure access to Portsmouth Water's operational sites at all times.	Please refer to RR-253-126 above which confirms, in respect of the plots highlighted specifically by Portsmouth Water, that the works required will involve the trenchless laying of a pipeline which will not affect access to Portsmouth Water's operational sites. Paragraph 27 of the protective provisions for Portsmouth Water, being Part 3 of Schedule 10 to the draft DCO [APP-023], relates to access. It confirms that if Portsmouth Water's access to any apparatus is obstructed or made materially less convenient, alternative means of access must be provided, with the details of the alternative access approved by Portsmouth Water. In this way, access to Portsmouth Water's sites is secured within the draft DCO. The Applicant notes that the form of protective provisions is being discussed with Portsmouth Water.
RR-253-131	Traffic and transport	Ref - PW61. Application document and provision - 6.1 ES Chapter 18; 6.2 ES Appendix 18.1 Transport Assessment - Change sought - Treat Portsmouth Water's schemes as committed development.	The Applicant acknowledges the comment that the Portsmouth Water schemes should be treated as cumulative developments in the assessment included in ES Chapter 18 Traffic and transport [APP-097]. As noted in RR-253-127 above, the relevant Portsmouth Water schemes where traffic data is available have been assessed cumulatively within ES Chapter 20 Cumulative and in-combination effects [APP-099].
RR-253-132	Traffic and transport	Ref - PW62. Application document and provision - 3.1 draft Order, Schedule 10 Part 3; (or in a separate asset protection agreement). Change sought - Agree the sequencing and allocation of the undertakers' vehicle movements.	There are no significant cumulative effects with regards to traffic and transport identified in ES Chapter 20 Cumulative and in-combination effects [APP-099]. Minor cumulative impacts may occur at Bedhampton Springs, with the agreed access route comprising Meyrick Road, Bedhampton Road, Brockhampton Road and Harts Farm Way. In view of the minor nature of these potential cumulative effects, no further mitigation is required. It should also be noted that it is unclear the extent to which construction activities and movements would, in practice, overlap. The Framework Construction Traffic Management Plan [APP-415] outlines the management measures proposed to control construction traffic associated with the Project. These management measures would not apply to construction traffic associated with any Portsmouth Water schemes.

Reference	Theme	Summary of issue raised	The Applicant's response
			Please also refer to the Applicant's response to RR-253-103.
RR-253-133	Traffic and transport	Security of, and access to, Portsmouth Water's operational sites and systems The Outline Operational Environmental Management Plan (application document 7.7) [APP422] addresses security and preparedness for malicious attack, and provides for permanent access to above ground plant and to isolation, washout and air valves along the pipelines. Several of the locations concerned are, or adjoin, Portsmouth Water operational sites.	The Applicant notes this comment. Security arrangements are being discussed with Portsmouth Water through the established Security Steering Group.
RR-253-134	Portsmouth Water proposal	Portsmouth Water is subject to its own duties in respect of the security and resilience of its sites, assets and systems, including under the Network and Information Systems Regulations 2018, which the Applicant's own document cites. Those duties cannot be delegated, displaced or satisfied by arrangements made by another undertaker.	The Applicant notes this comment. The draft DCO [APP-023] does not alter or affect Portsmouth Water's duties in respect of security and resilience.
RR-253-135	Portsmouth Water proposal	Neither the Order nor that document states whose security arrangements govern Portsmouth Water's own sites, or on what terms access to a Portsmouth Water operational site may be exercised, and neither specifies what 'permanent access' may be required, that term appearing at the second bullet of paragraph 2.1.3 of application document 7.7. Access to a site from which public water supply is produced is a matter for agreement between the undertakers, with notice, accompaniment and the assessment of risk settled in advance.	The Applicant notes the comment. Security arrangements and Security and Emergency Measures Direction (SEMD) requirements are being discussed with Portsmouth Water through the Security Steering Group and engagement is ongoing on the access requirement to Portsmouth Water's own sites for pipework maintenance or water quality sampling as part of the Bulk Supply Agreement (BSA2) negotiations. It is understood that the use of shared infrastructure will require a degree of integration to make this use effective and an agreement is being negotiated that will include the detailed procedures for access to the shared infrastructure. If no agreement is reached, a Scheme of Operation under article 5 of the draft Development Consent Order (DCO) [APP-023] would make provision for the required access, having due regard to the security requirements applicable to public water supply sites. This is further supported by the inclusion of the power to acquire rights compulsorily within the draft DCO [APP-023] to be exercised if an agreement for those access rights is not reached. Further information on this is available in Schedule 5 to the draft DCO [APP-023]. These powers are required to ensure that the water supply from Havant Thicket Reservoir and the Project is available for the purposes of Southern Water's statutory undertaking and the discharge of its water supply duty under section 37 of the Water Industry Act 1991.
RR-253-136	Portsmouth Water proposal	Having seen a draft version of this Relevant Representation, the Applicant has confirmed that there is no intention to impinge on the licensed obligations of Portsmouth Water as a water undertaker. Portsmouth Water is considering the extent to which the documents mentioned in this section need to be amended to reflect this clarification.	The Applicant confirms that there is no intention for the provisions of the draft DCO to impinge on Portsmouth Water's obligations as a statutory water undertaker.
RR-253-137	The draft DCO	The changes Portsmouth Water seeks under this head include - Ref - PW63. Application document and provision - 3.1 draft Order; or agreement between the undertakers. Change sought - Confirmation, for the	Please refer to the Applicant's response to RR-253-134.

Reference	Theme	Summary of issue raised	The Applicant's response
		avoidance of doubt, that responsibility for the security and resilience of Portsmouth Water's sites rest with Portsmouth Water.	
RR-253-138	Construction impacts and effects	Ref - PW64. Application document and provision - 7.7 Outline Operational EMP (paragraph 2.1.3). Change sought - Regarding 'permanent access'; clarification that access will be by agreement, not by powers under the Order.	Paragraph 2.1.3 of the Operational Environmental Management Plan [APP-422] confirms that the Project would be supported by other works, including 'Permanent works to support operation and maintenance including permanent access to the AGP'. As detailed in section 7.2 of the ES Appendix 18.1 Transport Assessment [APP-186 - 1 of 3 documents], five permanent accesses are proposed for the Water Recycling Plant (WRP) site and Above Ground Plant (AGP) sites: The Break Pressure Tank and Intermediate Pumping Station E (BPT/IPS-E); the Intermediate Pumping Station F (IPS-F); the Intermediate Pumping Station G (IPS-G), and the Break Pressure Tank K (BPT-K). Each of the five accesses would use an existing access to the public highway, which in most cases would need some upgrading or maintenance works. The locations of the permanent accesses are shown on the Access and Public Rights of Way Plans [APP-015 to APP-016 - 2 documents]. Works to alter the layout or carry out any works in the street would be secured by powers under Part 3 of the Development Consent Order (DCO). In accordance with the protective provisions contained within Part 4 of Schedule 10, these works would be subject to agreement with the relevant highway authority. The Applicant is also seeking powers to acquire compulsorily the access rights needed for the implementation of the Project. These powers are required where agreement for the necessary access rights cannot be reached or where third-party rights over the land are inconsistent with the access rights required. The Applicant is seeking to acquire the land and rights required for the Project by agreement in the first instance, in accordance with the Planning Act 2008 Guidance related to procedures for the compulsory acquisition of land. For additional information, please refer to the Applicant's responses to RR-253-109 and RR-253-110.
RR-253-139	Construction impacts and effects	Ref - PW65. Application document and provision - 7.7 Outline Operational EMP, definition of 'the Contractor'. Change sought - Amend the definition of 'the Contractor' so that it does not extend to Portsmouth Water.	The definition of the Contractor within the Operational Environmental Management Plan [APP-422] is: *"The Applicant or a person appointed by the Applicant or by anyone else having the benefit of part of the Development Consent Order to carry out any construction element of the Proposed Development or to operate the Proposed Development."* Portsmouth Water is responsible for the construction, operation and maintenance of the Havant Thicket Reservoir infrastructure, as defined in the Draft Development Consent Order (DCO) [APP-023]. The Havant Thicket Reservoir is being constructed by Portsmouth Water under its planning permissions, not under the DCO. Accordingly, Portsmouth Water would not be covered by the definition of Contractor by reason of it constructing the Havant Thicket Reservoir and other infrastructure pursuant to its planning permissions, nor would it become a Contractor by following a Scheme of Operation under article 5 of the DCO.

Reference	Theme	Summary of issue raised	The Applicant's response
			The only way that Portsmouth Water would be a Contractor for these purposes would be if it were engaged by the Applicant or another person with the benefit of the DCO to carry out construction or operation of any part of the authorised development, or if the benefit of the DCO were to be transferred to it, for example in relation to any protective works or other works carried out in connection with Portsmouth Water's existing apparatus. Requirement 13 of Schedule 2 to the Draft DCO [APP-023] secures compliance with the measures in the Operational Environmental Management Plan [APP-422], such measures controlling the environmental impacts of the Project. There is no reason why the identity of the person carrying out any part of the authorised development should have any influence on whether the mitigation measures must be complied with. Accordingly, compliance with these measures applies irrespective of the identity of the person carrying out or operating the relevant part of the authorised development, and this is supported by the criminal liability provisions in the Planning Act 2008 relating to failure to comply with the terms of a development consent order. The Applicant is therefore content that the definition of Contractor within the operational environmental management plan is appropriately drafted and that no amendment is necessary.
RR-253-140	The draft DCO	Requirements, consultation and discharge Schedule 2 governs the approval of detailed matters, including contaminated land, surface water drainage and water monitoring. Portsmouth Water is not named as a consultee on any requirement.	The Applicant notes this comment.
RR-253-141	The draft DCO	Paragraph 21(2) of Part 2 of Schedule 2 provides that where a relevant planning authority does not determine an application within 42 days it is deemed to have granted it without condition or qualification. Article 56(2) makes similar provision after 28 days. Notwithstanding the protection offered by the Protective Provisions in Part 3 of Schedule 10 to the draft DCO, Portsmouth Water is nervous at the prospect of an application which affects any of its undertaking being granted deemed approval and considers the deemed approval provisions should state they do not apply where an application affects its undertaking.	The Applicant notes this comment. Whilst it is noted that matters within a management plan submitted for approval may have the potential to control interactions with Portsmouth Water assets, nothing in the management plan overrides the requirement to obtain approval for any specified works under the protective provisions for Portsmouth Water at Part 3 of Schedule 10 to the draft DCO [APP-023]. The Applicant has based Part 2 of Schedule 2 on the Planning Inspectorate's standard drafting for the procedure for the discharge of Requirements, found at Appendix 1 of Advice Note Fifteen: Drafting Development Consent Orders. It should be noted that, when submitting an application to discharge a Requirement, the Applicant must confirm whether the subject matter of the application will give rise to any materially new or materially different environmental effects to those in the Environmental Statement (paragraph 21(3) of Schedule 2). In the event there will be new environmental effects, if no decision is made by the relevant planning authority, the application is deemed refused. Deemed approval applies only where the application does not give rise to any materially new or materially different environmental effects (i.e. the impacts have been assessed within the Environmental Statement and found, through the grant of the DCO, to be acceptable subject to the controls in the Requirements), and the relevant planning authority fails to determine the

Reference	Theme	Summary of issue raised	The Applicant's response
			application within the timescales. This approach ensures that there is no undue delay to the implementation of the Project which has been determined by the Secretary of State to be nationally significant.
RR-253-142	The draft DCO	The requirements are the mechanism by which some of the commitments in the Commitments Register (ES Appendix 5.5, application document 6.2) (APP-108) are secured. Portsmouth Water has no role in approving the documents which protect its assets and sources, and approval can occur by default.	The Applicant notes this comment. Portsmouth Water's assets are protected through the protective provisions at Part 3 of Schedule 10 to the draft DCO [APP-023].
RR-253-143	The draft DCO	Where a commitment is carried in a management plan rather than in the Order, it can be lost between versions of that plan - as appears to have occurred at Table 3-1 of application document 7.7 (APP-422) - without any change to the Order and without Portsmouth Water being told.	The draft DCO provides, at Schedule 11, a list of the documents to be certified. These include the framework and outline management plans containing the mitigation measures applicable to the Project. The Requirements in Schedule 2 to the draft DCO typically require final versions of the framework and outline management plans to be submitted to the relevant planning authority for approval. This approach ensures that the final management plans contain the mitigation required for the final, detailed design of the project. During Examination, each time a management plan is updated, clean and tracked versions will be provided, enabling stakeholders to clearly see what changes have been made. The Applicant notes that stakeholders may have had visibility of draft versions of documents during pre-application engagement. However, the versions of the documents, including 7.7 Operational Environmental Management Plan (OEMP) [APP-422] submitted as part of the DCO application, represent the Applicant's formal position and should be read alongside the draft Order and other application documents. The OEMP and other application documents were subject to ongoing technical, environmental and legal review throughout the development of the DCO application. As a result, documents were updated and refined prior to submission to ensure that commitments were clearly defined, appropriately secured and consistent with the application as a whole. Any commitments relied upon by the Applicant are those secured through the application documents. The Applicant will continue to engage constructively with Portsmouth Water and other stakeholders during the Examination process in relation to matters raised in Relevant Representations and Statements of Common Ground.
RR-253-144	The draft DCO	The changes Portsmouth Water seeks under this head include - Ref - PW66. Application document and provision - 3.1 draft Order, Schedule 2. Change sought - Name Portsmouth Water as a consultee on the relevant requirements. (Please see PW30).	Please refer to the Applicant's response to RR-253-72.
RR-253-145	The draft DCO	Ref - PW67. Application document and provision - 3.1 draft Order, Schedule 2 Part 2, paragraph 21, and Article 56(2). Change sought - Qualify the deemed grant provisions in accordance with paragraph 5.12.2 above.	Please refer to the Applicant's response to RR-253-141.

Reference	Theme	Summary of issue raised	The Applicant's response
RR-253-146	EIA approach and methodology	Ref - PW68. Application document and provision - 7.7 Outline Operational EMP, Table 3-1. Change sought - Confirm the operational commitments are reinstated.	The Applicant acknowledges Portsmouth Water's concerns regarding the security of, and access to, operational sites and systems. The Operational Environmental Management Plan [APP-422] includes commitments relating to operational security, including the application of Secure by Design principles, access controls and appropriate security arrangements for operational assets. Access requirements associated with operation and maintenance activities would be limited to those reasonably required for the safe operation of the Project's assets. Where operational interfaces exist between Southern Water and Portsmouth Water infrastructure, detailed access arrangements, responsibilities and security protocols would be agreed through the relevant interface and operational agreements between the parties. The Applicant does not anticipate routine operational access requirements that would adversely affect the security or operation of Portsmouth Water's assets. The operational and control commitments are under discussion with Portsmouth Water. The Applicant and Portsmouth Water acknowledge the principle that they must not operate their respective assets in a manner that adversely affects, diminishes or endangers the other party's assets and systems. With regard to access and security arrangements as raised in the Applicant's responses to RR-253-133 and RR-253-147, requirements are under discussion with Portsmouth Water through the established Security Steering Group. The Applicant will continue to engage and work closely with Portsmouth Water on the development and delivery of security and access provisions.
RR-253-147	EIA approach and methodology	Ref - PW69. Application document and provision - 7.7 Outline Operational EMP. Change sought - Agree the provisions affecting Portsmouth Water's infrastructure.	Please refer to the response to RR-253-146. Please also refer to the Applicant's response to RR-253-139, which confirms that the Operational Environmental Management Plan applies to and binds the Contractor(s) carrying out and operating the development authorised by the Development Consent Order (DCO), and not Portsmouth Water's infrastructure.
RR-253-148	The draft DCO	Disapplication of legislation, safeguarding and statutory functions Article 46 disapplies specified statutory provisions and byelaws, including historic local legislation which, as the Explanatory Memorandum (APP-024) records at paragraph 12.15 of its appendix, 'relates to the establishment of what is now a water undertaker, Portsmouth Water'.	The Applicant notes this comment.
RR-253-149	The draft DCO	Article 51 provides that nothing in the Order fetters the exercise by the undertaker of its statutory functions under any other enactment. There is no equivalent provision for Portsmouth Water. Article 50 requires relevant planning authorities to consult the undertaker on applications for planning	Article 8 of the draft DCO [APP-023] provides that the provisions of the Order conferring functions on the undertaker apply solely for the benefit of the undertaker, subject to any transfer that may be approved by the Secretary of State under article 9. The undertaker is defined as the Applicant, i.e. Southern

Reference	Theme	Summary of issue raised	The Applicant's response
		permission within the Order limits; there is no equivalent safeguarding of Portsmouth Water's assets.	Water Services Limited. The provisions of the DCO therefore do not apply to any party other than the Applicant. Any attempt to clarify that the Order does not fetter the exercise by Portsmouth Water of its statutory functions would have the opposite effect. Such a provision would inherently infer that some parts of the DCO *do* apply to Portsmouth Water – if it did not, there would be no need for a clarification to be made in respect of its statutory functions. Including such drafting would have the contrary effect to that intended, by indicating that the Order does otherwise have the power and ability to interfere with and constrain Portsmouth Water save to the extent it relates to Portsmouth Water's statutory functions under other enactments.
RR-253-150	The draft DCO	The Applicant's statutory functions are therefore preserved by article 51 and its assets safeguarded by article 50, while similar provisions are not included for Portsmouth Water's benefit, notwithstanding that Portsmouth Water is the statutory water undertaker for much of the area within the Order limits. Where the Order disapplies provisions affecting the Environment Agency, it does so with that body's consent; no consent is required from Portsmouth Water.	In relation to article 51, please refer to the Applicant's response to RR-253-149. Article 50 provides safeguarding for the Project during the period between the making of the Order and completion of its construction. This ensures that the Applicant has the opportunity to comment on any development proposals that may conflict with the authorised development and have those comments taken into account. It would not be possible to include equivalent safeguarding for Portsmouth Water as the safeguarding relates to the authorised development during the period before it is constructed, noting that the Order Limits include land that the Applicant does not currently own. Finally, consent is only required in relation to a proposed disapplication where it relates to a consent to which section 150 of the Planning Act 2008 applies. The Applicant assumes this comment refers to the disapplication of local legislation and byelaws to the extent they conflict with the Order. Section 120(5) applies to these disapplications, which are included as it is both necessary and expedient to do so to ensure there is no impediment to the carrying out of the authorised development, meeting the test in section 120(5)(c).
RR-253-151	The draft DCO	The changes Portsmouth Water seeks under this head include - Ref - PW70. Application document and provision - 3.1 draft Order, new provision. Change sought - Provide that the Order does not fetter Portsmouth Water's functions.	Please refer to the Applicant's response to RR-253-149.
RR-253-152	The draft DCO	Ref - PW71. Application document and provision - 3.1 draft Order, article 46. Change sought - Preserve the byelaws and constituting local legislation.	Please refer to the Applicant's response to RR-253-150. The local legislation is disapplied by article 46(5) of the draft DCO [APP-023] only to the extent the provisions are still in force and incompatible with the exercise of the functions conferred by the Order, whilst byelaws are disapplied in relation to the construction, operation and maintenance of the authorised development with protective provisions for Portsmouth Water at Part 3 of Schedule 10 to the draft DCO conferring suitable alternative protection for its assets. This ensures

Reference	Theme	Summary of issue raised	The Applicant's response
			that the Project authorised by the Secretary of State is capable of lawful implementation.
RR-253-153	The draft DCO	Ref - PW72. Application document and provision - 3.1 draft Order, article 50. Change sought - Bring Portsmouth Water within the safeguarding regime under article 50(2)(a).	Please refer to the Applicant's response to RR-253-150. Article 50 safeguards the land required for the project until construction is complete. As noted at RR-253-149, the benefit of the provisions of the Order is solely conferred on the undertaker (the Applicant). There is no justification for Portsmouth Water to be notified of a planning application within the Order Limits of the Project that it is not responsible for delivering.
RR-253-154	The draft DCO	Dispute resolution, certification and construction of the Order Article 55 provides that, except where the Order expressly provides otherwise, any difference under any provision of the Order must be referred to a single arbitrator appointed, in default of agreement, by the President of the Institution of Civil Engineers.	The Applicant notes this comment.
RR-253-155	The draft DCO	Article 5(11) provides that Article 55 does not apply to any dispute arising under Article 5. Article 5 is the only article in the Order to which arbitration does not apply. Schedule 10 Part 3 paragraph 30 refers disputes to Article 55 but modifies it, providing for appointment by the Secretary of State rather than by the President.	Please refer to the Applicant's response to RR-253-21. Disputes arising under article 5 must be determined by the Secretary of State (article 5(5)).
RR-253-156	The draft DCO	Notwithstanding Portsmouth Water's proposed changes below, Portsmouth Water would welcome a discussion with the Applicant about the disapplication of article 55 from the regime under article 5, and the amended arbitration regime proposed for its Protective Provisions.	The Applicant notes this comment. The form of protective provisions remains under discussion.
RR-253-157	The draft DCO	The changes Portsmouth Water seeks under this head include - Ref - PW73. Application document and provision - 3.1 draft Order, article 55 and Article 5(11). Change sought - Single dispute resolution provision or precedence clause.	Please refer to the Applicant's response to RR-253-155.
RR-253-158	The draft DCO	Ref - PW74. Application document and provision - 3.1 draft Order, Schedule 10 Part 3, paragraph 30. Change sought - Reconcile the appointment mechanism with article 55.	Please refer to the Applicant's response to RR-253-155.
RR-253-159	The draft DCO	Statement of Common Ground The Applicant issued a first draft Statement of Common Ground with Portsmouth Water on 28 July 2026, two months after the application was submitted. Thirteen draft Statements of Common Ground with other parties were submitted with the application.	The Applicant initially considered that a Statement of Common Ground (SoCG) would not be required with Portsmouth Water given their extensive involvement in the Project, including the construction of Havant Thicket Reservoir on which the Project relies. The Applicant and Portsmouth Water have engaged extensively throughout the development of the Project and engagement continues in relation to the commercial, operational and delivery interfaces between the Project and Havant Thicket Reservoir. However, following submission of the DCO application, it was felt that discussions had

Reference	Theme	Summary of issue raised	The Applicant's response
			not progressed in the timescales envisaged, and it became apparent that an SoCG would be required. The Applicant provided a draft SoCG to Portsmouth Water for comment in late July 2026. The draft SoCG will be provided at Deadline 2 as requested by the Examining Authority in the Rule 6 letter, and the Applicant continues to seek agreement with Portsmouth Water on the outstanding matters.
RR-253-160	Portsmouth Water proposal	Matters concerning Portsmouth Water's assets and consents are recorded as agreed in some of those documents, to which Portsmouth Water is not a party and in which its position is not recorded.	The Applicant notes Portsmouth Water's Relevant Representation. The Applicant and Portsmouth Water have engaged extensively throughout the development of the Project and engagement continues in relation to the commercial, operational and delivery interfaces between the Project and Havant Thicket Reservoir. The Applicant has sought to avoid or minimise impacts on Portsmouth Water's operational assets and the draft DCO includes protective provisions for the benefit of Portsmouth Water. The form of protective provisions remains under discussion. The Applicant acknowledges Portsmouth Water's observation that certain matters relating to Portsmouth Water's assets and consents are referenced within Statements of Common Ground agreed with other parties, to which Portsmouth Water is not currently a signatory. The Applicant included those matters on the basis of its understanding of discussions and engagement undertaken with Portsmouth Water during the development of the Project. However, the Applicant recognises that Portsmouth Water may wish to clarify its position in relation to those matters. The Applicant will therefore continue to engage with Portsmouth Water during the Examination to understand any concerns it may have. All Statements of Common Ground remain live documents throughout the Examination and can be updated and amended where necessary to reflect ongoing discussions and any agreements reached between the relevant parties.
RR-253-161	The process of developing the Project	Portsmouth Water will engage with the Applicant in respect of the Statement of Common Ground throughout the examination.	The Applicant notes this comment and looks forward to continuing to engage with Portsmouth Water throughout the Examination.
RR-253-162	The draft DCO	Procedural request Portsmouth Water asks that the Examining Authority has regard to this document in framing its Initial Assessment of Principal Issues.	The Applicant notes this comment.
RR-253-163	The process of developing the Project	Reservation Portsmouth Water's review of the application is not complete, and this representation is not an exhaustive statement of the matters Portsmouth Water may raise.	The Applicant notes this comment.

Reference	Theme	Summary of issue raised	The Applicant's response
RR-253-164	The process of developing the Project	Portsmouth Water should not be taken to have accepted, conceded or agreed any matter arising from the application by reason of not having addressed it in this representation, and reserves its position on each. That reservation extends to any application document substituted, amended or added after Portsmouth Water began its review.	The Applicant notes this comment.
RR-253-165	The process of developing the Project	This representation is made without prejudice to Portsmouth Water's ability to develop these matters, and to raise further matters, in written representations and at hearings during the examination.	The Applicant notes this comment.
RR-253-166	Portsmouth Water proposal	Appendix 1 Plan of Portsmouth Water's area and affected assets (MAP)	The Applicant notes the representation referencing Appendix 1 and the location of Portsmouth Water assets shown on the accompanying plan. The Applicant has engaged and continues to engage with affected statutory undertakers and infrastructure owners, including Portsmouth Water, to identify existing assets and understand any interfaces between those assets and the Project.
RR-253-167-	Portsmouth Water proposal	Appendix 2 Correspondence of 19 May 2026 [IMAGE]	The Applicant notes this comment.

Table 2-18 The Applicant's response to RR-277 from Rowlands Castle Parish Council

Reference	Theme	Issue raised	The Applicant's response
RR-277-1	The draft DCO	The Relevant Representation is in a separate document that will be emailed to you by 24 August. Introduction This Representation is submitted by Rowlands Castle Parish Council (RCPC or 'Council') in respect of Southern Water's (SW) (the 'Applicant') application for a Development Consent Order (DCf42O) for the Hampshire Water Transfer and Water Recycling Project (the 'Project' or HWTWRP). On behalf of RCPC I have been registered as an Interested Party with Reference: F2BF371A5. It should be noted that the DCO is misleadingly categorised under the 'Dams & Reservoirs' category even though the Project does not involve the construction of either a dam or a reservoir. This is concerning as it gives the Project a positive spin that it should not have. The principal development instead comprises new underground water transfer pipelines, a Water Recycling Plant (WRP) and associated pumping stations and break-pressure tanks. It should therefore fall under 'Water Recycling'.	The Applicant notes that the interested party appears to be referring to the classification of the Project by the Planning Inspectorate. The Applicant understands the classification is for Planning Inspectorate reporting purposes, and is not a matter under the Applicant's control. The description of the Project is clearly set out on the Planning Inspectorate's online project page.
RR-277-2	Use of Havant Thicket Reservoir	Significantly, the Project also includes the use of Portsmouth Water's (PW) Havant Thicket Reservoir (HTR) and associated pipelines as a transfer, blending and storage facility for recycled effluent from the WRP. HTR is	The Applicant notes this comment. The DCO application submitted by the Applicant seeks to authorise the use of Havant Thicket Reservoir to allow the storage of recycled water in the reservoir. The likely significant effects of this

Reference	Theme	Issue raised	The Applicant's response
	for the storage of recycled water	already separately TCPA-consented but not for the transfer, blending or storage of recycled effluent. It is currently under construction by PW (i.e. not by the Applicant). Importantly (and contrary to the impression given by the recent Section 56 notices) the original permission was assessed, consulted upon and authorised strictly as a 'raw water' storage scheme fed by natural springs from chalk aquifers, making it a unique reservoir environment in the UK. Introducing recycled effluent is a fundamental repurposing that alters the core description of the reservoir development, invalidates the original Environmental Impact Assessment (EIA) and directly contradicts SW's own formal admissions as given below.	proposal have been fully assessed in the Applicant's Environmental Statement. The sole purpose of the reservoir is to enable additional water supplies to be provided to the Applicant's Hampshire supply area. This was made clear as part of the consenting of the reservoir and that is why it is being fully funded by the Applicant. This is recognised by Ofwat in its relevant representation [RR-232], where it confirms that the Havant Thicket Reservoir "is being delivered by Portsmouth Water *for the benefit of Southern Water's customers*" [emphasis added]. The DCO application seeks to make best use of the reservoir by increasing its output, again with the same purpose of providing additional water supplies to the Applicant's supply area. The reservoir will continue to be fed by, and used to store, spring water.
RR-277-3	Use of Havant Thicket Reservoir for the storage of recycled water	SW has already accepted that the existing reservoir permission restricts storage strictly to spring water within DCO document ref 3.2 - Explanatory Memorandum to Draft Order - Page 6, Section 8.5 which specifically states that; "The terms of those planning permissions impose conditions requiring that only spring water can be stored in the reservoir or conveyed through the pipelines." The proposed change to store recycled effluent manufactured from a waste product derived from a sewage works must be a material change to that permission and the Examining Authority (ExA) is requested to consider that key Issue in detail.	Please refer to the above response to RR-277-2. The Draft Development Consent Order (Draft DCO) [APP-023], manages the inclusion of the Havant Thicket Reservoir into the overall project. The drafting ensures that the use of the reservoir to store recycled water for the Project, as has been fully assessed within the Environmental Statement, is given effect and does not give rise to any enforcement issues connected with the more limited scope of the original planning application. The Planning Act 2008 (PA 2008) provides a process through which the concerns of residents, local planning authorities and other stakeholders can be properly considered, in the context of the proposals forming part of the project that Havant Thicket Reservoir is used for these purposes. The Relevant Representations stage, followed by Examination of the proposals, provide the opportunity for the complete project, including the authorisation of the use of Havant Thicket Reservoir for recycled water, to be considered together with the national interest arising from a project of national significance. The suggestion that the Project will 'store recycled effluent' is misleading; water recycling is an internationally proven and trusted technology producing clean water. For further information, please refer to RR-277-17, RR-277-34, RR-277-35, RR-277-37 and RR-277-38 below. Please also refer to Appendix C in The Applicant's written summaries of oral submissions at OFH1 and ISH1 and post hearing actions (Document reference 8.9, DCO Volume 8, Version 0) which provides a glossary of terminology to be used when discussing the water recycling process.
RR-277-4	Principle of development	RCPC firmly objects to the HWTWRP on the basis that it is the wrong and most expensive short-term solution (circa 60-year life) to address likely future water shortages in periods of drought. RCPC was strongly supportive of the PW reservoir on the basis that it was an environmentally led, good, long-term storage solution (circa 200 years) that would be low cost to run for the consumer and in energy terms, once built. Further reservoirs and other storage solutions, coupled with reductions in leaks and in water consumption by	The Applicant refers the Parish Council to the Case for the Project (Document reference 5.6, DCO Volume 5, Version 1), which clearly articulates the need for the Project. This sets out the need for the Project against the relevant legislative, regulatory and policy framework. It explains why the Project is required, how it has been selected as the preferred solution to an identified water supply deficit through established statutory and regulatory processes. It also explains that demand side measures (reducing consumption / fixing leaks)

Reference	Theme	Issue raised	The Applicant's response
		residents educated in ways to save water are the best way forward to address expected future water shortages.	are a crucial part of the solution but must be combined with new large scale supply options. New reservoirs have been considered through the Applicant's Water Resources Management Plan (WRMP) and options appraisal processes but have not been deemed as a reasonable alternative to the Project as these take a significant amount of time to develop, carry their own environmental impacts, and would need to rely on river abstractions (to fill them) that the Applicant is required to reduce. The Applicant is already investing significantly in the Havant Thicket Reservoir and the White Horse Reservoir to provide additional water supplies to its area, and the Havant Thicket Reservoir plays a critical role in the Project by augmenting the volume of water that it can provide. The National Policy Statement for Water Resources Infrastructure (NPSWRI) confirms, in Section 2.5, the role of the WRMP in identifying the need for new water infrastructure. Paragraph 2.5.12 confirms that *"if a nationally significant infrastructure project is included in a published final water resources management plan, the 'need' for that scheme will have been demonstrated"*. Please refer to the WRMP24 Position Statement [PD-004], submitted at Procedural Deadline A, which confirms that the Project is included within WRMP24 and that this will be published in December 2026.
RR-277-5	Principle of development	The Applicant has set out Potential Main Issues for Examination ([APP-058], WA010002-000272, 'PMIE') which are, in the Applicant's opinion, likely to require examination having regard to the matters discussed with stakeholders during the pre-application process. The PMIE: (i) omits many matters that are both 'important and relevant' for the purposes of Section 104, PA 2008 and (ii) underplays others. RCPC wishes to state that it fully supports and agrees with the Representations to be made by the Water Matters Community shortly at registration and also with the Representations previously made by Mr Andrew Newberry (redacted). This Representation sets out 7 Principal Issues that the Council in its own right wishes to emphasize should be examined by the ExA in addition to those in the PMIE. The Council is writing on behalf of the Rowlands Castle Parish residents who are all PW customers for supply and who will inevitably be drinking the recycled effluent if this Project goes ahead. They are therefore persons 'likely to be affected' by the Project. The 7 Principal Issues are: • The need for this HWTWR Project is not established, • Inadequate alternative options assessment, • Failures of consultation, • Fundamental Repurposing of the HTR,	These comments are noted and taking each point in turn: • The PMIE [APP-058] makes the Applicant's position clear that in accordace with the NPSWRI paragraph 1.4.7, where a project is not present in a final WRMP development consent applicants will need to make the case for the need for the Project on a case by case basis. That case is made in the Case for the Project (Document reference 5.6, DCO Volume 5, Version 1). Once the Applicant's WRMP24 is published the National Policy Statement for Water Resources is clear that 'need' is established and should not be examined as part of the DCO process. As confirmed in the WRMP24 Position Statement [PD-004], the Applicant's WRMP24 will be published by 12 December 2026. The National Policy Statement for Water Resources is clear that, inclusion of the Project within the WRMP establishes the 'need' for that Project, and this should not be further examined as part of the DCO process. • The Applicant rejects the assertion of an inadequate consideration of alternatives for the reasons set out in the Planning Policy Statement (Document reference 5.5, DCO Volume 5, Volume 2) from paragraphs 4.3.30 - 4.3.40. The Applicant has extensively considered alternatives to the Project through its WRMP and options appraisal processes and this is set out in the Case for the Project (Document reference 5.6, DCO Volume 5, Version 1) and Scheme Development Report [APP-073, APP-074, APP-075]. Please see previous comment confirming that the 'need' for the Project is established for the purposes of Examination through the publication in December 2026 of WRMP24. ES Chapter 4 Consideration of

Reference	Theme	Issue raised	The Applicant's response
		• Ultra Vires /Exceeding Statutory Power: Articles 5, 46 and Schedule 8, • Water Quality, and • Carbon and Energy consumption	alternatives [APP-083] confirms that the project was selected through the options appraisal and WRMP processes. Alternatives in the context of the iterative design process, in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, is set out within the Scheme Development Report [APP-073, APP-074, APP-075] and ES Chapter 4 Consideration of Alternatives [APP-083]. • The Applicant has fully complied with all the relevant consultation requirements (as set out in detail in the Consultation Report [APP-029]) and this has been acknowledged by all seven host planning authorities and the Planning Inspectorate in accepting the application for examination. Please also refer to Appendix B of The Applicant's written summaries of oral submissions at OFH1 and ISH1 and post hearing actions (Document reference 8.9, DCO Volume 8, Version 0), which sets out how the Applicant has and will consult with customers on the change of the source of water. • The Project is not a fundamental repurposing of HTR but rather an optimisation of it, with recycled water enabling much greater deployment of water than would otherwise be possible. The reservoir would continue to serve the same purpose for which it was originally intended and consented for – to help address the water supply deficit in the Applicant's Hampshire supply area, as confirmed by Ofwat in its relevant representation [RR-232]. The only physical difference proposed by the Project is to add purified recycled water to the reservoir, to mix with the spring water, and to enable greater output to be realised. • The Applicant disagrees with the assertion of ultra vires for the reasons set out in the Explanatory Memorandum [APP-24]. Please also refer to RR-DCO-04. • The Applicant notes that water quality, in the context of the environmental assessment of the Project, is a principal matter for examination as reflected in the PMIE. This must be distinguished from water quality matters that are subject to separate regulatory regimes, including the Environmental Permitting regime. As confirmed in paragraph 3.8.3 of the National Policy Statement for Water Resources Infrastructure, the Secretary of State "should work on the assumption that, in terms of the control and enforcement, the relevant pollution control or other consenting regime will be properly applied and enforced" and that the DCO "should complement but not duplicate" the relevant regulatory regime. Please also refer to Appendix F of The Applicant's written summaries of oral submissions at OFH1 and ISH1 and post hearing actions (Document reference 8.9, DCO Volume 8, Version 0) for further information about the Gateshead principle and how the existing regulatory regimes apply to the Project. • The Applicant notes that carbon has not been identified in the Examining Authority's initial assessment of principle issues within the Rule 6 letter. The Applicant recognises the importance of properly assessing the carbon

Reference	Theme	Issue raised	The Applicant's response
			impacts of the Project and refers to ES Chapter 10 Carbon and Climate Change [APP-089].
RR-277-6	The process of developing the Project	RCPC can also state that Section 56 notices have not been displayed at the main entrances to the public open space at the reservoir within the Parish of Rowlands Castle. This is a continuation of a failure to engage with Rowlands Castle residents to a satisfactory degree throughout this Project's development.	The Applicant confirms that a Section 56 notice was displayed on the B2149, Havant Road (location X: 472180 Y: 110616) from the 9 July 2026 to 25 August 2026. This location is adjacent to Rowlands Castle and close to the under-construction Havant Thicket Reservoir. As required by Regulation 9 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009, Section 56 notices were placed at intervals not exceeding 5km along the route, with the intention of being positioned within areas with the highest footfall. This approach to site notices aligned with the approach undertaken throughout the pre-application consultations. The Consultation Report [APP-029] sets out the pre-application consultation activities undertaken for the Project, comprising both non-statutory and statutory consultation. Statutory consultation was undertaken through multiple consultation stages (Summer 2024 Consultation, Spring 2025 Consultation, Autumn 2025 Consultation and Spring 2026 Consultations). Earlier non-statutory consultations (Public Consultation 2021 and Summer 2022 Consultation) were also carried out. The consultation was undertaken in accordance with the Statement of Community Consultation [APP-041], which had been developed in consultation with the host local authorities to ensure that communities were being appropriately engaged. The Applicant consulted with the local community, including the residents of Rowlands Castle under Section 47 of the PA. The Consultation Report [APP-029] demonstrates conclusively that SW has complied with the requirements of Section 47 of the Planning Act. This was also the view of all six host local authorities when SW consulted them in preparing the Adequacy of Consultation Milestone as part of the pre application procedure and subsequently confirmed through their Adequacy of Consultation Representations. The Planning Inspectorate concurred and the application has now been accepted.
RR-277-7	Need case	Principal Issues for Examination The need for this HWTWR Project is not established The 'need' for the HWTWRP-specific solution to address the Applicant's forecast water supply deficit in times of drought has not been established or justified through inclusion in a published final water resources management plan (WRMP), as contemplated by the National Policy Statement for Water Resources Infrastructure (NPS-WRI). The draft WRMP24 has not been signed off and therefore the Applicant must still make the case and demonstrate fully that this infrastructure is required. The ExA has jurisdiction to consider the need under NPS_WRI section 5.5 and is very strongly encouraged and recommended to examine whether the Project is an appropriate solution to meet the forecast need for more water. The Applicant is trying to state that the need has been firmly established and does not need to be revisited.	The Applicant's position as stated in the PMIE [APP-058] acknowledges that in advance of the publication of WRMP24, in accordance with the NPSWRI paragraph 1.4.7, where a project is not present in a final Water Resources Management Plan (WRMP), development consent applicants will need to make the case for the need for the Project on a case-by-case basis. That case is duly made in the Case for the Project (Document reference 5.6, DCO Volume 5, Version 1) which sets out that the Project is 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. It is on that basis that, regardless of the timing of the publication of WRMP24, the need has been firmly established and, on the basis of the information in the Case for the Project, should not need to be re-examined as part of the DCO application.

Reference	Theme	Issue raised	The Applicant's response
			Upon publication of WRMP24 the NPSWRI is explicit that *"if a nationally significant infrastructure project is included in a water resources management plan, the 'need' for that scheme will have been demonstrated in line with government policy and the applicable statutory requirements, and 'need' would not be revisited as part of the application for development consent*" (paragraph 2.4.4). Please refer to the WRMP24 Position Statement [PD-004], submitted at Procedural Deadline A, which confirms that the Project is included within WRMP24 and that this will be published in December 2026. The need for the Project is therefore established.
RR-277-8	Alternatives	It is RCPC's contention that the examination of good alternative options that would be cheaper to implement and less environmentally damaging have not been properly considered. Such options would be: • further reducing extensive leaks from water mains; • educating residents and businesses how they can use less water from the mains; • moving abstraction points on the chalk streams to the tidal limit (thus giving a full flow from the upper catchments to the tidal limit); and • utilising other storage options such as aquifers or further reservoirs. There is no point in developing a new, expensive to build and run scheme while water leaks continue to lose SW millions of litres every day, this being water supplied freely from rainfall. All the Project will do is replace some of the lost water. Demonstrating a need for new water sources is not the same as demonstrating a need for this particular scheme.	Demand management, and leakage reduction, are of vital importance but it is not possible to meet future needs through demand management alone without twin tracked new supply options (see paragraphs 2.6.25 onwards of the Case for the Project (Document reference 5.6, DCO Volume 5, Version 1). This is also confirmed by paragraph 2.4.1 of the National Policy Statement for Water Resources Infrastructure which states "to meet future needs, water resources infrastructure *will be required to supplement* demand management action" [emphasis added]. A large new reliable source of water is urgently needed to make up the majority of the water lost as a result of abstraction licence reductions in the Applicant's Western Area of supply, and the modelling in the emerging WRMP24 demonstrates the need for the Project in providing essential daily supplies in normal conditions as well as drought. All legal and policy requirements in relation to the assessment of alternatives through the DCO process have been fully met as set out in the Planning Policy Statement (Document reference 5.5, DCO Volume 5, Version 2) from paragraphs 4.3.30 - 4.3.40. Please refer to responses RR-277-4 and RR-277-7 for additional information on the WRMP infrastructure options appraisal that determined the most suitable infrastructure type and site location (see also Table 2 in the NPS for Water Resources Infrastructure). Using local aquifers, through both managed aquifer recharge and aquifer storage and recovery, has been considered by the Applicant in its emerging WRMP24, but these require specific geological conditions, require extensive testing and carry a number of environmental and feasibility uncertainties. One such scheme is proposed after 2035 but is only forecast to provide just over 5Ml/d of water into supply and would thus not be able deliver at the scale required to negate the need for the Project. Moving abstractions closer to the tidal limit on the River Itchen has been looked at previously but not considered viable because of a number of environmental and feasibility constraints. There could be potentially significant implications on other water company abstractions and infrastructure, lower reaches of the river would still be subject to abstraction reductions, there was a

Reference	Theme	Issue raised	The Applicant's response
			likely impact on migratory fish and complications could arise from tidal effects on the duration of abstraction and on water quality. The construction of the necessary abstraction intake, pumping stations and connecting pipelines would also carry their own environmental impacts and this suggested option does not overcome the sustainability objective of reducing how much water the Applicant takes from the environment. Please also refer to the WRMP24 Position Statement [PDA-004], submitted at Procedural Deadline A, which confirms that the Project is included within WRMP24 and that this will be published in December 2026, establishing the need for the Project.
RR-277-9	Alternatives	The Applicant's WRMP19 strategy for meeting its forecast water supply deficit was based on a desalination plant on the South Coast at Fawley, not on the HWTWRP. A review for the Applicant had admitted in December 2021 that the HWTWRP did "not explicitly feature in WRMP19 as being a preferred solution to meeting the agreed supply deficit." and, in a separate ANNEX (Gate 2 Submission: Supporting Technical Report, 6 December 2021, Annex 5: Options Appraisal Process - Future Needs Update, page 268), more directly that: "This Option [i.e. HWTWRP] is not part of the long-term scheme for alternative water resources set out in WRMP19. If this Option were selected SW would expect to undertake an update of WRMP19 on the basis of there being a 'material change in circumstances', so as to include this Option in an updated WRMP19". Nevertheless, in December 2021 the Applicant turned away from Fawley to the HWTWRP - a new option that it admits was "not part of the long-term scheme set out in WRMP19". That was not a minor refinement of the WRMP19 strategy; it was a fundamentally different proposal to that previously consulted upon and it was a choice made by the Applicant in December 2021 without the required review of alternative options and subsequent consultation on those options with all persons likely to be affected by this Project. The ExA is requested to examine this Issue in detail because it is fundamental to stopping this Project and forcing SW to adopt better alternative options to meet its aim.	Section 37A(5) of the Water Industry Act (1991) requires a water undertaker to review its plan before the anniversary of the date it was published and send a statement of conclusions to the Secretary of State. Section 37A(6) then requires the water undertaker to prepare and publish a revised plan where a) the review indicated a material change in circumstances b) it is directed to do so by the Secretary of State or c) in any event within five years. The Applicant maintains that the change in the preferred approach from desalination to HWTWRP (the Project) did not represent a material change to WRMP19. The quote cited from Annex 5 of the Applicant's Gate 2 submission to RAPID, made in the context of an assessment of compliance with the Applicant's s20 agreement with the Environment Agency, was an initial consideration of the implications of selecting the project, undertaken as part of the options appraisal process in Summer/Autumn 2021 to inform its Gate 2 submission to RAPID later that year. Subsequent further consideration of this implication, following selection of the Project through the options appraisal process and engagement with regulators, concluded that the switch from desalination to the Project was not a material change in circumstances for the reasons set out below and there would be extensive consultation and engagement on the option through WRMP24, development on which was already underway. WRMP19 identified a 75Ml/d desalination scheme at Fawley but required investigation of strategic alternative schemes in parallel with developing the preferred strategy, including Itchen Indirect Potable Reuse (i.e. water recycling). The Project represents a refinement of that strategic backup option identified in WRMP19. The case for the Applicant's decision not to reconsult on WRMP19 was set out in Annex 8 of the Applicant's Gate 2 submission at g and is copied below: *"There is limited guidance available as to what constitutes a "material change of circumstances". In England, the Water Resources Planning Guideline – Version 9 published in February 2021 ("the Guideline") provides at section 3.9 that "…you must consult with the Environment Agency and/or Natural*

Reference	Theme	Issue raised	The Applicant's response
			Resources Wales on any substantial changes that you wish to make to your final plan. For example, implementation of new resources not mentioned in your plan. If the changes are 'material' you must prepare a revised draft plan for re-consultation. Material changes are those likely to significantly impact customers through higher bills, changing their security of supply or significantly affect the environment. The Environment Agency and/or Natural Resources Wales will provide technical guidance to the relative governments. *Southern Water considers that on the basis of information currently available there is a strong case that when compared with Fawley desalination, the selection of Option B.4 or B.5 would not significantly impact customers through higher bills, change their security of supply or significantly affect the environment. On the contrary, it is considered that Option B.4 and Option B.5 each has fewer environmental impacts than the option included within WRMP19, such that lesser environmental impacts would result. In addition, B.4 and B.5 are each less expensive to deliver than Fawley desalination, and so would not be expected to significantly impact customers through higher bills – indeed, both could result in lower bills than would have been the case with Fawley desalination. It is also not considered that selection of Option B.4 or B.5 would significantly impact customers through changing their security of supply as against the option in WRMP19.* *On that basis, Southern Water has concluded that there is no material change of circumstances in relation to WRMP19 resulting from the selection of the Selected Option and the Back-Up Option at Gate 2. Notwithstanding this position, however, preparation of WRMP24 is already underway, and through the preparation and consultation on draft WRMP24 there will be a mechanism for extensive consultation and engagement around the changes from the WRMP19 preferred strategy.* *This is reported in Southern Water's WRMP19 Annual Review"* As confirmed in the WRMP24 Position Statement [PDA-004], submitted at Procedural Deadline A, the Project is included within Southern Water's emerging WRMP24 and this will be published in December 2026. The NPSWRI is clear that where a project is included in a WRMP need is established and should not be revisited through the examination.
RR-277-10	Alternatives	Inadequate alternative options assessment NPS-WRI Section 3.5 is clear that the Applicant must include consideration of the alternatives. Section 3.5.3 confirms that the consideration of alternatives, as required under the Environmental Impact Assessment Regulations, must begin in the earliest stages of the scheme evolution. The equivalent to the "at the formative stage" consultation test typically used when applying the Gunning principles, which are also relevant here. Such alternatives optioneering for HWTWRP did not begin at the "earliest stages of scheme evolution": the HWTWRP had, in fact, been selected by the Applicant in	All legal and policy requirements in relation to the assessment of alternatives through the DCO process have been fully met as set out in the Planning Policy Statement (Document reference 5.5, DCO Volume 5, Version 2) from paragraphs 4.3.30 - 4.3.40. Please refer to RR-277-5, RR-277-7, RR-277-8 and RR-277-9. Consultation on the decision to select the Project was carried out as part of the WRMP24 process and with the publication of WRMP24 in December 2026, the need for the Project is established.

Reference	Theme	Issue raised	The Applicant's response
		December 2021 before any NPS-WRI 3.5 optioneering of alternatives was undertaken and before proper public consultation on those alternatives was undertaken. Such assessment that has been done of such options is weak and lacked proper options appraisals that could then be placed before the public for proper consultation. The Applicant must demonstrate that it based its selection of the HWTWRP on the proper consideration of, and consultation on, alternatives before its choice was made and has failed to do this. Such alternatives optioneering did not begin at the "earliest stages of scheme evolution": the HWTWRP had, in fact, been selected by the Applicant in December 2021 before any NPS-WRI 3.5 robust review of alternative options was undertaken and before proper public consultation on those alternatives was undertaken.	Paragraph 3.5.2 of the NPSWRI advises that information from the WRMP options appraisal process *"will be relevant to demonstrate how alternative options have been considered, insofar as required under paragraph 3.5.1*" and again confirms that "*the question of need would not be reopened when considering applications for development consent".* The publication of WRMP24 in December 2026 will formalise the inclusion of the Project in a published WRMP confirming it as the selected option for providing the scale of water supply needed in the timescale required. Other solutions have been extensively considered through the options appraisal process but are not available at the scale needed and in the timescales required. Alternative infrastructure options which would not meet the supply need determined by the Applicant's WRMP are not reasonable alternatives to the Project. Following selection of the Project through the options appraisal and WRMP processes, the Project has been refined, and a detailed environmental impact assessment has been carried out in support of the DCO application. Consideration of reasonable alternatives in the context of the iterative design process, in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, is set out within ES Chapter 4 Consideration of Alternatives [APP-083].
RR-277-11	Alternatives	The Environmental Statement (ES) does not compare the environmental effects of the reasonable alternatives with those of the chosen scheme, which is what Schedule 4 requires. ES Chapter 4 lists the options considered, but having selected Option B.4 in December 2021 it reports only the sites and routes "considered for Option B.4" - variants within the option already chosen.	Please refer to RR-277-5, RR-277-7, RR-277-8 and RR-277-9 above.
RR-277-12	Alternatives	An ES that omits a required element is not a lawful ES. In moving from the desalination plant solution at Fawley to another option (effluent recycling) the Applicant should have produced a revised draft plan and completed a fresh public consultation under sections 37A-37C of the WIA (to be construed in accordance with the so-called Gunning principles) before making its final choice of preferred option. This did not happen. The Applicant's spring 2021 consultation was not a consultation on that choice. Its own Consultation Report records that desalination at Fawley was presented as the base case and preferred option, with eight alternatives shown only as "backup solutions should the base case not be delivered", and that the exercise "was undertaken prior to any decision to not progress the preferred desalination scheme". The option ultimately selected was therefore put to the public only as a contingency and before the decision that made it the scheme. The Applicant said as much at the time. Its 2021 consultation brochure stated that, if the Havant Thicket options were taken forward, they would "represent a separate scheme which changes the way that the reservoir is used" and that "full consultation and separate development consents and environmental permits would be required". The option was taken forward in December 2021. The full	Please refer to the response to RR-277-10.

Reference	Theme	Issue raised	The Applicant's response
		consultation the Applicant itself said would be required did not precede that decision.	
RR-277-13	Alternatives	Issues related to alternative options and consultation appear nowhere in the Applicant's PMIE. RCPC urges the ExA to examine whether the Applicant has complied with the 'assessment of alternatives' requirements including: (i) demonstrating that alternative options were prepared and considered in accordance with the WIA (i.e. 'associated statutory assessments'18) and (ii) demonstrating whether alternatives were considered, as required under the Environmental Impact Assessment Regulations and other legal requirements.	Please refer to RR-277-5, RR-277-7, RR-277-8 and RR-277-9. As confirmed in previous responses, the Water Resources Management Plan infrastructure options appraisal considers the options for new water infrastructure and establishes the need for the Project. The National Policy Statement for Water Resources Infrastructure confirms, in Section 2.5, the role of the Water Resources Management Plan in identifying the need for new water infrastructure. Paragraph 2.5.12 confirms that *"if a nationally significant infrastructure project is included in a published final water resources management plan, the 'need' for that scheme will have been demonstrated*". Please refer to the WRMP24 Position Statement [PDA-004], submitted at Procedural Deadline A, which confirms that the Project is included within WRMP24 and that this will be published in December 2026. Following selection of the Project through the options appraisal and WRMP processes, the Project has been refined and detailed environmental impact assessment has been carried out in support of the DCO application. ES Chapter 4 Alternatives [APP-083] sets out in detail how alternatives have been considered in the design of the Project, whilst also setting out how the Project was selected through the options appraisal and WRMP processes. The Applicant recognises that the Examination may seek to review the approach to alternatives in how the Project has been developed to the form included in the application documents; however, it considers that the selection of the Project is beyond the remit of the Examination as it is carried out under a wholly separate statutory framework under the Water Industry Act. ES Vol I – ES Chapter 4 Consideration of alternatives [APP-083] demonstrates full compliance with the EIA regulations by setting out the evolution of the Project and a description of the alternatives considered by the Applicant. It also includes how environmental considerations have informed the decision-making process relating to the Project. Other legal requirements for an assessment of alternatives include the Conservation of Habitats and Species Regulations 2017 (which requires the consideration of alternatives where a Stage 3 derogation is required) and the Water Environment Regulations (WER) 2017 (Water Framework Directive) (England and Wales). Neither are applicable to the Project. The legal requirement to demonstrate to the satisfaction of the SoS that all reasonable alternatives to compulsory acquisition have been explored is addressed in the Statement of Reasons [APP-025].
RR-277-14	Consultation	Failures of consultation The serious consultation failures by the applicant are more fully and methodically laid out in other Representations and also in the 'Inadequacy of Consultation Report' for RCPC which can be found here accompanying our June 26 letter to PINS on this subject (WA010002-000723). The Council	Multiple pre-application consultations have been carried out throughout the development of the Project, presenting materials of appropriate detail at each stage. Furthermore, the materials shared were sufficient for consultees to give intelligent consideration to the proposals. They complied with the statutory

Reference	Theme	Issue raised	The Applicant's response
		wishes to reiterate its immense concern over this lack of consultation with all residents 'likely to be affected' by this project. RCPC confirms that neither we nor our residents were properly consulted on the Project and were not given sufficiently clear information to understand and respond to the consequences of the changes.	requirement that the information provided enabled consultation bodies to develop an informed view of the likely significant effects of the proposals. The non-statutory Summer 2022 Consultation appropriately addressed the process undertaken to select the Project, pipeline corridor options, zones for above ground plant, and the proposed site for the WRP. Any identification of likely impacts was necessarily high level and indicative at that formative stage of Project development. With regard to the statutory consultations, the Summer 2024 Consultation included material which described the design development process since the Summer 2022 Consultation. The Applicant also provided the Preliminary Environmental Information (PEI) in the form of a PEI Report at Summer 2024 Consultation. The Spring 2025 Consultation included updated environmental water quality information and information about 25 design refinements. The Autumn 2025 Consultation described and consulted on eight design refinements and was targeted to specific landowners who may be impacted by the proposed refinements. The Spring 2026 Consultations included two design refinements and was also targeted. Additional details, including the consultation materials presented at each consultation are set out within the Consultation Report [APP-029 – APP-052]. The quality and level of detail in responses received from both technical stakeholders and the public, as documented in the Consultation Report [APP-029], provide clear evidence that consultees were provided with sufficient information to understand the proposals and submit informed feedback. The Applicant confirms that Rowlands Castle Parish Council was notified via letter and email about the Summer 2024 and Spring 2025 Consultations. It is noted that Rowlands Castle Parish Council responded to the Summer 2024 statutory consultation on 17 July 2024.
RR-277-15	The process of developing the Project	The HWTWRP was a completely new option which did not explicitly feature in SW's WRMP19. The proposal to select the project was therefore a material change. This was confirmed in SW Gate 2 Submission Supporting Technical Report, 6 December 2021, ANNEX 3: Havant Thicket Technical, Para 2.6.11, Table 70 (Main consenting risks and countermeasures) where it states that: "The need case for [the Project] is not beyond challenge because it does not explicitly feature in WRMP19 as being a preferred solution to meeting the agreed supply deficit" This defect was not remedied by the later consultation, because by then SW had already selected HWTWRP and there was no longer any meaningful opportunity to influence the strategic direction of the project at the formative stage.	Please refer to RR-277-5, RR-277-7, RR-277-8 and RR-277-9. As confirmed in the National Policy Statement for Water Resources Infrastructure, including Table 2, the infrastructure options appraisal within the WRMP process "determines the most suitable infrastructure **type** and **site location**" [original emphasis]. Please also refer to the WRMP24 Position Statement [PD-004], submitted at Procedural Deadline A, which confirms that the Project is included within WRMP24 and that this will be published in December 2026.
RR-277-16	Consultation	The Applicant's own 2021 consultation material made it clear that the Applicant was not - in any event - consulting on a choice between the base case (Fawley desalination) and any alternative solutions. The Applicant also made it clear	Please refer to RR-277-5, RR-277-7, RR-277-8 and RR-277-9. As confirmed in the National Policy Statement for Water Resources Infrastructure, including Table 2, the infrastructure options appraisal within the WRMP process

Reference	Theme	Issue raised	The Applicant's response
		that if the desalination base case proved undeliverable then the Applicant would undertake further WIA consultation on alternative solutions. That further consultation did not happen.	"determines the most suitable infrastructure **type** and **site location**" [original emphasis]. Please also refer to the WRMP24 Position Statement [PDA-004], submitted at Procedural Deadline A, which confirms that the Project is included within WRMP24 and that this will be published in December 2026.
RR-277-17	Attitudes to water recycling	A very large number of residents, not just in Rowlands Castle Parish, are "likely to be affected" including all PW and SW customers whose tap water, supplied from various natural sources, would change to include a significant proportion of recycled effluent. The ExA should note that a significant proportion of residents have stated they would change to using bottled water to drink and cook with because they have no wish to drink recycled water. You cannot force residents to drink recycled water and so the increase in single use plastic bottles is likely to be high with all the disposal implications for the environment.	The Applicant's demonstration of compliance with paragraph 3.5.1 of the National Policy Statement for Water Resources Infrastructure (NPSWRI) is provided at paragraphs 4.3.30 to 4.3.40 of the Planning Policy Statement (Document reference 5.5, DCO Volume 5.5, Version 2). The assessment of alternatives has been fully considered through the Applicant's Water Resources Management Plan (WRMP) and options appraisal processes to determine the Project as the preferred solution to meet the need identified. Water recycling is a well-established and internationally proven technology, successfully implemented in countries such as the United States, Australia and Singapore. In the UK, water recycling can be delivered safely, with robust regulatory requirements that need to be demonstrated by water companies before recycled water can be put into supply, as confirmed by the Drinking Water Inspectorate (DWI), including in its letter [PDA-038]. The Water Recycling Plant (WRP) produces purified recycled water which is then discharged into the Havant Thicket Reservoir. The output of the WRP will be controlled by an environmental permit, controlling the quality of the water that may be discharged into the environment. The recycled water will be blended with spring water and stored in the reservoir until it is abstracted. At this point, the water will be sent to Otterbourne Water Supply Works for further treatment to ensure that it meets the high drinking water quality standards required by the Drinking Water Inspectorate. Please refer to RR-WRPR-03 in 8.7 The Applicant's responses to Relevant Representations from members of the public and businesses for further information about the effectiveness of the water recycling process at removing contaminants. The Applicant recognises that public perception and trust are essential and is committed to ongoing engagement to communicate how effective water recycling technology can produce wholesome drinking water. With these measures, the public can have confidence in the safety and reliability of the water supplied. Introducing recycled water is not expected to significantly increase bottled water consumption. Please also refer to the Applicant's responses to RR-277-34, RR-277-35, RR-277-37 and RR-277-38 in relation to the quality of recycled water. The Applicant does not anticipate a significant increase in bottled water use where recycled water is treated, monitored and regulated as proposed.
RR-277-18	Consultation	The Council considers that the Applicant has deliberately set out to minimise real engagement with both it and our residents; whereas PW has from the start	The Applicant does not accept these comments.

Reference	Theme	Issue raised	The Applicant's response
		of the HTR project engaged regularly and consistently with all local residents and organisations, SW has failed to do anything more than the bare minimum it can get away with. The reason is simple; the Applicant knew from the start that the HWTWRP was unlikely to gain public approval and so minimised its engagement and then only in a selective manner. The consultation failures relate, for example, to the choice of HWTWRP in December 2021 after the decision not to proceed with the Fawley desalination plant but with no consultation at the formative stage, particularly on cheaper more easily achieved alternative options. There was a clear failure to follow the statutory consultation process (WIA, section 37) when their plan materially changed and then those failures were not rectified by any subsequent action by the Applicant.	Please refer to RR-277-5, RR-277-7, RR-277-8 and RR-277-9 in relation to the selection of the Project and engagement under the WRMP process. The Applicant maintains its position that the change in the preferred approach from desalination to the Project did not represent a material change to WRMP19. Please refer to the WRMP24 Position Statement [PDA-004], submitted at Procedural Deadline A, which confirms that the Project is included within WRMP24 and that this will be published in December 2026, establishing the need for the Project. Please refer to RR-277-6 and RR-277-14 in respect of the consultation carried out for the Project in accordance with the Planning Act 2008.
RR-277-19	Consultation	Publicity throughout has been inadequate, including the absence of site notices, even about this DCO application, and there has been a lack of direct notification to affected water customers. All that was needed was a detailed letter sent to all PW and SW customers setting out the plans for the Project and seeking residents'/consumers' views but this was not done. Where some consultation was done the responses received were not properly and conscientiously considered because of the exclusion of a substantial proportion of the 2024 responses from the public analysis. That included a detailed letter submitted by RCPC, which was ignored like all the other letters and emails sent in because we had not used the online questionnaire, which was itself biased in its questions and did not allow for arguments against the scheme. Note that East Hants District Council has also (WA010002-000661) raised similar concerns and the choice of language also evidences why the consultation failures of the Applicant were also material breaches of the 4 Gunning principles namely: • proposals cannot be finalized or predetermined at the formative stage; • clear, sufficient and accessible information must be provided; • there should be adequate time to read, consider and comment on the plans; and • there should be conscientious consideration of the feedback data. In conclusion to this topic RCPC submits that improper and inadequate assessment of suitable alternatives and improper consultation should be examined by the ExA as a Principal Issue.	Please refer to RR-277-6 and RR-277-14 in respect of the consultation carried out for the Project in accordance with the Planning Act 2008 (PA 2008), including as to the location of site notices. Please refer to RR-277-5, RR-277-7, RR-277-8 and RR-277-9 in relation to the separate roles of the WRMP process for determining the most suitable infrastructure type and site location, and the DCO process for developing and consenting the project selected by the WRMP process. The Applicant has communicated the proposal for water recycling over a considerable period throughout its public consultations which were undertaken in accordance with the statutory requirements and prescribed consultee categories applicable at the time. While the Applicant does not hold the authority to contact PW customers directly on any grounds regarding source of water change, consultation activities were open to all interested parties and included engagement across the areas potentially affected by, or interested in, the scheme. The Summer 2024 Consultation included four consultation zones, within which the Applicant engaged with local communities who may be affected by the construction or operation of the Project infrastructure. Consultation Zone D covered Hampshire and the wider area, including most of the Portsmouth Water supply area. Notices relating to the statutory consultations were placed in both local and national newspapers. SW has also prepared communications for its own customer engagement. However, consultation to date has not intended to identify or consult every customer who may later receive water from the Project. Consultation under the PA 2008 regime is focused on the Project and its impacts. Targeted engagement with customers affected by a change of source will be undertaken closer to switch-on, when the supply areas and operational information are sufficiently mature for communications to be accurate and useful. There was no exclusion of a substantial proportion of the Summer 2024 Consultation responses from the public analysis. Feedback was received through feedback form, letters and emails. The structure of the feedback form enabled a quantitative review of responses which was used for the statistics. The emails and letters were qualitative and these were addressed in the issue statements, as well as informing the Project design. Section 9.7 of the Consultation Report [APP-029]

Reference	Theme	Issue raised	The Applicant's response
			sets out the framework and approach used to analyse the Summer 2024 Consultation feedback. Section 9.8 of the Consultation Report is a summary of all feedback received to the Summer 2024 Consultation and Section 9.9 is a summary of the Applicant's response to that feedback. A Summary of Feedback Report is provided in Appendix F.30 of the Consultation Report [APP-048]. As well as undertaking statutory compliant consultations, the Applicant sought to carry out open, inclusive and proportionate pre-application consultation. The Applicant considered the Gunning Principles to make sure that consultation was fair, lawful and a worthwhile exercise for the Applicant and consultees, including landowners. Please see table 3-1 in the Consultation Report [APP-029] for further detail about how the Applicant had regard to the Gunning Principles. Please also refer to Appendix B of The Applicant's written summaries of oral submissions at OFH1 and ISH1 and post hearing actions (Document reference 8.9, DCO Volume 8, Version 0) which sets out the consultation carried out and to be carried out in relation to the change of water supply.
RR-277-20	Use of Havant Thicket Reservoir for the storage of recycled water	Fundamental Repurposing of the HTR A key matter that should be addressed as a Principal Issue relates to the fundamental repurposing of the reservoir being built by PW. The proposed complex and novel changes identified by the Applicant go beyond those identified by the Applicant in its PMIE, Table 2-1, line item 3.	The Applicant notes this comment, but would reiterate that the reservoir would continue to serve the same purpose for which it was originally intended and consented – to help address the water supply deficit in the Applicant's Hampshire supply area. The only physical difference proposed by the Project is to add purified recycled water to the reservoir, to mix with the spring water, and to enable greater output to be realised. Please also refer to RR-277-2.
RR-277-21	Consultation	These changes have largely not been consulted upon at all, as required by legal obligations and policy; they now appear for the first time, largely unheralded, in a complex, novel and extensive way.	Please refer to RR-277-6 and RR-277-14 in respect of the consultation carried out for the Project in accordance with the Planning Act 2008 (PA 2008), including as to the location of site notices. Please refer to RR-277-5, RR-277-7, RR-277-8 and RR-277-9 in relation to the separate roles of the WRMP process for determining the most suitable infrastructure type and site location, and the DCO process for developing and consented the project selected by the WRMP process.
RR-277-22	The draft DCO	The Applicant's own Explanatory Memorandum (WA010002-000233) devotes many pages trying to explain some of its proposed changes - the extent of such explanation itself suggesting the need to examine this thoroughly as a separate matter. The Explanatory Memorandum nevertheless fails to explain or justify key points on this issue. It also fails to point out that some of these proposed changes are probably 'ultra vires'.	The Explanatory Memorandum complies with the applicable regulations by providing and setting out the purpose and effect of the provisions of the DCO. The Annex to the Explanatory Memorandum provides a more detailed explanation of the purpose and effect of the provisions of Schedule 8. The final paragraphs (53 to 56) of the Annex set out why the Applicant considers the provisions of Schedule 8 are *vires;* in particular it explains that the provisions are necessary to safeguard the practical fulfilment of the purposes of the Project and so are within the scope of section 120 of the Planning Act 2008.

Reference	Theme	Issue raised	The Applicant's response
RR-277-23	Portsmouth Water proposal	By extension, and consistent with the Planning Inspectorate's own sentiments expressed in its Section 51 advice, the Applicant should have been more transparent about its intentions regarding the interface with Portsmouth Water assets. It is material and unacceptable that these matters appear to have been kept entirely from public scrutiny until now. The Applicant apparently failed to disclose any of its extensive proposed changes to the Planning Inspectorate at the time of the Section 51 advice on 22 October 2025 and that lack of transparency appears to be continuing; for example, the Applicant has still not included its V0 draft Statement of Common Ground (SoCG) with Portsmouth Water in the Examination Library. There is not even a placeholder for such a document in the Examination Index, WA010002000719.	It has been clear through the Applicant's consultations and communications that its DCO application would seek to authorise the storage of recycled water within Havant Thicket Reservoir, and the draft Development Consent Order (Draft DCO) [APP-023] provides for this. All interested parties will have the opportunity to participate in the examination of the Applicant's proposals as set out in the DCO application. It should also be noted that Applicants are under no duty to seek the advice of the Planning Inspectorate. It should also be noted that whilst Portsmouth Water own and operate the reservoir, it is a new water resources infrastructure project being funded solely by Southern Water and Southern Water customers. The reservoir is not being built or funded for any purpose other than the primary use of supplying water to Southern Water customers. For further information, please refer to RR-253-9, and to Appendix E to The Applicant's written summaries of oral submissions at OFH1 and ISH1 and post hearing actions (Document reference 8.9, DCO Volume 8, Version 0). A draft SoCG is being discussed with Portsmouth Water. The Applicant will submit the draft SoCG into the Examination at Deadline 2, as requested by the Examining Authority in its Rule 6 letter.
RR-277-24	Portsmouth Water proposal	All of the above makes the absence of the Portsmouth Water dSoCG particularly notable; more so, because the Applicant repeatedly references this missing dSoCG across its submitted documentation in support of its case. For example: • The PMIE, APP-058 WA010002-000272-5.7, claims (Table 2-1, Item 3) "sustained engagement" and "daily interaction" with Portsmouth Water. The Applicant nevertheless marks the RAG status as GREEN and relies on the unavailable Portsmouth Water dSoCG (PMIE section 4; PMIE section 1.1.6) to demonstrate readiness for examination. • Statement of Engagement, APP-072 WA010002-000273-5.9, section 7.2, Table 7.1 lists Portsmouth Water's agreement mechanism as: "SoCG; Protective Provisions and Side Agreement" - all marked as draft. • Statement of Engagement, section 9.2, Table 9.1 includes a row for "Status of Portsmouth Water SoCG", but no Portsmouth Water dSoCG has been made available. Despite all this, and despite the reliance the Applicant already places on the missing dSoCG, the Portsmouth Water dSoCG is not available for inspection, and therefore Interested Parties cannot try to understand Portsmouth Water's analysis of the applicable sections of the Explanatory Memorandum, APP-024 WA010002-000233.	Please refer to the response to RR-277-23.

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RR-277-25	Portsmouth Water proposal	Given the fundamental impact of the Applicant's draft DCO on the reservoir and given that those impacts have not, to Council's knowledge, been publicly consulted upon, the continued non publication of the PW draft SoCG requires explanation. The PW draft SoCG should be disclosed immediately as the Applicant repeatedly references this missing document across its submitted documentation in support of its case.	Please refer to the response to RR-277-23. The effect of the provisions in the draft Development Consent Order (Draft DCO) [APP-023] on the use, enjoyment and operation of the reservoir are explained in the Explanatory Memorandum to the Draft Order [APP-024]. 'Public Consultation' on these provisions is facilitated through representations to the Applicant's DCO application. The use of the reservoir to store recycled water for the Project has been fully assessed within the Environmental Statement, forming part of the DCO Application documents.
RR-277-26	Use of Havant Thicket Reservoir for the storage of recycled water	The fundamental re-purposing of the reservoir is of very great concern to RCPC and our residents and the ExA is requested to examine in detail all the matters relating to this and the associated ultra vires issues. There is a clear attempt within the DCO to 'take over' the Portsmouth Water Reservoir and control its operation.	The Applicant notes this comment. It has been clear through the Applicant's consultations and communications that its DCO application would seek to authorise the storage of recycled water within Havant Thicket Reservoir. The use of the reservoir to store recycled water is a fundamental part of the Project and has been fully assessed within the Environmental Statement. The discharge of recycled water into the reservoir will be managed and controlled by an Environmental Permit issued by the Environment Agency. The Applicant does not agree that the DCO seeks to 'take over' the Havant Thicket Reservoir or control its operation. First, it should be noted that the reservoir "is being delivered by Portsmouth Water for the benefit of Southern Water's customers" (see Ofwat's Relevant Representation [RR-232]. Whilst Havant Thicket Reservoir will be owned, managed and operated by Portsmouth Water, it is being funded by the Applicant's customers to meet the Applicant's water supply needs. The Project relies on the Havant Thicket Reservoir to store recycled water before it is abstracted and transferred to Otterbourne Water Supply Works. Article 5 of the draft DCO provides a statutory right for the Applicant to use and enjoy the Havant Thicket Reservoir infrastructure, including the water stored in the reservoir. The provisions of this article are necessary to ensure that the DCO is capable of authorising the whole of the Project, of which the storage and draw down of water using the Havant Thicket Reservoir is an integral part. It is anticipated that legal agreements between the Applicant and Portsmouth Water would regulate this interface. However, those agreements remain under negotiation. One of the key purposes of article 5 is therefore to ensure there is in place an appropriate 'backstop' that would facilitate the operation of the Project in the unlikely event that those agreements are not concluded or, over the life of the Project, those agreements are terminated of, for whatever reason, fail. As such a 'back stop' article 5 makes provision for the operational interactions between the Project and Havant Thicket Reservoir infrastructure, through the agreement of a scheme of operation or, in default of agreement, determination of the scheme of operation by the Secretary of State. The Applicant does not agree that Article 5 would enable the Applicant to assume operational control

Reference	Theme	Issue raised	The Applicant's response
			of the Reservoir; this would remain under the control of Portsmouth Water, notwithstanding that the Applicant would be permitted to take such action as is necessary to secure operation and maintenance in accordance with the scheme of operation. Please also refer to RR-253-17 for further information about how the Havant Thicket Reservoir is owned and operated for the purposes of providing water for Southern Water customers and is not required for Portsmouth Water to meet its supply duty.
RR-277-27	The Applicant's wider operations and Project interfaces	That is anathema to RCPC, given Southern Water's very bad track record at managing large infrastructure such as sewage works and water treatment plants and their secretive approach to this aspect of their application.	The Applicant notes concerns about its operational record and the perception of limited transparency. Please refer to RR-277-17 in relation to how water recycling is an internationally tried and tested technology, and to RR-277-34, RR-277-35, RR-277-37 and RR-277-38 in relation to water quality concerns. Please refer to RR-277-6, RR-277-14, and RR-277-19 in relation to the extensive consultation and engagement carried out for the Project. Please also refer to RR-277-5, RR-277-7, RR-277-8 and RR-277-9 in relation to how the Project was selected as part of the WRMP process. The discharge of recycled water into the Havant Thicket Reservoir would be subject to an environmental permit to be issued by the Environment Agency. The environmental permit will specify the water quality that the recycled water must meet before it can be placed into the reservoir.
RR-277-28	Use of Havant Thicket Reservoir for the storage of recycled water	RCPC requests that the ExA should examine the fundamental repurposing of the Havant Thicket Reservoir as a Principal Issue	The Applicant notes this comment but would reiterate that the reservoir would continue to serve the same purpose for which it was originally intended and consented for – to help address the water supply deficit in the Applicant's Hampshire supply area. The reservoir is being funded solely by Southern Water and Southern Water's customers; it is not being joint funded and is being constructed for the primary use of supplying Southern Water's customers. The only physical difference proposed by the Project is to add purified recycled water to the reservoir, to mix with the spring water, and to enable greater output to be realised.
RR-277-29	The draft DCO	Ultra Vires /Exceeding Statutory Power: Articles 5, 46 and Schedule 8 Among other things, Article 46 and Schedule 8 modify the existing abstraction, environmental permitting and enforcement regimes as they apply to the HTR, including materially restricting PW's abstraction rights; also, Article 5 confers on the Applicant powers of direction over the operation of the HTR and the ability, in circumstances to be defined by a scheme of operation, to assume operational control of it. This is totally unacceptable. The reallocation of abstraction entitlements between two water suppliers and the conferral on the Applicant of rights of consent and control over another company's reservoir and licences are not matters for which provision should be made in a DCO. That should be done by a commercial agreement between the 2 parties. Use of the DCO to circumvent the need for a commercial agreement appears to be	Section 120 of the Planning Act 2008 sets out what may be included in an order granting development consent. Section 120(3) confirms that an order may make provision relating to, or to matters ancillary to, the development for which consent is granted. It is clear, therefore, that a DCO is not constrained only by the specific development being authorised, but may, and is expected to, make provision for elements beyond and supporting the development. Section 120(5)(a) further provides specifically that an order granting development consent may '"apply, modify or exclude a statutory provision which relates to any matter for which provision may be made in the order;'" Far from being ultra vires, the draft DCO makes effective use of the provisions of section 120 to give effect of to the intended purpose of the Planning Act 2008, namely, to provide a 'one stop shop' for the key consents, authorisations

Reference	Theme	Issue raised	The Applicant's response
		a backdoor approach to gaining control of this important water supply asset. The DCO was directed expressly on the basis that the Applicant would have only the "use" of PW's HTR; many of these new provisions appear to go substantially beyond what is necessary or expedient to achieve this end.	and other matters needed to implement nationally significant infrastructure projects. Please refer to RR-277-26 in relation to the effect of article 5 of the draft Development Consent Order (Draft DCO) [APP-023] and how the DCO must provide a 'back stop' to facilitate the operation of the Project in the unlikely event that those agreements are not concluded or, over the life of the Project, those agreements are terminated of, for whatever reason, fail.
RR-277-30	Use of Havant Thicket Reservoir for the storage of recycled water	It is the view of RCPC and our residents that the Applicant must not be given control over the PW reservoir as we have no faith at all in the Applicant's ability to properly run and maintain this important facility. We need PW as a separate entity to own, control and monitor the reservoir and ensure that the water entering it is of an acceptable quality, given its importance as an environmentally-friendly facility. This DCO could prevent PW from honouring commitments made to stakeholders and to the public to maintain seasonally fluctuating water levels at the reservoir for the benefit of biodiversity, also commitments made to optimise the biodiversity potential of the HTR in recognition of the loss of 13 hectares of Ancient Woodland at the site and over 100 hectares of grassland, including types of wet grassland priority habitat. As the Applicant did not make any commitments of this nature it will certainly not be interested in honouring such agreements.	Please refer to the response to RR-277-26. The Applicant does not agree that the draft Development Consent Order (Draft DCO) [APP-023] would enable the Applicant to assume operational control of the Reservoir; this would remain under the control of Portsmouth Water. The purpose for the construction of the reservoir is to provide water for Southern Water's supply need, and that it plays a key part in Southern Water's ability to meet its supply duty under section 37 of the Water Resources Act 1991. It is therefore to be operated in a way that supports this need, being first and foremost a water resources infrastructure to be used for a public water supply. The Applicant does not agree that the DCO could prevent Portsmouth Water from delivering its biodiversity commitments. The use of Havant Thicket Reservoir for the Project has been assessed within the Environmental Statement. The operation of the Project is not expected to result in any adverse changes to water quality within Havant Thicket Reservoir. Therefore, the ecological benefits previously proposed at Havant Thicket Reservoir are not affected by the Project. ES Vol I - ES Chapter 8 Terrestrial and freshwater biodiversity (Document reference 6.1, DCO Volume 6 – ES Volume I, Version 1) and ES Vol I – ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6 – ES Volume I, Version 1) include an assessment of the impacts associated with storing recycled water in Havant Thicket Reservoir. The Havant Thicket Reservoir project, including the commitments referred to, is being delivered by Portsmouth Water independently of the DCO.
RR-277-31	The draft DCO	As the Council noted in the introductory section of this Representation, the Project has been misleadingly classified as a "Dam or Reservoir". However, the Project description does not identify HTR itself as part of the works to be authorised. It refers instead to the Project as including only the "use" of HTR, as does the recent Section 56 notice. These distinctions matter. The "use" of the HTR by the Applicant may justify limited interface provisions in the DCO (i.e. those that are "necessary or expedient"), but "use" does not justify conferring on the Applicant a power to direct how PW operates its own reservoir, or to assume operational control of it, or remove PW's protected abstraction rights, or re-casting the abstraction, environmental permitting and enforcement regimes otherwise applicable to the HTR so as to require the Applicant's consent to their exercise.	Please refer to RR-277-1 in relation to the classification of the Project by the Planning Inspectorate, and RR-277-26 in relation to how the draft Development Consent Order (Draft DCO) [APP-023] secures the use of Havant Thicket Reservoir for the Project in the unlikely event an agreement is not entered into or, for any reason, falls away. Please also refer to RR-253-17 in relation to the purpose of the reservoir and its interaction with the commercial arrangements with Portsmouth Water.
RR-277-32	The draft DCO	The Applicant provides no proper justification for its proposed new and novel provisions. The Explanatory Memorandum, [APP-024] WA010002-000233	The Applicant notes this comment. Please refer to RR-253-17 and Appendix E to The Applicant's written summaries of oral submissions at OFH1 and ISH1

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		tries to justify some of these changes by stating that "PW does not require the water in the HTR for the purposes of its water supply" and that "Portsmouth Water's entitlement to the water in HTR is ... primarily compensatory in nature". This contention seems unlikely. PW (and its customers) will need more water in the future due to population growth and abstraction reductions being imposed by the Environment Agency. However, these proposed changes in the DCO will fundamentally reduce PW's own resilience and flexibility to use its own reservoir in future - potentially to the detriment of its customers "likely to be affected", such as our residents. Such proposed changes are, in any event, likely to be ultra vires of the Planning Act 2008 - being more properly suited (if at all) to commercial arrangements negotiated between the two water companies from time to time in commercial contracts.	and post hearing actions (Document reference 8.9, DCO Volume 8, Version 0) for further information about the commercial arrangements between the Applicant and Portsmouth Water. The position that Havant Thicket Reservoir is being constructed by Portsmouth Water for the benefit of Southern Water customers is confirmed by the regulator, Ofwat, in its Relevant Representation RR-232. Water supply need is established in each statutory water undertaker's Water Resource Management Plan (WRMP). The Havant Thicket Reservoir is not identified as required for Portsmouth Water's water supply need within its WRMPs. The Applicant's WRMP identifies both the water supply shared by Portsmouth Water at Gaters Mill near Southampton for the purposes of supplying Southern Water customers (for which water may be taken by Portsmouth Water from Havant Thicket Reservoir as compensation) and the water supply to be provided by the Project as being necessary for the Applicant's future water supply. This use of the water in Havant Thicket Reservoir reflects agreed contractual principles that are subject to ongoing negotiations between the Applicant and Portsmouth Water. These principles reflect the fact that the reservoir is being provided solely to address the Applicant's water supply deficit, hence why it is being fully funded by the Applicant over the long-term. Portsmouth Water does not rely on or require the Havant Thicket Reservoir for the purposes of its water supply duty.
RR-277-33	The draft DCO	Following the arguments above, RCPC requests that the ExA should examine Ultra Vires / Exceeding Statutory Powers as a Principal Issue. The need for this matter to be examined carefully as a Principal Issue is supported by submissions from relevant local authorities. East Hampshire District Council - one of the consenting planning authorities for Portsmouth Water's HTR - records serious concerns about public trust in the Applicant and about the use of HTR for storing recycled water7 ([APP-060], WA010002-000282, dSoCG with East Hampshire District Council, Table 3-1, Row EHDC-nsc-001). The dSoCG with Havant Borough Council, the other consenting planning authority for the reservoir, also records a host of concerns ([APP-063], WA010002-000287, dSoCG with Havant Borough Council, Table 3-1, Row HBC-2024-SC-0001).	The Applicant notes this comment and disagrees that any part of the draft Draft Development Consent Order (Draft DCO) [APP-023] is ultra vires for the reasons set out in the Explanatory Memorandum [APP-024]. Please refer to RR-277-29.
RR-277-34	The water recycling process	Water Quality The Applicant identifies Water Quality in its PMIE ([APP-058], Table 2-1, line item 4) and describes it as being "linked to the principle of water recycling, concerns regarding the potential for water quality deterioration and ecological harm". Whilst RCPC recognises that some water recycling has been undertaken in some other countries, those precedents are all in completely different contexts and cannot be held out unchallenged and unexamined - particularly for a project: • which involves discharge of recycled effluent into a constrained reservoir environment that is much more susceptible to the accumulation risks and ecological harms mentioned below;	The Applicant notes these comments. The Project is designed to address a critical water supply shortfall in Hampshire, helping to protect sensitive chalk stream habitats. Once the Project is implemented, recycled water will be pumped into Havant Thicket Reservoir, mixing with spring and rainwater, further strengthening water supply resilience. The Havant Thicket Reservoir was always intended to support the water supply deficit in the Applicant's Hampshire supply area. It is, however, insufficient on its own to tackle the scale of water supply deficit facing the area. The Project, through the use of water recycling, would increase the volume of water that can be supplied by Havant Thicket Reservoir alone by over 400%.

Reference	Theme	Issue raised	The Applicant's response
		• which involves the adoption of effluent recycling technology in UK where "reasonable alternatives" are available - which is typically not the case for those overseas projects held out as comparables; and • where there are gaps in the UK regulatory framework (as explained below).	The operation of the Project, including the storage of recycled water in the Havant Thicket Reservoir, is not expected to result in any adverse changes to water quality within the Havant Thicket Reservoir. Therefore, the ecological benefits previously proposed at Havant Thicket Reservoir are not affected by the Project. ES Chapter 8 Terrestrial and freshwater biodiversity (Document reference 6.1, DCO Volume 6, Version 1) and ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1) include an assessment of the impacts associated with storing recycled water in Havant Thicket Reservoir. Please refer to the Applicant's responses to RR-277-5, RR-277-7, RR-277-8 and RR-277-9 in relation to the selection of the Project through the Water Resources Management Plan (WRMP) process. Please also refer to the Applicant's response to RR-277-17, which sets out how water recycling is an internationally tried and tested technology. ES Chapter 4 Consideration of alternatives [APP-083] sets out that the Project was selected through the WRMP process. However, consideration of alternative schemes is a matter for the WRMP. As confirmed in the WRMP24 Position Statement [PDA-004], submitted at Procedural Deadline A, the Project is included within WRMP24, and this will be published in December 2026. Accordingly, the need for the Project and the selection of water recycling is settled and not a matter for examination. In project alternatives is strictly about the iterative design such as siting, route options and alignment. ES Chapter 4 Consideration of alternatives [APP-083] provides the relevant assessment in this context. The Applicant has extensively considered alternatives through its WRMP and options appraisal processes and this is set out in the Case for the Project (Document reference 5.6, DCO Volume 5, Version 1) and Scheme Development Report [APP-073 to APP-075 - 3 documents]. The Applicant has fully assessed the use of the Havant Thicket Reservoir for the storage of recycled water within the Environmental Statement (ES), including modelling of the impacts of the recycled water on the water quality in the reservoir, and the waste discharge through the Long Sea Outfall (LSO). The discharge of both recycled water into the reservoir and wastewater through the LSO will be controlled by an environmental permit, to be issued by the Environment Agency, which will condition the water quality parameters that the recycled water and waste discharge water must comply with, which will ensure there are no unacceptable impacts to the environment. The Applicant acknowledges that there are no Environmental Quality Standards (EQSs) for the majority of per- and polyfluoroalkyl substances (PFAS). Of the PFAS, currently only PFOS has an EQS under the freshwater priority hazardous substance list presented in the Water Framework Directive (Standards and Classification) Directions (England and Wales) 2015 (WFD), set at a maximum concentration of 36,000 ng/l or maximum yearly average of 0.65 ng/l. In the samples taken as part of the pilot plant study, the maximum concentration of PFOS (0.23 ng/l) is significantly below the EQS maximum

Reference	Theme	Issue raised	The Applicant's response
			concentration set in the WFD Directions 2015 of 36,000 ng/l and thus is unlikely to result in a significant environmental effect. The Environment Agency is the regulatory body responsible for the control of any discharge of potentially polluting substances into the environment. The water quality of the output from the water recycling plant will be controlled by and managed in accordance with the environmental permit. It is not the role of the DCO to speculate about how such substances will be regulated in the future. The Applicant will comply with the conditions of the environmental permit, ensuring that there are no unacceptable impacts to the environment. For further information about the relationship between the DCO and the applicable regulatory regimes, please refer to Action Point ISH1-06 and to Appendix F of The Applicant's written summaries of oral submissions at OFH1 and ISH1 and post hearing actions (Document reference 8.9, DCO Volume 8, Version 0).
RR-277-35	Attitudes to water recycling	The Applicant has identified "local communities - concern related to the implications of introducing recycled water into the Havant Thicket Reservoir and drinking water supply". That is not a peripheral issue; it is a material consideration for the examination.	Please refer to the Applicant's response to RR-277-17, which confirms that water recycling is an internationally tried and tested technology. Please also refer to the Applicant's responses to RR-277-5, RR-277-7, RR-277-8 and RR-277-9 in relation to the selection of water recycling and the Project as part of the Water Resources Management Plan (WRMP) process. All water supplied to customers, regardless of its source, will continue to meet the highest standards for safety, taste and quality, as required by the Drinking Water Inspectorate (DWI). The Applicant remains committed to transparency, rigorous monitoring and full compliance with all relevant regulations throughout the development and operation of the Project. The Applicant acknowledges the concern regarding the introduction of recycled water into the Havant Thicket Reservoir and the public drinking water supply. Water recycling is recognised within the National Policy Statement for Water Resources Infrastructure (NPSWRI) as a potential infrastructure type and technology, noting that it "*has the advantage of being a constant, reliable supply of water [which] may reduce the amount of water abstracted from the environment*" (paragraph 2.6.16). The Water Recycling Plant (WRP) produces recycled water which is then discharged into the Havant Thicket Reservoir. The output of the WRP will be controlled by an environmental permit, controlling the quality of the water that may be discharged into the environment. The recycled water will be blended with spring water and stored in the reservoir until it is abstracted. At this point, the water will be sent to Otterbourne Water Supply Works for further treatment to ensure that it meets the high drinking water quality standards required by the Drinking Water Inspectorate. These existing regulatory regimes will apply to the project and are not duplicated within the draft Development Consent Order (DCO) [APP-023]. Please also refer to Appendix B, in relation to the consultation carried out and to be carried out in respect of the change of water supply, and Appendix F, in

Reference	Theme	Issue raised	The Applicant's response
			relation to the Gateshead Principle, of The Applicant's written summaries of oral submissions at OFH1 and ISH1 and post hearing actions (Document reference 8.9, DCO Volume 8, Version 0).
RR-277-36	Consultation	Water customers across West Sussex as well as Hampshire whose drinking water may be supplied from HTR are persons "likely to be affected" and they should have been consulted, both under the statutory consultation requirements and as a matter of common-law fairness (the Gunning principles) They were not consulted on the proposed change of PW's chalk-spring-fed HTR to one that will also receive, mix and store highly treated recycled effluent.	Please refer to RR-277-17, which sets out how the proposal to utilise water recycling was communicated, and how communication about the change to the source of supply will be carried out closer to the date the change will be made. Please also refer to RR-277-19 which details the ways in which the Applicant has publicised the Project, including within the Portsmouth Water supply area.
RR-277-37	Water quality at Havant Thicket Reservoir	RCPC has an increasing concern about the accumulation of forever chemicals such as PFAS in the environment but notes that environmental regulations have not been established to deal with these. Because the Project includes discharging the treated effluent into an enclosed environment, namely the reservoir, the Applicant should be required to assess whether PFAS accumulations over time are greater than when discharged into rivers.	The Applicant acknowledges that some 'forever chemicals' and other Contaminants of Emerging Concern (CECs) are not considered in the Environment Agency's surface water risk assessment process if they do not have an EQS defined in the Water Framework Directive (Standards and Classification) Directions (England and Wales) 2015. However, as stated in section 19.8 of ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1), the Applicant has undertaken an extensive programme of monitoring of a wide range of CECs in the final treated effluent from Budds Farm WTW (i.e. a representation of influent water quality to the WRP) and water treated in its pilot treatment plant at Budds Farm WTW. The results of the pilot plant trials are described in an independent review produced by the University of Brighton (Mayor-Smith (2024) [1], as referenced in ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1). The results of the investigation into pilot plant performance indicate that the Full Advanced Treatment process resulted in a considerable increase in water quality, with the concentration of CECs decreasing after passing through the pilot plant. Over 60% of the CECs measured in the WRP influent decreased to below the limits of detection in the water that had passed through the WRP, with the largest reductions identified for a range of pharmaceuticals, personal care products and pesticides. The results of the pilot study clearly demonstrate that CEC concentrations in the recycled water are considerably lower than those in the treated effluent from Budds Farm WTW that is currently released under a permitted discharge into the Solent via Eastney Long Sea Outfall. This suggests that releases from the WRP into Havant Thicket Reservoir and downstream water bodies (Riders Lane Stream, Hermitage Stream, Langstone Harbour) are unlikely to contain the full suite of CECs measured by the Applicant or independently recorded in Langstone Harbour [4] [5] and that any CECs remaining in the WRP output would be present in extremely low concentrations. Significant adverse effects on water quality and biota from CECs are considered unlikely, particularly given that the pilot plant data does not represent the full treatment process that would be in place at the WRP (which would also include a Granular Activated Carbon treatment stage that would also remove contaminants from the recycled water).

Reference	Theme	Issue raised	The Applicant's response
			Please also refer to the response to RR-277-38.
RR-277-38	The Applicant's wider operations and Project interfaces	Given the Regulatory Gap relating to the lack of UK standards or guidance for PFAS and other contaminants of concern (in particular, where there is discharge into a reservoir environment such as the HTR), the ExA should examine whether a bespoke monitoring, audit and enforcement regime should be built into the DCO. The ordinary assumption that the control of such contaminants can be left to the existing discharge permitting regime does not hold where the regime itself contains no standards for the substances in question.	As stated in section 19.8 of ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1), the Applicant has undertaken an extensive programme of monitoring of a wide range of Contaminants of Emerging Concern (CECs) in the final treated effluent from Budds Farm Wastewater Treatment Works (Budds Farm WTW) (e.g. a representation of influent water quality to the WRP) and of water treated in its pilot treatment plant at Budds Farm WTW. The full results of the pilot plant trials are described in an independent review produced by the University of Brighton (Mayor-Smith, 2024) [1], as referenced in ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1). The results of the investigation into pilot plant performance indicate that the Full Advanced Treatment (FAT) process resulted in a considerable increase in water quality, with the concentration of CECs decreasing after passing through the pilot plant. Over 60% of the CECs measured in the WRP influent decreased to below the limits of detection in the water that had passed through the WRP, with the largest reductions identified for a range of pharmaceuticals, personal care products and pesticides. The results of the pilot study clearly demonstrate that CEC concentrations in the recycled water are considerably lower than those in the treated effluent from Budds Farm WTW that is currently released under a permitted discharge into the Solent via Eastney Long Sea Outfall (LSO). This suggests that releases from the WRP into Havant Thicket Reservoir and downstream water bodies (Riders Lane Stream, Hermitage Stream, Langstone Harbour) are unlikely to contain the full suite of CECs measured by the Applicant or independently recorded in Langstone Harbour [A. T. Ford and F. Ginley, 2024] [4] [H. Uhlhorn, K. T. Ng, L. P. Barron and A. T. Ford, 2025] [5] and that any CECs remaining in the WRP output would be present in extremely low concentrations. Significant adverse effects on water quality and biota from CECs are considered unlikely, particularly given that the pilot plant data does not represent the full treatment process that would be in place at the WRP, which would also include a granular activated carbon (GAC) treatment stage that would also remove contaminants from the recycled water. The output from the water recycling plant will be subject to an environmental permit, issued by the Environment Agency. The Environment Agency, as expert regulator, will determine the parameters for the discharge that will be secured in the environmental permit to ensure that there are no unacceptable impacts to the environment. In accordance with paragraph 3.8.3, the DCO does not seek to duplicate this regulatory regime. The Environment Agency is the regulatory body responsible for the control of any discharge of potentially polluting substances into the environment. The water quality of the output from the water recycling plant will be controlled by and managed in accordance with the environmental permit. It is not the role of the DCO to speculate about how such substances will be regulated in the

Reference	Theme	Issue raised	The Applicant's response
			future. The Applicant will comply with the conditions of the environmental permit, ensuring that there are no unacceptable impacts to the environment. For further information about the relationship between the DCO and the applicable regulatory regimes, please refer to Action Point ISH1-06 and to Appendix F of The Applicant's written summaries of oral submissions at OFH1 and ISH1 and post hearing actions (Document reference 8.9, DCO Volume 8, Version 0).
RR-277-39	Water environment	In addition to concerns re the reservoir the impacts on sea water quality and accumulation in sediment and bio-accumulation risk, as a result of approximately four times more concentrated pollutants and treatment byproducts being released as reject water via the long sea outfall, should be examined. The modelling of such risks and impacts seems to be incomplete in the Applicant's submitted assessments, with the contaminants of the greatest concern such as 'forever chemicals' and pharmaceuticals not seemingly being modelled and some not even being tested for in the pilot plant trials. Water Quality implications should therefore be examined in much more depth than suggested by the Applicant.	The Applicant has undertaken a detailed assessment of the risks associated with the discharge of reject water from Eastney LSO, following the Environment Agency's surface water risk assessment process (2026). This guidance requires a three-stage screening test to evaluate the potential risks from hazardous chemicals for which an EQS has been established in the WFD Directions 2015. If the screening tests identify a potential risk, further modelling is required. The results of the screening tests are shown in Appendix A of ES Appendix 19.8 CORMIX modelling for chemicals screened in via the surface water risk assessment process [APP-203]. The screening process identified three chemicals that could pose a potential risk and therefore required further assessment; copper, triphenyltin and diflubenzuron. Following the Environment Agency's guidance, the Applicant therefore undertook near-field dispersion modelling for each of these parameters to inform its impact assessment). The results of this modelling are presented in ES Appendix 19.8 CORMIX modelling for chemicals screened in via the surface water risk assessment process [APP-203]. The modelling demonstrates that dilution is sufficient to achieve compliance with the EQS for copper, triphenyltin and diflubenzuron within approximately 1m of the LSO. On this basis, the assessment presented in ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1) concludes that the discharge of reject water via the LSO would not result in any significant adverse effects on water quality in The Solent or connected water bodies. This discharge will be subject to an environmental permit that will condition the water quality parameters that must be complied with in order to ensure that there are no unacceptable impacts to the environment. Please also refer to responses RR-277-37 and RR-277-38 in relation to Contaminants of Emerging Concern (CECs). As noted above, the Environment Agency, as expert regulator, will determine the parameters for the discharge that will be secured in the environmental permit to ensure that there are no unacceptable impacts to the environment. The Applicant will comply with the conditions of the environmental permit, ensuring that there are no unacceptable impacts to the environment.
RR-277-40	The water recycling process	The Principal Issue relating to Water Quality should include specific examination of the proposed novel dDCO modifications to Water Quality and	The Applicant notes this comment. The modifications made by Schedule 8 to the Draft Development Consent Order (DCO) [APP-023] ensure that the

Reference	Theme	Issue raised	The Applicant's response
		enforcement regimes, including Schedule 8, Part 3, under which a water discharge permit relating to the HTR may not be applied for, varied or revoked without the Applicant's consent (Environmental Permitting (England and Wales) Regulations 2016, regulations 13(4), 20(2A) and 22(2A) as modified), and Schedule 8, Part 6, which sets the rules by which responsibility for any breach of an aggregate abstraction limit is to be apportioned. Water Quality lies at the heart of this scheme and the adverse impact on drinking water consumers of failure to properly monitor and extract "forever chemicals", pharmaceuticals and other similar substances would be considerable. The ExA should examine this Principal Issue with regard to ensuring high water quality of the recycled effluent before it reaches the reservoir.	Project is capable of being delivered, given its complex regulatory and operational interfaces, and that its public benefits can be realised. No modifications are made that would limit the ability of the regulatory regimes to control the water quality of water entering the Havant Thicket Reservoir, water discharged through the Long Sea Outfall (LSO), or water abstracted from the Havant Thicket Reservoir and entering the public water supply.
RR-277-41	Carbon and climate change	Carbon and energy consumption The NPS-WRI, (paragraphs 4.4.8-4.4.9) specifically recognises that some water resources infrastructure projects may give rise to significant greenhouse gas emissions, including during operation, from "energy use required for pumping and treatment of water". This is relevant for this Project giving that, on average, 30Mls The of water will need to be pumped 365 days a year, year-on-year, from the Waste Treatment Plant at Budds Farm to the WRP at Broadmarsh, then to the reservoir and then some 40km across country to the Otterbourne WTW. This demand for energy will be much more than if more reservoirs were built or storage in aquifers was used. Equally, reducing customer usage and leaks from water mains uses minimal energy. Even if renewable energy is the main energy source, the country's energy needs are still growing and renewable energy sources will not deliver the total energy required by a large margin, particularly when the sun doesn't shine and the wind doesn't blow. Havant BC ([APP-063], WA010002000287) specifically identifies concerns regarding the energy intensity during operations and Eastleigh BC ([APP-059], WA010002-000283) similarly raises energy concerns.	The Applicant acknowledges that water resources infrastructure can give rise to operational greenhouse gas emissions associated with pumping and treatment. Through the Project's whole life carbon assessment, operational energy consumption has been identified as a key carbon hotspot and has therefore been a central consideration in the development of the Project's carbon management approach. To manage these emissions, the Applicant has prepared an Outline Carbon Management Plan (Outline CMP) [APP-423], which is secured under the DCO and establishes the strategic objective for the Project of reducing greenhouse gas emissions to as low as reasonably practicable (ALARP). The strategic carbon objective and associated assessment criteria are designed to ensure that carbon reduction and climate resilience considerations remain embedded within future decision-making as the Project develops. The Applicant notes the comment that other forms of water supply may provide lower-energy-intensity approaches to providing water. The need for and selection of the Project has been confirmed through the Applicant's Water Resources Management Plan and Regional Water Resources Plan. Please also refer to the Applicant's responses to RR-277-5, RR-277-7, RR-277-8 and RR-277-9.
RR-277-42	Carbon and climate change	The Applicant has failed to assess adequately all relevant greenhouse gas emissions and energy demand implications. An Environmental Statement which omits an effect that the law requires to be assessed is therefore legally deficient. The ExA should examine the operational energy and greenhouse gas implications of this Project including the increased use of plastic bottles when many consumers shift away from tap water.	The Applicant understands this representation to be identifying a purported impact pathway that has not been assessed in the Project's Environmental Statement (ES), namely that of the increased use of plastic bottles arising from a shift away from tap water. Please refer to the Applicant's response to RR-277-17 for a response on this matter. The Applicant has set out a robust and thorough assessment of the likely significant effects of the Project on carbon and climate change, as set out in ES Chapter 10 Carbon and climate change [APP-089]. This Chapter includes a section setting out the boundary of the assessment, which also refers back to the scoping process agreed through the Applicant's Scoping Report [APP-104] and PINS' Scoping Opinion [APP-105]. The assessment considered emissions likely to arise from the Project during construction, operation and decommissioning. There were no other activities at connected works as a

Reference	Theme	Issue raised	The Applicant's response
			result of the Project that were considered likely to result in additional emissions. Accordingly, the Applicant's ES is complete and fully compliant with NPSWRI 4.4.10, 4.4.11, 4.4.12 requirements for the assessment of carbon and climate change.
RR-277-43	Carbon and climate change	Finally, on a second issue under this same heading, the Applicant's Outline Carbon Management Plan ([APP-423], WA010002-000245) commits only to emissions being "as low as reasonably practicable". That commitment is unquantified, meaningless and as drafted, unenforceable; it identifies no baseline, no reduction target or trajectory, and no monitoring or reporting mechanism by which compliance could be tested. A Carbon Management Plan is a mitigation document and that mitigation must be secured, so the ExA is requested to consider whether a commitment in those terms can properly be relied upon and, if not, what requirement in the DCO is needed to secure it if this project goes ahead.	The Applicant notes that the commitment to reduce emissions to a level that is as low as reasonably practicable (ALARP) reflects the key policy for decision-making upon the Application by the Secretary of State. This is set out in the NPSWRI, which states that when determining an application, *"the Secretary of State will consider the effectiveness of the mitigation measures in order to ensure that the greenhouse gas emissions are as low as reasonably practicable."* [NPSWRI paragraph 4.4.16]. In terms of some other aspects of this representation, the Applicant notes the following: 1) Baseline: The whole life carbon assessment has been undertaken as a worst-case scenario estimate based on the outline design submitted as part of the Development Consent Order (DCO) application and provides a baseline against which future carbon performance can be assessed. 2) Monitoring or reporting mechanism: The Outline Carbon Management Plan (Outline CMP) [APP-423] sets out a defined schedule for updating the CMP to inform progress against the Project's carbon reduction objectives and delivery of commitments made under the ALARP. Updates are required at the following stages: completion of the Direct Procurement for Customers (DPC)/Contractor tender process, completion of construction before start of the operational phase of the Project and annual updates thereafter. 3) Carbon reduction target: No reduction targets have been stated within the Outline CMP [APP-423] in order to drive ongoing performance based on the latest opportunities identified through the design development of the Project, and as industry knowledge, experience and feasibility relating to carbon reduction measures progresses. The drafting of the Outline CMP [APP-423] and ALARP commitment have been undertaken to ensure that mitigation measures are reviewed throughout future stages of development rather than stopped once an initial target is achieved. Under the DPC model, the Contractor will be responsible for developing the detailed design, construction and operation of the Project. As a result, opportunities for carbon reduction and optimisation are expected to be identified as the design matures, with progress reporting on this secured through both the Contractor contract and the DCO through the Outline CMP [APP-423]. 4) Enforceability: The Outline CMP [APP-423] secured under the DCO, sets out the ALARP strategic objective and clear ALARP assessment criteria, including reporting requirements.

Reference	Theme	Issue raised	The Applicant's response
RR-277-44	Principle of development	Conclusion RCPC firmly objects to the HWTWRP on the basis that it is the wrong and most expensive solution to addressing future water shortages during periods of drought.	The Applicant notes the Parish Council's position.
RR-277-45	Need case	The Council considers that the need for this Project has not been established and that insufficient or no proper evaluation of other options such as:	Please refer to RR-277-5, RR-277-7, RR-277-8 and RR-277-9, and the WRMP24 Position Statement [PD-004], submitted at Procedural Deadline A, which confirms that the Project is included within WRMP24 and that this will be published in December 2026. The need for the Project is therefore established.
RR-277-46	Alternatives	• reducing consumption through educating all residential and business users how to save water; • reducing leaks from water mains through a vigorous programme of repairs and mains replacement at a much great rate than at present; • seeking to maintain abstraction through the move of the river abstraction points to the tidal zone edge from present upstream locations, thus preserving the freshwater environment for the entire stretch of the river to the tidal point; and • using other storage solutions such as additional reservoir and non-porous aquifers; has been carried out. The above would all deliver positive results for water consumption and availability in times of drought at far less cost to the consumer and to the environment.	Please refer to RR-277-5, RR-277-7, RR-277-8 and RR-277-9, and the WRMP24 Position Statement [PD-004], submitted at Procedural Deadline A, which confirms that the Project is included within WRMP24 and that this will be published in December 2026. In accordance with the National Policy Statement for Water Resources Infrastructure, the need for the Project is established.
RR-277-47	Project finance and cost	The Project will remove the value of the environmentally-led PW reservoir and add hugely to consumers' water bills for decades, while having a limited life (60 years approximately) compared with the other solutions put forward. The Council has laid out above 7 Principal Issues that it requests the ExA to examine forensically as key concerns for us and for our residents.	The Applicant notes this comment and disagrees for the reasons set out in this response.

Table 2-19 The Applicant's response to RR-297 from TLT LLP on behalf of Secretary of State for Defence

Reference	Theme	Issue raised	The Applicant's response
RR-297-1	Landowner engagement	Dear Sir/Madam, Please see our client's relevant representation sent to you separately on HampshireWaterProject@planninginspectorate.gov.uk on 24 August 2026 at 12:55pm. Kind regards,	The Applicant notes and agrees with the respondent's comments.

Reference	Theme	Issue raised	The Applicant's response
		Jebaraj Dear National Infrastructure Planning: Hampshire Water Transfer and Water Recycling Project (PINS) Reference: WA010002) Background This Relevant Representation (RR) is submitted by the Defence Infrastructure Organisation (DIO) Estates on behalf of the Secretary of State for Defence (SoSfD), acting through the Ministry of Defence (MOD). The MOD is the government department responsible for supporting the SoSfD in the exercise of their defence functions, and the DIO manages and safeguards the defence estate on the SoSfD's behalf. The SoSfD is a prescribed consultee for the purposes of section 42 of the Planning Act 2008 (the 2008 Act) and Schedule 1 to the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009. The SoSfD therefore has a statutory role in the development consent order process where a proposed development may affect defence interests, military operations, safeguarding interests, defence infrastructure or national security considerations. Southern Water Services Limited (the Applicant) has proposed to construct and operate a water transfer and water recycling facility in south Hampshire (the Proposed Development), to reduce the anticipated shortfall in water supply across the Hampshire supply area. The SoSfD has interests in land affected by the Proposed Development as identified in the Book of Reference [APP-027] and section 8.2.1.e of the Statement of Reasons [APP-025]. The SoSfD plots are shaded yellow in the Crown Land Plans [APP-017 and APP-018]. Section 135 of the 2008 Act is accordingly engaged, and the Applicant and the MOD are engaged in discussions regarding this interface and continue to review and discuss the potential implications of the Proposed Development for defence interests as set out in the draft Statement of Common Ground (SoCG) [APP-071].	
RR-297-2	Landowner engagement	Representations of the MOD The MOD owns land containing military housing (not part of a military base), which is in active use, housing military families adjacent to Farlington Avenue, to the south of Portsdown Hill Road. These are plots 05-032, 05-033, 05-035, 06-001, 06-002, 06-003, 04-004, 06-013, and 06-020, shown shaded yellow in sheets 5 and 6 of the Crown Land Plans, comprising roughly 9.4 acres of land and accommodating 40 houses. As part of constructing the Proposed Development, underground tunnelling works are proposed under Farlington Avenue. However, as articulated in the SoCG, the Applicant has not as yet provided sufficient information to the MOD to enable it to fully understand the	The Applicant confirms the respondent's plots are set out in sheets 5 and 6 of the Crown Land Plans [APP-017 and APP-018], shaded yellow. As shown on the Crown Land Plans [APP-017 and APP-018] and detailed in the Book of Reference [APP-027] the Ministry of Defence holds an interest in additional plots as a Category 2 interest that is not set out in their response. However, it is noted that the relevance of the plots referred to is that they are used for military housing and owned by the Ministry of Defence. The Applicant confirms that the plots are subject to tunnelling works with the rights and restrictions to be acquired by the Applicant set out in Schedule 5 to the Draft Development Consent Order [APP-023]. The rights and restrictions

Reference	Theme	Issue raised	The Applicant's response
		magnitude of impacts that these works will have on MOD land and there are concerns in respect of the impacts of tunnelling construction methods and settlement.	are being updated by the Applicant to make clear that they do not apply to the surface of the plots and that access will only be taken underground through the tunnels once constructed via shaft locations at either end. The Applicant has included a new design principle which states that the Pipeline would be installed at a minimum depth of 15m below surface level within this area. This is reflected in an updated version of the Design Principles Document submitted at Deadline 1 (Document reference 5.11, DCO Volume 5, Version 1). Separate building survey and monitoring rights exist over all land within the DCO for the construction period and five years post-construction. The Applicant does not consider that the rights and restrictions applying to the tunnel being constructed at least 15m below the surface will have an impact on the military housing. Nonetheless, the Applicant will continue to engage with the respondent to provide information to support this position.
RR-297-3	Construction impacts and effects	In particular, the MOD has concerns over the depth indicated for Section D and the potential impacts on military housing. Consideration should be given to potential construction-related impacts, including noise, disturbance, vibration and ground movement or settlement arising during both the construction and operational phases of the tunnel. These effects may adversely affect residential amenity.	The Applicant notes that the Ministry of Defence owns land containing military housing adjacent to Farlington Avenue, to the south of Portsdown Hill Road. During the construction of the Project, tunnelling is planned under Farlington Avenue. The indicative design has concluded that the minimum depth of the tunnel within the relevant part of Section D will be no less than 15m. The Applicant has included a new design principle which states that the Pipeline would be installed at a minimum depth of 15m below surface level within this area. This is reflected in an updated version of the Design Principles Document submitted at Deadline 1 (Document reference 5.11, DCO Volume 5, Version 1). The minimum depth is to provide sufficient clearance for any existing infrastructure and to minimise above ground disturbance as far as possible. The tunnelling of Section D of the Pipeline will have suitable noise, disturbance and vibration mitigation measures as outlined in the ES Chapter 5 EIA approach and methodology [APP-084], with primary mitigation and tertiary mitigation for noise and vibration presented in section 15.4 of ES Chapter 15 Noise and vibration [APP-094]. This assessment considers the noise and vibration effects from construction, operation and decommissioning of the Project on human Noise and Vibration Sensitive Receptors (NVSRs). Specifically, the assessment considers direct effects on health and quality of life for human NVSRs due to airborne and ground-borne noise and vibration emissions, direct damage effects on structures due to ground-borne vibration emissions and indirect effects on health and quality of life due to changes in airborne road traffic noise levels at NVSRs. Details of tunnel foundations and measure to mitigate ground surface settlement and movement mitigation methods are presented in the Outline Foundation Works Risk Assessment - 1 of 3 documents [APP-417].

Reference	Theme	Issue raised	The Applicant's response
RR-297-4	Construction impacts and effects	Assessment should also extend to the potential for structural impacts on property foundations, utilities, highways, drainage infrastructure and other underground services within the residential area.	As set out in the Draft Statement of Common Ground - Ministry of Defence (Document reference 5.8, DCO Volume 5, Version 1), no works are planned at surface level in the vicinity of the military housing. The respondent's land is in Section D of the Project. ES Chapter 3 Description of the Proposed Development [APP-082] sets out that Section D: The Water Recycling Plant site to Portsdown Hill would be constructed as a tunnel. The indicative design has concluded that the minimum depth of the tunnel within the relevant part of Section D will be no less than 15m. The Applicant has included a new design principle which states that the Pipeline would be installed at a minimum depth of 15m below surface level within this area. This is reflected in an updated version of the Design Principles Document submitted at Deadline 1 (Document reference 5.11, DCO Volume 5, Version 1). As set out in ES Appendix 15.1 Construction noise and vibration assessment [APP-179], construction vibration impacts have been assessed. Post consent, the Contractor will prepare a Noise and Vibration Management Plan (NVMP), which will form part of, or be appended to, the detailed Construction Environmental Management Plan, prepared in accordance with the Outline Construction Environmental Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3).
RR-297-5	Location of the proposed pipeline routes	The works potentially give rise to constraints on future development, maintenance operations, property alterations, and redevelopment opportunities as a consequence of the tunnel alignment and any safeguarding or exclusion zones associated with the asset. Such constraints may restrict the ability to undertake future ground investigations, building extensions, infrastructure replacement works, or utility diversions and upgrades within the affected area.	The purpose of the easement is to protect the integrity and operational requirements of the pipeline and to ensure appropriate access for inspection, maintenance, repair and replacement activities. The required width has been determined following a detailed technical assessment, taking account of the pipeline's diameter, depth, construction methodology, location and operational function. For sections of pipeline installed using open-cut construction, the Applicant is seeking an easement width of 11m (5.5m either side of the pipeline). This reflects the access and operational requirements associated with maintaining and, if necessary, excavating the pipeline in the future. Notably, this represents a reduction from the Applicant's published stand-off guidance for water mains of a comparable size and depth [6], which would typically require a wider protected corridor. This reduction from the normal requirement has been communicated to landowners and their agents where this is being challenged. For sections constructed using trenchless techniques, a reduced easement width is considered appropriate, taking into account depth, construction methodology and location. As the pipeline is installed at greater depth and future maintenance or operational access would be undertaken from either side of the trenchless section rather than directly above it, the same level of restriction is not required. The easement width has therefore been tailored to reflect the differing operational requirements of the construction methodologies. The Applicant is therefore satisfied that the easement widths proposed represent the minimum reasonably required to protect the pipeline and secure its safe operation over its lifetime.

Reference	Theme	Issue raised	The Applicant's response
RR-297-6	Legislation, policy and permits	Given the strategic importance of the MOD estate, and the national security functions it supports, it is imperative that the Proposed Development does not adversely affect existing operations or unnecessarily constrain the future use, maintenance, redevelopment or expansion plans of the MOD. This approach is clearly stipulated in paragraph 3.11.4 of the National Policy Statement for Water Resources Infrastructure which requires that "[w]hen 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". In addition, policy P6 of the National Planning Policy Framework which is 'important and relevant' in the context of DCO decision making confirms that "[s]ubstantial weight should be attached to the importance of sites, activities, facilities and infrastructure required to maintain and enhance defence capability, or whose primary purpose is public safety".	The Applicant notes this comment, and has engaged with the Ministry of Defence as the Project has developed, as set out in the Draft Statement of Common Ground – Ministry of Defence (Document reference 5.8, DCO Volume 5, Version 1).
RR-297-7	Landowner engagement	Against this national policy background, the MOD must be provided with sufficient information to properly assess the impacts of the tunnelling works under Farlington Avenue and reserves its position to determine whether any mitigation or protective measures are required as further information is provided. The MOD must retain flexibility to develop, expand, alter, or replace existing facilities without unnecessary restrictions. The MOD therefore requires assurance that design, construction methodology, and long-term operation of the Proposed Development will not adversely affect MOD land, and in any event as part of ongoing negotiations, are considering assurances that the MOD's interest would be protected by way of appropriate consultation and approval processes built into the DCO as safeguarding mechanisms. The MOD welcomes the Applicant's continued engagement. However, discussions remain ongoing on certain technical and legal matters, particularly in relation to the depth of the tunnel. Therefore, whilst the MOD does not object in principle to the Proposed Development, it reserves its position on the application (including section 135 consent) pending resolution of those matters referred to above during the Examination. Yours sincerely, Assistant Head of Estates DIO Estates - Land Management Services	The Applicant notes the respondent's comments. Schedule 5 to the Draft Development Consent Order [APP-023] details the permanent rights the Applicant is seeking over the plots within which the respondent has an interest. On review of the respondent's requirements and due to the minimum 15m depth of the tunnel within the plots, the Applicant does not consider that the rights and restrictions set out in Schedule 5 to the Draft Development Consent Order [APP-023] will prohibit the respondent from continuing its existing use as set out in their relevant representation. The Applicant will continue to engage with the respondent on the rights applied to the plots and in respect of Section 135 consent.

Table 2-20 The Applicant's response to RR-307 and RR-308 from South Downs National Park Authority

Reference	Theme	Issue raised	The Applicant's response
RR-308-1	Principle of development	Relevant Representation of South Downs National Park Authority under Section 56 of the Planning Act 2008 in respect of the Hampshire Water Transfer and Water Recycling Project (HWTWRP) (PINS Reference WA010002) Summary The proposed development is located outside of the South Downs National Park (SDNP) although the order limits, including areas for above ground plant are within close proximity to the boundary and will impact on the setting of the SDNP. The South Downs National Park Authority (SDNPA) recognises the need to reduce abstraction from threatened chalk streams in the locality which provide a valuable and irreplaceable resource for nature and communities in the south of England. The method of doing so needs to be undertaken in a manner that does not result in harm to this nationally important landscape, which is given the highest level of protection, the biodiversity and access it contains.	The Applicant notes this comment.
RR-308-2	Legislation, policy and permits	The applicant also has a duty under section 245 (Protected Landscapes) of the Levelling-up and Regeneration Act 2023, to seek to further the purposes of the National Park.	The Applicant acknowledges the duty under Section 245 of the Levelling-up and Regeneration Act 2023 and has developed the Project in consultation with the South Downs National Park Authority (SDNPA) to seek to further the purposes of the South Downs National Park. The Applicant's approach to satisfying the duty is set out at paragraphs 4.4.209 - 4.4.211 of the Planning Policy Statement (Document reference 5.5, DCO Volume 5, Version 2) and draft Statement of Common Ground (SoCG) with SDNPA (Document reference 5.8, DCO Volume 5, Version 1). At a bilateral meeting with the SDNPA in December 2025, the Applicant presented the proposed approach to satisfying the duty by following a three stranded approach, namely: • Scheme evolution avoiding the National Park. • Intrinsic project benefits (e.g. chalk stream improvements). • Potential enhancements within the Order Limits and National Park setting within the Environmental Mitigation and Enhancement Areas (EMEAs). The SDNP confirmed agreement with this approach to satisfying the duty at a meeting on 13 November 2026 which is reflected in the updated draft SoCG (Document reference 5.8, DCO Volume 5, Version 1) submitted at Deadline 1.
RR-308-3	The process of developing the Project	Throughout the pre-application stage, the applicant has worked with the SDNPA to identify where there is potential for adverse effects on the SDNP and to set out steps to avoid or mitigate for this harm. The principles regarding these steps have been broadly agreed and our interest going forward is in ensuring that such matters are given appropriate consideration and secured	The Applicant notes this comment.

Reference	Theme	Issue raised	The Applicant's response
		with sufficient detail in order to deliver proportionate and characteristic mitigation.	
RR-308-4	The process of developing the Project	We will participate in the examination process to advance SDNPA's interests and will make further detailed representations at the appropriate time.	The Applicant notes this comment and looks forward to continuing to engage with SDNPA throughout Examination. Updates will be reflected in the draft Statement of Common Ground (SoCG) with SDNPA (Document reference 5.8, DCO Volume 5, Version 1) as appropriate.
RR-308-5	Location of the proposed pipeline routes	Main Areas of Interest 1. Impact on the setting of the South Downs National Park We welcome the pipeline being moved outside of the SDNP at an early stage. We continue to have an interest in ensuring that the setting of the National Park is not adversely affected. The Authority welcomes the decision to avoid routing infrastructure through the National Park itself and acknowledges the Applicant's efforts to minimise direct impacts through route selection.	The Applicant notes this comment.
RR-308-6	Landscape and visual	Notwithstanding this, parts of the Project remain within the setting of the SDNP and several components, particularly BPT-K (Break Pressure Tank (BPT)), IPS-G (Intermediate Pumping Station) and associated construction activities, have the potential to affect landscape character, visual amenity, tranquillity, dark night skies and the experience of users of the National Park. The Environmental Statement identifies temporary construction effects on parts of the National Park and its setting, together with residual visual effects in relation to sections of the Pilgrims' Way and other elevated viewpoints.	Paragraph 4.9.5 of the National Policy Statement for Water Resources Infrastructure (NPSWRI) states that legislation provides a high degree of protection for National Parks and National Landscapes (areas of outstanding natural beauty). Environmental Statement (ES) Chapter 4 Consideration of alternatives [APP-083] explains how the Project has been designed to avoid physical impacts on the South Downs National Park (SDNP) by routing the proposed underground pipeline outside of the nationally designated landscape. There is also recognition in NPSWRI that development outside of nationally designated landscapes might affect them. Section 13.8 of ES Chapter 13 Landscape and visual [APP-092] has identified that construction of the Project would result in some short-term, temporary effects on the setting of the SDNP. This is due to the removal of vegetation on field boundaries and construction activity in proximity, particularly with reference to Break Pressure Tank K (BPT-K), Intermediate Pumping Station G (IPS-G) and views from a short section of the Pilgrims' Way promoted route. Some effects would persist into year 1 of operation, when planting carried out to reinstate field boundaries would not have established. However, the assessment concludes that by year 15 of operation the application of the design principles within the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1) and proposed planting would assist in sensitively integrating the proposed structures into the landscape, such that the Project would not be perceptible from the majority of the designated area and that the Statutory Purposes of the designation would not be compromised. Further detail is provided in ES Appendix 13.3 Landscape baseline and effects [APP-173].
RR-308-7	Landscape and visual	The Authority notes that the Landscape and Visual Impact Assessment (LVIA) identifies effects upon the setting of the National Park. However, it remains unclear how the setting of the National Park has been defined or mapped.	Definition and extent of the South Downs National Park (SDNP) setting

Reference	Theme	Issue raised	The Applicant's response
		The Authority remains concerned that effects on the setting of the National Park may therefore be underestimated and that further clarification is required regarding: • The definition and extent of the SDNP setting, • The methodology used to assess effects upon setting, • How the value of the setting has informed landscape sensitivity an • significance judgements, • How identified setting effects have informed scheme design and mitigation, and • Whether additional mitigation measures are required to conserve the setting of the National Park.	• Paragraph 13.7.70 of Environmental Statement (ES) Chapter 13 Landscape and visual [APP-092] notes with reference to point 5(13) of Landscape Institute Technical Guidance Note (TGN) 01/24, that the geographical extent of the setting of the SDNP is not defined on any plan or in law or policy. Methodology to assess effects upon setting • ES Appendix 13.2 Landscape and visual impact assessment methodology [APP-172] sets out the assessment methodology for the landscape and visual impact assessment. In addition to TGN 01/24 paragraph 1.2.9 of ES Appendix 13.2 Landscape and visual impact assessment methodology [APP-172] goes further, stating that "*the setting is not a designation (or a receptor) in its own right and would vary with the nature of the development proposed. For these reasons, the setting does not have a fixed or definitive boundary*." Value of the setting of the SDNP in informing landscape sensitivity and significance judgements • The setting of the SDNP is not designated. Paragraph 13.7.72 of ES Chapter 13 Landscape and visual [APP-092] explains where and to what extent each Local Landscape Character Area (LLCA) contributes to the setting of the SDNP. This includes the value attached to the landscape. Identified effects on the setting of the SDNP informing scheme design and mitigation • ES Appendix 13.3 Landscape baseline and effects [APP-173] identifies where there are likely to be effects on the setting of the SDNP as a consequence of the construction, operation and decommissioning of the Project. The Applicant has avoided or reduced impacts within the setting of the SDNP through the implementation of embedded mitigation secured through the implementation of the measures set out within the Outline Landscape and Ecology Management Plan (LEMP) (Document reference 7.5, DCO Volume 7, Version 1) and the Design Principles Document [APP-076], such as landform reprofiling and planting to integrate BPT-K into Winters Hill. Mitigation measures to conserve the setting of SDNP • Section 13.4 of ES Chapter 13 Landscape and visual [APP-092] provides a summary of the embedded mitigation measures with further detail on scheme design secured by the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1). With reference to paragraph 13.9.2 of ES Chapter 13, all mitigation for operation effects is considered primary (embedded). Measured against the residual harm to the setting of the SDNP, no additional mitigation is proposed. The Applicant's methodology for defining the extent of the SDNP setting and assessing the likely effects within the setting has been discussed in detail with SDNP Authority at technical working group and bilateral meetings during the

Reference	Theme	Issue raised	The Applicant's response
			pre-application period and this is set out in the draft Statement of Common Ground (Document reference 5.8, DCO Volume 5, Version 1), under ID SDNPA-2023-0007 which the status is noted as 'matter agreed with other party'.
RR-308-8	Landscape and visual	The SDNPA supports the principle that nationally significant infrastructure projects should contribute positively to protected landscapes where opportunities exist. However, careful scrutiny will be required to ensure that the proposed enhancement measures are clearly defined, appropriately secured, deliverable and capable of providing meaningful environmental net gain and benefits for National Park purposes.	The Environmental Net Gain Statement [APP-427] sets out what Environmental Net Gain measures the Applicant is committing to. The benefits and legacy the Project will deliver of relevance to the economy, communities and the environment are set out in the Case for the Project (Document reference 5.6, DCO Volume 5, Version 1).
RR-308-9	Traffic and transport	2. Construction Traffic Whilst the Order Limits themselves are outside of the SDNP, several construction traffic routes will be through the National Park, most notably through Twyford as confirmed by Graphic 5-1 Construction vehicle Strategic Road Network access locations within the Framework Construction Traffic Management Plan. We will provide confirmation on the suitability of this document at the relevant stage once it has been reviewed in full.	The Applicant acknowledges the South Downs National Park Authority (SDNPA) are still reviewing the Framework Construction Traffic Management Plan (CTMP) [APP-415] with regards to the construction traffic impacts on routes through the National Park. The Applicant has engaged with the SDNPA regarding this matter, as documented in the draft Statement of Common Ground (SoCG) (Document reference 5.8, DCO Volume 5, Version 1) Row ID: SDNPA-2024-0012, and provided details of the forecast construction traffic through Twyford and look forward to receiving any further comments in due course. The forecast construction traffic impacts of the Project on all roads in the study area are set out in Section 10.4 of the Environmental Statement (ES) Appendix 18.1 Transport Assessment (TA) [APP-186 to APP-188 – 3 documents]. The Applicant engaged with SDNPA at a bilateral meeting on 13 November 2026 and it was agreed that the ES Appendix 18.1 Transport Assessment [APP-186, APP-187, APP-188] should be updated to reflect the optioneering process undertaken that resulted in the B3354 through Twyford (and the National Park) as the preferred route for construction traffic. This will be reflected in the revised ES Appendix 18.1 Transport Assessment [APP-186, APP-187, APP-188] being submitted at the appropriate Deadline.
RR-308-10	Public Rights of Way (PRoW)	The PRoW network is the primary means by which the general public access and enjoy the SDNP and, as such, the PRoW network experiences a high volume of pedestrian traffic. Whilst the safety of the users of the PRoW network is of paramount importance, no PRoW should be closed or restricted for longer than absolutely necessary. The SDNPA acknowledges that Hampshire County Council, as the Local Highways Authority, will be making representations regarding the highway issues. The SDNPA wishes to make the following comments regarding the impacts to the National Park.	The Applicant acknowledges the importance of the Public Right of Way (PRoW) network as a means by which the general public access and enjoy the South Downs National Park (SDNP) and note that no PRoW should be closed or restricted for longer than is necessary. The estimated duration of each closure is outlined in the Framework Rights of Way Management Plan (RoWMP), appended to the Framework Construction Traffic Management Plan (CTMP) [APP-415], and will be confirmed in the detailed RoWMP secured by paragraph 9 of Part 1 of Schedule 2 to the draft Development Consent Order (DCO) [APP-023].
RR-308-11	Public Rights of Way (PRoW)	The Authority notes that the application proposes temporary closures and diversions of public rights of way together with construction traffic management measures secured through the Framework Construction Traffic Management	With regards to the Framework Construction Traffic Management Plan (CTMP) [APP-415] and appended Framework Rights of Way Management Plan (RoWMP), the Applicant welcomes the comment from the South Downs

Reference	Theme	Issue raised	The Applicant's response
		Plan and Rights of Way Management Plan. The SDNP are generally content with the measures proposed subject to formal clarification from Hampshire County Council as the Local Highway Authority.	National Park Authority (SDNPA) noting they are generally content with the measures proposed subject to formal clarification from Hampshire County Council as the Local Highway Authority. SDNPA confirmed agreement with the measures included in Appendix B Framework Rights of Way Management Plan to the Framework CTMP [APP-415] at a bilateral meeting with the Applicant on 13 November 2026.
RR-308-12	Traffic and transport	The SDNPA does, however, respectfully request that any documents be submitted to and approved by the relevant Local Planning Authorities and the Local Highway Authority. Construction Traffic Management Plans give rise to local planning considerations (such as tranquillity and impacts on residents) and Local Planning Authorities are best placed and used to overseeing such documents, not least because they are ordinarily determined by them.	The Applicant acknowledges the request from the South Downs National Park Authority (SDNPA) that the Framework Construction Traffic Management Plan (CTMP) [APP-415] is approved by the relevant planning and local highway authority. As detailed in Requirement 8 in Schedule 2 to the draft Development Consent Order (DCO) [APP-023], the detailed CTMP would need to be submitted and approved in writing by the relevant planning authority, in consultation with the relevant local highway authority and National Highways.
RR-308-13	Public Rights of Way (PRoW)	The SDNPA considers that the works will provide an opportunity to make improvements locally to PRoW's. Southern Water should work in partnership with SDNPA Officers and local groups to explore opportunities to make improvements which will bring benefit to local users and visitors. The needs of less able and disabled users should also be taken into account.	The Applicant has undertaken extensive engagement, and will continue to do so, with South Downs National Park (SDNPA) to explore opportunities for enhancement projects. At a bilateral meeting with the SDNPA in December 2025, the Applicant presented the proposed approach to satisfying the Section 245 of the Levelling-up and Regeneration Act 2023 (LURA) amended the duty by following a three stranded approach. Listed below, the third strand is specifically relevant with regards to SDNPA request: • Scheme evolution avoiding the National Park. • Intrinsic project benefits (e.g. chalk stream improvements). • Potential enhancements within the Order Limits and National Park setting within the Environmental Mitigation and Enhancement Areas (EMEAs). With specific reference to Public Rights of Way (PRoW) improvements, the Portsdown Hill Improvement Fund would enhance footpaths in the setting on the National Park. There are however no improvements proposed to footpaths within the National Park.
RR-308-14	Public Rights of Way (PRoW)	Overall, whilst the proposal will have some positive impacts particularly to the public right of way network, the SDNPA considers the current proposal has Neutral to limited impacts on the local highway network and would likely have sufficient mitigation and enhancement measures.	The Applicant welcomes the comment from the South Downs National Park Authority (SDNPA) noting the Project will have some positive impacts particularly to the Public Rights of Way (PRoW) network and neutral to limited impacts on the local highway network.
RR-308-15	The draft DCO	3. Securing and Delivery of Mitigation Measures We will be reviewing the Draft Development Consent Order and the control documents to ensure that all the necessary mitigation is secured and there are appropriate mechanisms for its delivery. In particular, the ecological mitigation required throughout the construction phase of the development.	The Applicant notes this comment.

Reference	Theme	Issue raised	The Applicant's response
RR-308-16	EIA approach and methodology	The Authority notes the significant reliance placed upon a series of outline management plans and design principles documents, including the Design Principles Document, Outline Landscape and Ecological Management Plan, Outline Construction Environmental Management Plan and Environmental Mitigation and Enhancement Areas (EMEA). The SDNPA are content with the proposal in this regard subject to: • Mitigation measures relied upon in the Environmental Statement are fully secured and funded, • Landscape proposals respond appropriately to local character and National Park setting considerations, • Ecological mitigation and habitat restoration are deliverable, • Long-term management and monitoring arrangements are robust, and • Enhancement measures are implemented within suitable timescales.	The Applicant welcomes the South Downs National Park Authority's (SDNPA) support in principle. The measures relied upon within the ES are secured through the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1), Outline Landscape and Ecology Management Plan (LEMP) (Document reference 7.5, DCO Volume 7, Version 1), Outline Construction Environmental Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3, [APP-413] and [APP-414] for documents 2 and 3) and the Environmental Mitigation and Enhancement Areas (EMEAs) shown on the Works Plans [AS-007 – 1 of 2 documents, AS-008 – 2 of 2 documents, APP-014]. These documents set out the requirements for the delivery, implementation, management, monitoring and maintenance of landscape, visual and ecological mitigation and enhancement measures, including long-term management arrangements and implementation timescales. They also provide the framework through which mitigation measures identified in the Environmental Statement (ES) are secured and delivered through the Project. The broad terms for the proposed financial contributions are set out in the Case for the Project (Document reference 5.6, DCO Volume 5, Version 1). The precise measures that the funds could be spent on (administered by the relevant local authority) are subject to further discussion, will be subject to examination and will be secured via legal agreement. Landscape proposals have been developed with regard to local landscape character and the setting of the South Downs National Park. Ecological mitigation and habitat reinstatement measures are based on established practices and are considered deliverable. Long-term management and monitoring requirements are considered robust and are included within the Outline LEMP (Document reference 7.5, DCO Volume 7, Version 1), and associated enhancement measures will be implemented within suitable timescales in accordance with the relevant management plans and requirements secured through Schedule 2 to the draft Development Consent Order (DCO) [APP-023]. The Applicant therefore considers that the mitigation, management, monitoring and enhancement measures relied upon within the ES are appropriately secured and deliverable.
RR-308-17	Landscape and visual	The SDNPA notes that a number of EMEAs are proposed within the setting of the National Park, including measures relating to woodland creation, habitat restoration, river corridor enhancement, public rights of way improvements and connectivity between important ecological networks. These matters are considered to result in a neutral impact (with potential for a slightly positive impact if enhancements are secured). Such measures would need to be fully understood and subsequently secured as part of the works going forward.	The Applicant notes the South Downs National Park Authority's assessment that the implementation of the measures secured by the Environmental Mitigation and Enhancement Areas (EMEAs) would result in a neutral impact within the setting of the South Downs National Park. Potential enhancements are shown on the Indicative Environmental Masterplan within Appendix C of the Design Approach Document [APP-077 to APP-079 - 3 documents]. The Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1) secures the provision of EMEAs; paragraph 1.2.4 explains the

Reference	Theme	Issue raised	The Applicant's response
			distinction between 'environmental mitigation' and 'additional environmental enhancement. It also explains that additional environmental enhancement EMEAs may only be delivered subject to securing voluntary agreements with landowners.
RR-308-18	Terrestrial and freshwater biodiversity	4. Securing and Delivery of Biodiversity Net Gain (BNG) The Proposed Development has been designed to avoid or reduce likely significant environmental effects with a range of measures embedded to provide mitigation where required. Consideration of likely significant effects on biodiversity has informed the iterative scheme development from the outset. The proposals recognise the importance of delivering a Biodiversity Net Gain and confirm that at a minimum 10% would be achieved across the development area. Subject to such improvements being secured, the SDNP do not raise any objections to the proposal in this regard.	The Applicant acknowledges the South Downs National Park Authority's satisfaction regarding the methodology for assessing effects on terrestrial and freshwater biodiversity and Biodiversity Net Gain.
RR-308-19	Terrestrial and freshwater biodiversity	The Authority has concerns regarding aspects of the proposed habitat management approach, including: • Certain grassland establishment methodologies, • Woodland design approaches, • Planting densities and spacing arrangements, and • Whether proposed habitats reflect local landscape character. The Authority will therefore continue to review the Biodiversity Gain Plan and associated management documents in detail to ensure that landscape, ecological and National Park objectives are aligned and deliverable.	Landscape character is a golden thread running through design of the project. Section 4.2 of the Design Approach Document (DAD) [APP-077] sets out the project vision, with paragraph 2.2 defining three broad design aspirations: • Landscape-led – responding to and enhancing local landscape character and heritage. • Integrated – with the green and blue infrastructure network to support nature recovery on land and water. • Beneficial – delivering tangible advantages for both nature and local communities. Paragraph 1.3.2 of the Outline Landscape and Ecology Management Plan (LEMP) (Document reference 7.5, DCO Volume 7, Version 1) lists the overarching objectives of the document, which include "*guide the design, management, maintenance and monitoring of landscape and biodiversity features that respond to the character of the landscape, local distinctiveness and sense of place*". This is the primary framework within which the detailed design will be developed, post-consent. This is supported by section 2.2, which provides an overview of the landscape character baseline. The general objectives and general principles of proposed planting in section 4.1 of the Outline LEMP also specifically reference the requirement to respond to local character through the layout and species selection, including with respect to historic landscapes. This is supported by the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1), that contains the General Design Principles and Site Specific Design Principles (together, the 'Design Principles') with which the detailed design of the Project will be required to comply with. Several of the Design Principles specifically addressed the design of the Project that have the potential to affect the SDNP and its setting.

Reference	Theme	Issue raised	The Applicant's response
			The Applicant acknowledges the SDNPA's concerns regarding the habitat management approach for the Project's proposed habitats and continued review of the Biodiversity Gain Plan [APP-426].
RR-308-20	Landowner engagement	5. Delivery of Environmental Net Gain The Authority notes the significant reliance placed upon the Outline Landscape and Ecological Management Plan (OLEMP), Design Principles Document and associated landscape mitigation proposals.	The National Policy Statement for Water Resources Infrastructure (NPSWRI) requires applications for development consent of water resources projects to be accompanied by "*a statement demonstrating how opportunities for delivering wider environmental net gains have been considered, and where appropriate, incorporated into the design (including any relevant operational aspects) of the project*". The Environmental Net Gain (ENG) Statement [APP-427] reports on what the Applicant has considered and committed to in relation to habitat changes that would impact on the delivery of ecosystem services (e.g. from construction impacts, mitigation measures and enhancement opportunities). Expected environmental net gains predominantly come from the committed Environmental Mitigation and Enhancement Areas (EMEAs). The Outline Landscape and Ecology Management Plan (LEMP) (Document reference 7.5, DCO Volume 7, Version 1) and the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1) are the principal documents that secure these landscape and ecology mitigation proposals. As stated in paragraph 3.1.2 of the ENG Statement [APP-427], the ENG assessment did not seek to generate additional opportunities – ENG will be delivered through the committed EMEAs and mitigation set out in the above-named documents. This assessment approach was agreed with Natural England and the Environment Agency, as set out in the Draft Statement of Common Ground - Natural England [APP-069] and the Draft Statement of Common Ground - Environment Agency [APP-067]. The benefits the Project will deliver to the economy, communities and the environment are set out in the Case for the Project (Document reference 5.6, DCO Volume 5, Version 1). Chapter 4 of the ENG Statement [APP-427] sets out the benefits packages the Applicant is committing to through the Case for the Project (Document reference 5.6, DCO Volume 5, Version 1) that are relevant to ENG.
RR-308-21	Landscape and visual	The Authority supports the overarching objective of integrating the Project into the landscape. However, it considers that greater emphasis should be placed on ensuring that all mitigation and enhancement proposals are informed by local landscape character. In particular, the Authority considers that: • Landscape character should provide the primary framework for mitigation design, • Landscape character should inform building design, route design, planting design and habitat creation,	Landscape character is a golden thread running through design of the Project. Section 4.2 of the Design Approach Document – 1 of 3 documents [APP-077] sets out the project vision, with paragraph 2.2 defining three broad design aspirations: • Landscape-led – responding to and enhancing local landscape character and heritage. • Integrated – with the green and blue infrastructure network to support nature recovery on land and water.

Reference	Theme	Issue raised	The Applicant's response
		• Mitigation should seek to reinforce local distinctiveness, • Characteristic patterns, materials and species should be prioritised, • Landscape character should be a guiding principle throughout the OLEMP rather than being referenced only intermittently.	• Beneficial – delivering tangible advantages for both nature and local communities. Paragraph 1.3.2 of the Outline Landscape and Ecology Management Plan (LEMP) (Document reference 7.5, DCO Volume 7, Version 1) lists the overarching objectives of the document, which include "*guide the design, management, maintenance and monitoring of landscape and biodiversity features that respond to the character of the landscape, local distinctiveness and sense of place"*. This is the primary framework within which the detailed design will be developed, post-consent. This is supported by section 2.2, which provides an overview of the landscape character baseline. The Outline LEMP (Document reference 7.5, DCO Volume 7, Version 1) embeds this approach throughout the document. The general objectives and principles for proposed planting in section 4.1 require planting layouts and species selection to respond to local character, site conditions and historic landscape character, whilst the habitat-specific principles for woodland, hedgerows, scrub, grassland and inter-planting require detailed proposals to respond to surrounding landscape patterns, local species composition, existing vegetation and landscape context. The same landscape-led approach extends beyond planting and habitat creation. The Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1) contains General Design Principles and Site-Specific Design Principles that govern the detailed design of the Project, including the design of Above Ground Plant, route corridors, landscape integration measures, materials, finishes, landform design and environmental mitigation. Together, these documents ensure that landscape character informs building design, route design, planting design and habitat creation. The importance of landscape character as a design driver is further reflected in the draft Statement of Common Ground with the South Downs National Park Authority (SDNPA) (Document reference 5.8, DCO Volume 5, Version 1) which records agreement on the approach to landscape character assessment and confirms that the revised methodology provides a critical review of published landscape character assessments and an evidence-based approach to valuing landscapes and landscape elements contributing to the setting of the South Downs National Park (SDNP) (ID SDNPA-2023-0010). This evidence base has informed the development of the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1) and Outline LEMP (Document reference 7.5, DCO Volume 7, Version 1), which establish the framework for detailed design and mitigation. Furthermore, the draft Statement of Common Ground with SDNP (Document reference 5.8, DCO Volume 5, Version 1) confirms as 'matter agreed with other party' that the design of AGP was refined to reflect comments raised by the SDNPA through the bilateral meetings (ID SDNPA-2024-0004).
RR-308-22	Landscape and visual	The Authority is concerned that some mitigation proposals appear formulaic and risk introducing landscape features that may not be characteristic of their	The design of the Project is outline and this is reflected in the level of detail provided in the Development Consent Order (DCO) application. Detailed

Reference	Theme	Issue raised	The Applicant's response
		local context. For example, the Universal reliance on woodland blocks; standardised hedgerow tree planting approaches and limited reliance on natural regeneration techniques. The Authority will continue to seek assurance that mitigation proposals respond appropriately to the sensitivities of the National Park setting and local landscape character.	designs will be developed post-consent, within the framework established by the Design Approach Document [APP-077 to APP-079 - 3 documents] and secured principally by the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1) and the Outline Landscape and Ecology Management Plan (LEMP) (Document reference 7.5, DCO Volume 7, Version 1). These documents will ensure that the mitigation proposals are not formulaic and respond to the character of the landscape, local distinctiveness and sense of place, including within the setting of the South Downs National Park (SDNP). The Applicant recognises the benefits that natural regeneration can bring and has included specifications for this within the Outline LEMP (Document reference 7.5, DCO Volume 7, Version 1). Paragraphs 4.4.6 to 4.4.8 of the Outline LEMP (Document reference 7.5, DCO Volume 7, Version 1)describe the use of natural regeneration for scrub establishment and confirm that natural regeneration will be considered on a site-by-site basis post-consent, based on an assessment of site suitability and the presence of desirable species which naturally succeed locally. In addition, paragraphs 4.5.8 to 4.5.10 identify natural regeneration as one of the approaches that may be used for grassland creation, with the appropriate method to be determined post-consent. The detailed LEMPs, which are secured through Requirement 4 of the draft DCO [APP-023], will develop the final planting specifications, species mixes and establishment methods post-consent. The Outline LEMP (Document reference 7.5, DCO Volume 7, Version 1) further confirms that detailed LEMPs will be produced post-consent (paragraphs 1.1.14 an) and that final species mixes and planting specifications will be developed through the detailed LEMPs (paragraphs 4.1.7 and 4.1.8). This provides the mechanism through which the appropriateness of natural regeneration can be considered while ensuring that the required landscape and ecological outcomes are delivered. The Applicant engaged with SDNPA at a bilateral meeting on 13 November 2026. SDNPA will confirm whether the mitigation measures included in the Outline LEMP (Document reference 7.5, DCO Volume 7, version 1) are satisfactory.
RR-308-23	Landscape and visual	6. Landscape and Visual Impact Assessment (LVIA) The Authority is continuing to review the LVIA in detail and considers that a number of methodological concerns remain unresolved.	The Applicant's Landscape and Visual Impact Assessment methodology set out in Environmental Statement (ES) Appendix 13.2 Landscape and visual impact assessment methodology [APP-172] has been discussed in detail with South Downs National Park Authority (SDNPA) at technical working group and bilateral meetings during the pre-application period and this is set out in the draft Statement of Common Ground (Document reference 5.8, DCO Volume 5, Version 1), IDs SDNPA-2023-0004 through to SDNPA-2024-SC-0002. The Applicant welcomes further engagement with the Authority to discuss any outstanding methodological concerns.

Reference	Theme	Issue raised	The Applicant's response
RR-308-24	Landscape and visual	In particular, landscape receptors are generally assessed at the scale of broad Landscape Character Areas (LCAs). Whilst appropriate for strategic assessment, this approach risks generalising effects across large geographic areas and may not adequately identify effects on those individual landscape features, characteristics and patterns that contribute to local distinctiveness and the setting of the National Park.	Paragraph 13.7.104 of Environmental Statement Chapter 13 Landscape and visual [APP-092] explains that the Landscape and Visual Impact Assessment (LVIA) has assessed the likely impact and effects on landscape character according to the following hierarchy: • National, with reference to National Character Area profiles. • County, with reference to Landscape Character Areas (LCAs) defined within the Hampshire Integrated Character Assessment. • Local, with reference to Local Landscape Character Areas (LLCA) defined by competent experts acting on behalf the Applicant which have been informed by published landscape character assessments at the national, county and local planning authority scale. Therefore, landscape receptors have not generally been assessed at the scale of broad LCAs. LLCAs were defined to provide the basis for a finer grain of assessment compared to the broad LCAs defined at the county level. The assessment of effects on LLCAs includes consideration of the individual landscape features that would be affected by the construction of the Project, recognising that the design is outline and that further survey and detailed design would be required post-consent. This is a proportionate approach in line with best practice, including the Guidelines for Landscape and Visual Impact Assessment, 3rd Edition (GLVIA3) and The Planning Inspectorate's Advice on Preparing Applications for Linear Projects on Limits of Deviation. Row ID SDNPA-2023-0010 in the draft Statement of Common Ground (SoCG) – South Downs National Park Authority (SDNPA) (Document reference 5.8, DCO Volume 5, Version 1) confirms as 'matter agreed with other party' the methodology for "*identifying landscape and visual receptors, assessing landscape value, and defining the SDNP's setting*...". The entry in the draft SoCG states "*SDNPA confirmed that the revised approach provides the necessary critical review of published LCA's, clarifies receptor identification, and sets out an evidence based method for valuing landscapes and elements contributing to the SDNP's setting.*"
RR-308-25	Landscape and visual	The Authority is concerned that: • The assessment does not consistently identify the specific landscape characteristics affected by the proposals, • Historic landscape patterns are repeatedly referenced but are not sufficiently described or analysed, • The baseline evidence may therefore not provide a sufficiently detailed foundation for assessing effects or informing mitigation, • Effects on historic landscape character may consequently be underestimated,	The Landscape and Visual Impact Assessment (LVIA) set out in Environmental Statement Chapter 13 Landscape and visual [APP-092] provides a robust and comprehensive assessment of the likely landscape effects which specifically considers the landscape characteristics that would be affected by the proposals. As noted in response to RR-308-24 above, a three-tiered approach has been adopted which allows consideration of the likely effects at local and broader scales. This is particularly helpful when considering impacts on the historic landscape pattern. The assessment follows the Guidelines for Landscape and Visual Impact Assessment'= (GLVIA3) guidance, and has focused on describing the changes which contribute to the magnitude of impact so that the assessment is propionate to the effects, is

Reference	Theme	Issue raised	The Applicant's response
		• The Authority considers that further explanation is required to demonstrate that the assessment adequately captures the scale and nature of effects arising from relatively localised interventions within the setting of a nationally designated landscape.	accessible and concise. The Applicant would welcome further discussion with the South Downs National Park Authority on their comments regarding historic landscape patterns.
RR-308-26	Need case	Conclusion The SDNPA recognises the strategic need for the proposal and the benefits associated with the works which include water resilience, proposed environmental benefits and reducing abstraction from the River Itchen SAC and SSSI threatened chalk streams.	The Applicant notes and welcomes this comment
RR-308-27	Landscape and visual	However, the Authority's ongoing involvement in the examination will focus on ensuring that impacts on the setting of the South Downs National Park are fully understood, appropriately mitigated and secured through robust requirements and management plans.	The Applicant notes the Authority's position and welcomes further engagement on which aspects of the impacts on the setting of the South Downs National Park require further discussion.

Table 2-21 The Applicant's response to RR-310 from Southbourne Parish Council

Reference	Theme	Issue raised	The Applicant's response
RR-310-1	Attitudes to water recycling	I am concerned about the treatment of sewage water and it being introduced to our drinking water and pollution of our chalk streams.	Water recycling is a well-established and internationally proven technology, successfully implemented in countries such as the United States, Australia and Singapore and at scales significantly larger than for the Applicant's scheme. The development of the Project has included input from specialists who have worked on or collaborated with others on these well-established international schemes, ensuring that best practice has been embedded throughout the design and development of the Project. In the UK, the Drinking Water Inspectorate (DWI) has confirmed that water recycling can be delivered safely, outlining the robust regulatory requirements that water companies must demonstrate before recycled water can be put into supply. Water supplied to the public would continue to meet these high safety and quality standards and would be subject to rigorous regulatory oversight, including comprehensive risk assessment, advanced multi-barrier treatment processes and continuous monitoring to ensure compliance with the Water Supply (Water Quality) Regulations 2016. The multi-stage water recycling process would feature numerous safeguards, including continuous monitoring, to ensure that, in the unlikely event of a significant deviation in expected water quality, it can be rectified through partial or full system shutdowns. It would not be possible for treated wastewater to bypass this process and enter the Havant Thicket Reservoir. These safeguards would be implemented by the Contractor once appointed to construct and operate the Water Recycling Plant (WRP) and would be a key specification for the plant to ensure water quality requirements would be met. The Applicant would select experienced process contractors and leverage

Reference	Theme	Issue raised	The Applicant's response
			independent expert advice to ensure the testing protocols are rigorous. The release of recycled water into the Havant Thicket Reservoir would be monitored in accordance with regulations and standards set out and enforced by the Environment Agency. Outputs from the detailed water quality modelling and assessment of effects are fully reported in ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1). The results of the water quality modelling predict that operation of the Project would not result in a deterioration in the water quality of the Havant Thicket Reservoir or downstream water bodies. Modelling has also predicted no significant changes to salinity in the Hermitage Stream associated with releases of surface water from a new outfall at the WRP site. Consequently, no significant effects on aquatic ecology are anticipated. The Applicant also recognises concerns about potential effects on chalk streams. The Project is intended to improve the health of the River Test and River Itchen chalk streams by reducing abstraction pressure from those sensitive sources, particularly during dry periods when river flows and ecological conditions are under greatest stress. The need for the Project, including its role in supporting abstraction reductions, is set out in Case for the Project (Document reference 5.6, DCO Volume 5, Version 1).
RR-310-2	The Applicant's wider operations and Project interfaces	Southern water has a history of serious failures which does not bode well for this plan.	The Applicant recognises concerns about reputation, particularly in relation to water pollution, fines, asset maintenance and operational performance. The Applicant has implemented a Turnaround Plan (2023–2025) focused on improving operational performance, reducing pollution incidents and enhancing customer service. Since 2020, pollution incidents have reduced by 38%, and leakage has reduced by almost 20% by 2024/25. The Applicant is committed to ongoing investment in its infrastructure and to maintaining high standards of monitoring and maintenance for both existing and new assets. The Project would also be subject to robust control systems and maintenance regimes. The advanced treatment process at the Water Recycling Plant (WRP) would use multiple treatment barriers before blending and final treatment at Otterbourne Water Supply Works (Otterbourne WSW), as described in ES Chapter 3 Description of the Proposed Development [APP-082]. Water going into supply would continue to be required to meet statutory standards for drinking water quality, with oversight by the Drinking Water Inspectorate (DWI). The Project would also require regulated discharge consents from the Environment Agency.

Table 2-22 The Applicant's response to RR-311 from Southbourne Parish Council

Reference	Theme	Issue raised	The Applicant's response
RR-311-1	Principle of development	Southbourne Parish council objects to the application and is asking the Planning Inspectorate to examine whether the scheme is necessary, whether better alternatives were properly considered, and whether its risks can be adequately assessed, controlled and importantly independently verified throughout its operational life.	The Case for the Project [APP-057] sets out the compelling need for the Project in detail. Once the Applicant's 2024 Water Resources Management Plan (WRMP) is published, the National Policy Statement for Water Resources Infrastructure (NPSWRI) is clear that 'need' will not be revisited as part of the application for development consent. The Applicant's assessment of alternatives is set out in detail in ES Chapter 4 Consideration of alternatives [APP-083] and in the Scheme Development Report [APP-073]. Alternatives were considered through both WRMP19 and the subsequent options appraisal process, noting that whilst pursuing the preferred WRMP19 strategy for a desalination plant at Fawley, the Applicant continued to investigate strategic alternatives as a contingency in case desalination proved undeliverable. Those alternatives were thoroughly assessed though the options appraisal process and the Project was determined to be the best value solution of those considered, following which this became the preferred strategy over desalination. The preparation of the emerging WRMP24 did not subsequently identify any alternative solutions capable of providing the scale of water supply needed in the timescales required. The Project has undergone thorough environmental assessment through the EIA process with predicted construction and operational impacts largely avoided and mitigated.
RR-311-2	Consultation	People within the parish have not been consulted but will be affected.	The Consultation Report [APP-029] sets out the pre-application consultation activities undertaken for the Project. Statutory consultation was undertaken through multiple consultation stages (Summer 2024 Consultation, Spring 2025 Consultation, Autumn 2025 Consultation and Spring 2026 Consultations). Consultation was undertaken in accordance with the 2024 Statement of Community Consultation [APP-041], which had been developed in consultation with the host local authorities to ensure that communities were being appropriately engaged. This document outlines the consultation zones used to promote the consultations for maximum awareness. Southbourne Parish council is partly covered by Consultation Zone C and fully by Consultation Zone D, whereby posters, social media and newspaper advertisements were used to provide details of the consultation events and how to get involved.
RR-311-3	Attitudes to water recycling	We recognise the need for more water resilience however, the technology proposed is untried in this country and there is a serious lack of public confidence and trust in Southern Water.	The Applicant welcomes the acknowledgement of the need for more water resilience. Broadening the types of water resources infrastructure available is an essential part of increasing the overall resilience of supplies to customers. The National Policy Statement for Water Resources Infrastructure (NPSWRI) specifically recognises the benefits of water recycling at paragraph 2.6.16 which is also reflected in the recent policy paper from the Environment

Reference	Theme	Issue raised	The Applicant's response
			Agency 'Water recycling for public water supply: Environment Agency position statement'. Water recycling is a well-established and internationally proven technology, successfully implemented in countries such as the United States, Australia and Singapore. Nor is it without precedent in the UK: Essex & Suffolk Water has operated an indirect water recycling scheme at Langford since 2002, which treats wastewater to augment river flows, with the water then abstracted and treated further for potable supply. Water recycling has also been identified through the current round of Water Resources Management Plans (WRMPs) as one response to future supply shortfalls, particularly in water-stressed areas of the South East and East of England. The Project is one of the schemes being advanced in that context and has been subject to scheme-specific consultation and assessment. Alongside the Environment Agency, the Drinking Water Inspectorate (DWI) recognises that recycled water can form part of public supply where schemes are properly planned, assessed, permitted and regulated, with robust requirements that water companies must demonstrate before recycled water can be put into supply. The Applicant recognises that broader concerns about water company performance and pollution incidents have affected public confidence and has implemented a Turnaround Plan (2023–2025) focused on improving operational performance, reducing pollution incidents and enhancing customer service. Since 2020, pollution incidents have reduced by 38%, and leakage has reduced by 10% since 2023. These wider performance improvements do not replace the Project-specific safeguards, but they demonstrate the Applicant's broader programme to improve operational performance and rebuild public trust. Furthermore, the Project would not rely on trust alone: it would be subject to independent regulatory oversight, statutory drinking water quality requirements, environmental permitting and detailed operational controls before recycled water could be used as part of public water supply.

Table 2-23 The Applicant's response to RR-312 from CMS Cameron McKenna Nabarro Olswang on behalf of Southern Gas Networks Plc

Reference	Theme	Issue raised	The Applicant's response
RR-312-1	Landowner engagement	Please see attached. RELEVANT REPRESENTATION Representation on behalf of Southern Gas Networks (SGN) to the Hampshire Water Transfer and Water Recycling Project Development Consent Order (DCO). CMS Cameron McKenna Nabarro Olswang LLP acts on behalf of SGN and is authorised to make this relevant representation on its behalf in objection to the proposed Order.	The Applicant notes this comment.

Reference	Theme	Issue raised	The Applicant's response
		SGN is the licensed gas transporter for the Order area, and objects so as to ensure the protection of its interests in land and apparatus and the safe and effective operation of its gas transportation network. As a responsible statutory undertaker, SGN's primary concern is to meet its statutory obligations and ensure that any development does not impact in any adverse way upon those statutory obligations.	
RR-312-2	The draft DCO	The Promoter seeks powers within the Order for the compulsory acquisition of land and rights in which SGN is interested, and the proposed development will cross and interact with SGN's assets (including intermediate-pressure and high-pressure gas mains). SGN therefore wishes to protect its position in light of existing apparatus, which is both within, and in the vicinity of, the proposed Order boundaries through suitable protective provisions being secured in the Order. SGN's rights to retain its infrastructure in situ and rights of access to inspect, repair and renew such apparatus within the limits of the respective Order must be maintained at all times to ensure the integrity of the gas distribution network, and access by SGN and its servants and agents to that apparatus for the purpose of its undertaking must not be restricted.	The Applicant notes this comment and has been in discussions with SGN regarding its assets within the Order Limits to understand where there might be interactions. The Applicant is in negotiations with SGN in relation to protective provisions for its assets. However, general protective provisions for the benefit of gas undertakers like SGN were included at application stage, and the Applicant considers these provide appropriate protection for SGN's interests, until the parties agree bespoke conditions.
RR-312-3	The draft DCO	Accordingly, SGN will require appropriate protective provisions to be included within the Order to protect its statutory undertaking and to ensure that public safety is not compromised. Equally both the Examining Authority and the Secretary of State will need to be satisfied that the project will not cause a serious detriment to the carrying out by SGN of its statutory undertaking before granting consent to the proposed Order.	The Applicant notes this comment and has been engaging with SGN in relation to their assets and protective provisions in relation to its infrastructure.
RR-312-4	The draft DCO	In view of the above, and pending agreement with the Promoter, SGN objects to the Promoter's application and reserves its right to make further representations during the Examination process should that be so necessary.	The Applicant notes this comment.
RR-312-5	The draft DCO	SGN has not yet reached satisfactory agreement with the Promoter regarding inclusion of protective provisions for SGN's benefit. SGN's solicitors have sought to engage with the Promoter in respect of the protective provisions. SGNs preferred form of protective provisions, which are included on a number of made DCOs and which are widely used in DCOs, are included at Appendix 1. The Applicant has not addressed the requirement for protective provisions for SGN in its draft DCO or the absence of the required protective provisions in the explanatory memorandum. SGN will continue to seek to engage with the Promoter to reach a satisfactory agreement. SGN will keep the examining authority updated in this regard.	The Applicant has been engaging with SGN in relation to the interactions of the Project with its infrastructure and has returned initial comments on SGN's preferred protective provisions to its solicitors. The protective provisions for SGN were not included in the draft DCO [APP-023] as these were not received at the point of submission nor in an agreed form. However, general protective provisions for the benefit of gas undertakers like SGN were included at application stage, and the Applicant considers these provide appropriate protection for SGN's interests, until the parties agree bespoke conditions.
RR-312-6	The draft DCO	SGN requests that the Examining Authority and Secretary of State include the protective provisions included at Appendix 1 in the Order.	The Applicant notes this comment and that it is committed to negotiating with SGN on the form of protective provisions to be included in the draft DCO [APP-023].

Reference	Theme	Issue raised	The Applicant's response
		Should the Examining Authority require any additional information from SGN further to this representation, please contact (Redacted)@cms-cmno.com of CMS.	
RR-312-7	The draft DCO	APPENDIX 1 SGN'S PREFERRED FORM OF PROTECTIVE PROVISIONS	Noted.

Table 2-24 The Applicant's response to RR-338 from Test Valley Borough Council

Reference	Theme	Issue raised	The Applicant's response
RR-338-1	Greeting	Thank you for the notification that Southern Water's application for a Development Consent Order for its Hampshire Water Transfer and Recycling Project has been accepted for examination.	The Applicant notes this comment.
RR-338-2	Water environment	The local water environment is an incredibly important resource within Test Valley, including in relation to its biodiversity, leisure and economic roles. The Test and Itchen rivers and their tributaries are highly valued chalk streams, with significant portions designated to be at least of national ecological importance.	The Applicant acknowledges Test Valley Borough Council's comments regarding the environmental, social and economic importance of the local water environment. The Applicant confirms that this has been reflected in the sensitivity assigned to surface and groundwater receptors in Environmental Statement (ES) Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1) and in ES Appendix 19.2 Water Environment Regulations Compliance Assessment (Document reference 6.1, DCO Volume 6, Version 1). All chalk streams have been assigned a high sensitivity, as summarised in Table 19-54 and applied to the assessments presented in section 19.8.
RR-338-3	Water environment	Last year, the council resolved to recognise the intrinsic rights of rivers within our jurisdiction and advocate others to support the recognition of these rights. This draws inspiration from the Universal Declaration of the Rights of Rivers, covering matters such as the right to flow, perform essential functions within the ecosystem, and feed / be fed by sustainable aquifers and other freshwater sources.	The Applicant acknowledges that Test Valley Borough Council has resolved to recognise the rights of rivers and advocate that other groups support the recognition of these rights. The Applicant notes that the overarching Project Vision, as set out in section 3.1 ES Chapter 3 of the Proposed Development [APP-082], is in accordance with Council's resolution given that it will create "*a new, resilient and sustainable water supply will protect and enhance the county's rare and sensitive chalk streams.*"
RR-338-4	Needs case	The council wants to ensure that water resources are used sustainably. In principle, we welcome measures to deliver alternative water resources to meet customer demands that enable less water to be taken from the River Test to help protect this sensitive chalk stream. Such measures should be brought into effect as soon as reasonably possible in order to reduce the risk of relying on drought measure arrangements through the Section 20 Agreement.	The Applicant notes and welcomes this comment.
RR-338-5	Need case	While none of the proposed works are indicated to fall within the borough, the council supports measures intended to ensure sufficient water resources are available to meet the needs of the environment as well as of consumers.	The Applicant notes and welcomes this comment.

Table 2-25 The Applicant's response to RR-349 from UK Health Security Agency

Reference	Theme	Issue raised	The Applicant's response
RR-349-1	Consultation	Thank you for your consultation regarding the above development. The UK Health Security Agency (UKHSA) welcomes the opportunity to comment on your proposals at this stage of the project. Please note that we request views from the Office for Health Improvement and Disparities (OHID) and the response provided is sent on behalf of both UKHSA and OHID. We can confirm that:	The Applicant has noted this comment.
RR-349-2	Socio-economic, tourism and health	With respect to Registration of Interest documentation, we are reassured that earlier comments raised by us on 19th July 2024 have been addressed. In addition, we acknowledge that the Environmental Statement (ES) has not identified any issues which could significantly affect public health.	The Applicant welcomes this comment from the UK Health Security Agency and notes its acknowledgement that the assessment has not identified any issues that could significantly affect public health. The assessment of likely significant effects on health is presented within ES Chapter 17 Socio-economics, Tourism and Health (Document reference 6.1, DCO Volume 6, Version 1).
RR-349-3	Socio-economic, tourism and health	UKHSA/OHID is satisfied with the methodology used to undertake the environmental assessment.	The Applicant welcomes the UK Health Security Agency's confirmation that it is satisfied with the methodology used to undertake the environmental assessment. The methodology used for the health assessment is set out in section 17.5 of ES Chapter 17 Socio-economics, Tourism and Health (Document reference 6.1, DCO Volume 6, Version 1).
RR-349-4	Socio-economic, tourism and health	Following our review of the submitted documentation we are satisfied that the proposed development should not result in any significant adverse impact on public health. On that basis, we have no additional comments to make at this stage and can confirm that we have chosen NOT to register an interest with the Planning Inspectorate on this occasion. Please do not hesitate to contact us if you have any questions or concerns.	The Applicant welcomes this comment from the UK Health Security Agency and notes its conclusion that the Project is not expected to result in any significant adverse effects on public health. The assessment of likely significant effects on health is presented within ES Chapter 17 Socio-economics, Tourism and Health (Document reference 6.1, DCO Volume 6, Version 1).

Table 2-26 The Applicant's response to RR-361 from Winchester City Council

Reference	Theme	Issue raised	The Applicant's response
RR-361-1	Greeting	Thank you for consulting Winchester City Council (WCC) on the above application for a Development Consent Order. The Council have the following comments to make.	The Applicant notes this comment.
RR-361-2	Consultation	General comments It is noted that the project includes areas outside of the Winchester City Council administrative area however the assessment below has been limited to	The Applicant notes that the Council's comments have been limited to the parts of the Project falling within the Council's district.

Reference	Theme	Issue raised	The Applicant's response
		that which is within the district. Impacts on other Local Authorities will be deferred to their representatives and other statutory consultees.	
RR-361-3	Need case	Summary The need for the project is understood and the Council appreciates the existing and future pressures to ensure a continued secure supply of fresh water.	The Applicant notes and welcomes this comment.
RR-361-4	EIA approach and methodology	The Environmental Statement (ES) is comprised 21 chapters with associated appendices and figures. The methodology used in these chapters is agreed.	The Applicant notes and welcomes this comment.
RR-361-5	Terrestrial and freshwater biodiversity	In terms of issues to be raised in regard to the submitted ES: Chapter 8 (ecology) there are modest changes and updates that are required to be made in regard to BNG, protected species, notable and protected habitats, the suitability of mitigations proposed, additional surveys to be conducted to comply with section 4.3. of the NPS for water infrastructure.	The Applicant understands that Winchester City Council has raised the modest updates it considers are required to ES Chapter 8 Terrestrial and freshwater biodiversity (Document reference 6.1, DCO Volume 6, Version 1). The Applicant's responses to the issues raised in regard to ecology are presented in RR-361-23 and RR-361-24 to 28 below. Table 8-2 of ES Chapter 8 Terrestrial and freshwater biodiversity (Document reference 6.1, DCO Volume 6, Version 1) lists where section 4.3 of the National Policy Statement for Water Resources Infrastructure is addressed in the chapter.
RR-361-6	Archaeology and cultural heritage	Chapter 7 (Historic Environment) further clarification is required in regard to the mitigation measures proposed for IPS G. Various updates are required in regard to below ground heritage assets to reflect the most recent discussions had with Southern Water and to comply with para 4.8 of the NPS for water infrastructure.	The Applicant understands that the further clarification relates to the definition of the detailed landscaping and planting proposals for Intermediate Pumping Station G. The Applicant has continued to engage on this issue in order to agree these details through the landscape and environmental mitigation measures secured within the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1) and the Outline Landscape and Ecology Management Plan (Document reference 7.5, DCO Volume 7, Version 1). In respect of the below ground heritage assets, the Applicant notes that future investigation and mitigation is secured through the Outline Written Scheme of Investigation (Document reference 7.6, DCO Volume 7, Version 1). Various minor amendments have been requested to this document by Winchester City Council (WCC) and the Applicant will continue to engage with WCC to ensure that these comments are addressed to ensure that this process accords with the requirements of paragraphs 4.8.12 - 4.8.14 in the National Policy Statements for Water Resources Infrastructure. The Applicant notes that this engagement is considered in the Statement of Common Ground with WCC (Document reference 5.8, DCO Volume 5, Version 1).
RR-361-7	Carbon and climate change	Chapter 10 (Climate change and GHG emissions) requires additional information in regard to chemical related emissions, renewable energy opportunities and renewable energy procurement to comply with section 4.4 of the NPS for Water infrastructure.	The Applicant considers that the requirements of Section 4.4 of the National Policy Statement for Water Resources Infrastructure (NPSWRI) have been addressed through the application documents and the Outline Carbon Management Plan (CMP) [APP-423], which have been developed in accordance with PAS 2080 principles. The whole-life carbon assessment

Reference	Theme	Issue raised	The Applicant's response
			presented within ES Chapter 10 Carbon and climate change [APP-089] quantifies greenhouse gas emissions associated with the construction and operation of the Project, including emissions arising from energy consumption, chemical use and transport. To support carbon reduction, the Outline CMP [APP-423] establishes a strategic carbon objective for emissions to be reduced to as low as reasonably practicable (ALARP), supported by defined assessment criteria. These requirements are outlined in the oCMP [APP-423] which is secured under the Development Consent Order (DCO) [APP-023] and provide a legally binding framework for identifying, evaluating and implementing carbon reduction opportunities throughout the Project lifecycle. Renewable energy opportunities, including opportunities for on-site generation, have been considered during the development of the Project. The Applicant's approach to renewable energy is set out in Section 5.3 of the Outline CMP [APP-423]. The Outline CMP [APP-423] establishes the Project approach to managing construction and operational carbon emissions and is aligned with the principles of PAS 2080. The Applicant considers that decisions relating to renewable energy generation and low-carbon energy supply are most effectively considered through its wider energy management strategy. This enables renewable energy generation and procurement opportunities to be assessed across the broader asset portfolio, allowing investment to be directed towards solutions that deliver the greatest long-term cost and carbon reduction benefit. The Applicant therefore considers that a strategic, portfolio-based approach is better placed to secure reliable, scalable and resilient low-carbon energy supplies than project-specific renewable installations alone. The Applicant also notes that operational carbon emissions associated with chemical consumption and energy use have been quantified within the whole-life carbon assessment and identified as key operational carbon hotspots that should be managed through the ALARP principle. Given the current uncertainty around future decarbonisation pathways for chemical manufacturing, the Outline CMP [APP-423] baseline conservatively assumes no reduction in the carbon intensity of chemical production over the assessment period. This differs from electricity consumption, where recognised Department for Energy Security and Net Zero grid carbon intensity projections provide an established basis for reflecting future decarbonisation. The approach therefore avoids relying on uncertain future reductions in chemical manufacturing emissions, while retaining chemical consumption as an area to be managed and reduced, where reasonably practicable, through the ALARP process.
RR-361-8	Landscape and visual	Chapter 13 (Landscape and visual) Minor updates are required to the OLEMP and Appendix 13.5 for the proposal to comply with NPS for Water Infrastructure.	The Applicant notes the Council's suggestion that minor amendments are required to the Outline Landscape and Ecology Management Plan (Document reference 7.5, DCO Volume 7, Version 1) and Environmental Statement Appendix 13.5 Arboricultural Impact Assessment [APP-175 and APP-176 - 2

Reference	Theme	Issue raised	The Applicant's response
			documents] for the submission of updated arboricultural information at detailed design stage. A full response to this matter is set out at RR-361-22.
RR-361-9	Noise and vibration	Chapter 15 (noise and vibration) requires amendments to clarify the background noise level baseline. The current proposed baseline is not accepted. This is required to comply with section 4.11 of the NPS for Water infrastructure	The Applicant notes this request to clarify the baseline noise level and has responded to it in the response to Issue Reference RR-361-38.
RR-361-10	Socio-economic, tourism and health	Chapter 17 should be updated to secure a phased Employment Skills Plan to comply with section 4.13 of the NPS for Water infrastructure.	The Applicant notes the Council's recommendation regarding the provision of a phased Employment and Skills Plan. The Applicant is committed to maximising employment, skills and training opportunities arising from the Project and has prepared an Outline Skills and Employment Plan (Document reference 7.9, DCO Volume 7, Version 1) which provides the framework for delivering these benefits throughout the construction phase. The Outline Skills and Employment Plan (Document reference 7.9, DCO Volume 7, Version 1) includes measures to support employment, skills, training and apprenticeship opportunities and will inform the delivery of these commitments over the course of the Project. The Applicant therefore considers that an appropriate framework is in place to support the delivery of employment and skills benefits associated with the Project.
RR-361-11	Cumulative effects	Chapter 20 should be updated to reflect the current Winchester Local Plan Policy.	Environmental Statement (ES) Chapter 20 Cumulative and in-combination effects [APP-099] will be updated to reflect relevant policy numbering and text in the Winchester City Council Local Plan – Your Place Your Plan, Winchester District Local Plan 2020-2040 (adopted March 2026) that relates to the Cumulative Effects Assessment and In-combination assessment. The Applicant will update ES Chapter 20 Cumulative and in-combination effects for submission at an appropriate Examination Deadline.
RR-361-12	Terrestrial and freshwater biodiversity	Outline CEMP requires minor amendments to address ecology, archaeology	The Applicant notes Winchester City Council (WCC)'s comments regarding the need for further updates. The Applicant is continuing to engage with WCC to finalise the relevant details and incorporate amendments into the Outline Construction Environmental Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3, [APP-413] and [APP-414] for documents 2 and 3). The Applicant has updated the Outline CEMP for submission at Examination Deadline 1.
RR-361-13	Landscape and visual	Outline LEMP requires minor amendments to address archaeology	The Applicant notes the Council's suggestion that minor amendments are required to the Outline Landscape and Ecology Management Plan (Document reference 7.5, DCO Volume 7, Version 1) and Environmental Statement Appendix 13.5 Arboricultural Impact Assessment [APP-175 and APP-176 - 2 documents] for the submission of updated arboricultural information at detailed design stage. A full response to this matter is set out at RR-361-22.

Reference	Theme	Issue raised	The Applicant's response
RR-361-14	Archaeology and cultural heritage	Outline WSI requires minor amendments	The Applicant understands the requested minor amendments to the Outline Written Scheme of Investigation (Document reference 7.6, DCO Volume 7, Version 1) and will continue to engage with Winchester City Council to agree wording and ensure that these comments are addressed.
RR-361-15	Archaeology and cultural heritage	ES Commitments register requires minor changes in regard to archaeology.	The Applicant understands the requested minor amendments to the Environmental Statement Appendix 5.5 Commitments Register (Document reference 6.2, DCO Volume 6, Version 1) and will continue to engage with Winchester City Council on these matters.
RR-361-16	The draft DCO	Further requirements are required to make the development acceptable and secure further details. There are no other comments to make in regard to the other chapters. Should they be updated the Council reserve the right to make further comments. Subject to the above amendments being submitted and secured through requirements Winchester City Council do not raise an objection to the proposal.	The Applicant acknowledges the comments made by the Council on certain control documents and looks forward to working with the Council to address these points where appropriate.
RR-361-17	The process of developing the Project	Principal Winchester City Council (WCC) is a host authority with regard to the proposed location of the scheme, with the majority of the pipeline passing through the district. WCC remain committed to working with Southern Water in a proactive manner	The Applicant notes this comment and looks forward to continuing to engage with the Council throughout Examination.
RR-361-18	Carbon and climate change	It is important to highlight that WCC declared a climate emergency in June 2019. The Council is committed to becoming a carbon neutral council by 2030. The declaration is a common thread through all council decisions and actions, including how we consider and respond to Nationally Significant Infrastructure Projects and complies with National policy Statement (NPS) EN1 and section 4.4 of the NPS for Water Infrastructure.	The Applicant acknowledges Winchester City Council (WCC)'s declaration of a climate emergency and its commitment to achieving carbon neutrality across its own operations. The Applicant has assessed the Project's greenhouse gas emissions and carbon management approach in accordance with the requirements of Section 4.4 of the National Policy Statement for Water Resources Infrastructure (NPSWRI) and the wider climate change policy framework applicable to Nationally Significant Infrastructure Projects. The Project's carbon assessment has quantified both construction and operational greenhouse gas emissions and established a framework for reducing emissions to as low as reasonably practicable (ALARP) through the design, construction and operational phases of the Project. This approach is reflected within the Outline Carbon Management Plan (CMP) [APP-423], which has been developed in line with PAS 2080 principles and provides the mechanism for ongoing carbon reduction and performance monitoring throughout the Project lifecycle.
RR-361-19	Need case	The need for the project is understood, and the Council appreciates the existing and future pressures to ensure a continued secure supply of fresh water.	The Applicant notes and welcomes this comment.

Reference	Theme	Issue raised	The Applicant's response
RR-361-20	Landscape and visual	Landscape and Visual Chapter 13 of the ES covers Landscape and Visual impacts and chapter 21 of the ES summarises likely residual effects of the project. The methodology is accepted.	The Applicant acknowledges the Council's acceptance of the methodology for the Landscape and Visual Impact Assessment (LVIA) set out in ES Appendix 13.2 LVIA methodology [APP-172].
RR-361-21	Landscape and visual	Landscape It is noted that the proposal has 2 key stages, construction and operation. The construction phase would have a significant but temporary impact due to the open cut nature of the pipeline construction through open fields and removing hedgerows. The proposal would also impact Public Rights of Way (PROW) resulting in a loss of tranquillity. During operation phase there would be no likely significant residual landscape effects. The embedded mitigation proposed would be secured via the OLEPM which is accepted and the requirements should reflect that updated LEMPs should be submitted with details to be agreed for each phase.	Environmental Statement (ES) Chapter 13 Landscape and visual [APP-092] provides a comprehensive assessment of the likely effects during construction and operation of the Project. Detail regarding the impacts and effects on specific landscape and visual receptors is provided in ES Appendix 13.3 Landscape baseline and effects [APP-173] and ES Appendix 13.4 Visual baseline and effects [APP-174] respectively. The assessment considers effects on tranquillity as part of the landscape assessment. Tranquillity is identified within the baseline description of landscape receptors and the assessment considers the effects of construction activity, including noise, lighting, construction traffic and disruption to Public Right of Way, on the perceptual qualities of the landscape. These effects are reported in ES Chapter 13 Landscape and visual [APP-092] and in detail within ES Appendix 13.3 Landscape baseline and effects [APP-173]. The Applicant welcomes the Council's acceptance that the embedded mitigation proposed would be secured via the Outline Landscape and Ecology Management Plan (LEMP) (Document reference 7.5, DCO Volume 7, Version 1). Paragraph 1.1.14 of the Outline LEMP (Document reference 7.5, DCO Volume 7, Version 1) explains that detailed LEMPs will be produced in accordance with the measures contained in the Outline LEMP (Document reference 7.5, DCO Volume 7, Version 1) and submitted for approval as secured by the corresponding requirement in Schedule 2 to the draft Development Consent Order [APP-023].
RR-361-22	Landscape and visual	Trees The Council would make the following observations regarding the information that relates to trees. Individual trees: Fifty-five category A tree features, 44 category B tree features, 49 category C tree features and 5 category U trees would require removal in full within the Winchester district to facilitate the proposed development, based upon the worst-case scenario. Groups of trees: Of the groups which would require partial removal, three are rated as category A, eleven as category B, and 27 as category C. Two locally notable trees T502 and T660 would be removed in full. There is some potential at detailed design stage to avoid direct tree impacts subject to engineering feasibility, but that they are assumed lost due to uncertainty as to whether the impact can be avoided.	The Applicant notes the Council's comments regarding the submission of updated arboricultural information at detailed design stage. The Applicant considers that this is already secured through the Outline Construction Environmental Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3, [APP-413] and [APP-414] for documents 2 and 3). Measure LVI2 requires the Contractor to undertake a topographical survey and update the Arboricultural Impact Assessment to reflect all areas affected by the Project and confirm the precise location of trees and Root Protection Areas. Measure LVI3 further requires the preparation of an updated Tree Impacts Plan prior to construction (including enabling works), which will supersede the version contained within ES Appendix 13.5 Arboricultural Impact Assessment [APP-175 and APP-176 - 2 documents] and inform construction-stage tree protection measures. Replacement planting is also secured through measure LVI2, which requires replacement planting to be provided as close as practicable to the location, type and character of the vegetation lost. Detailed landscape proposals will be developed through the detailed Landscape and Ecology Management Plans

Reference	Theme	Issue raised	The Applicant's response
		Facilitation pruning would be required to individual trees to allow access for machinery and pedestrians without causing damage to the branches of retained trees. The pruning works requirement would be confirmed by the Contractor during detailed design. The mitigation proposed within the OLEMP are mostly acceptable however the maintenance measures should be updated in regard to watering within Year 1 in the case of 'scattered trees in fields' and to include the requirements of BS8545. Replacement planting for failed trees should also be updated within the OLEMP or secured within the requirements to require replacements to be planted the following planting season. There are new restrictions in relation to Castanea sativa. - sweet chestnut that should be noted and either table A8 should be updated to reflect the current guidance or further planting plans should be secured within the requirements within each phase. Table A7 should be updated to include scientific names to avoid confusion between species. The requirements should be updated to allow phased Arboricultural Method Statements and updated Arboricultural Impact Assessments to be submitted at detailed design stage and to secure requirements within .13.5 and the OLEMP. It is considered that these changes would be consistent with section 4.9 of the NPS for Water infrastructure.	(LEMPs) submitted for approval post-consent which would be prepared substantially in accordance with the Outline LEMP (Document reference 7.5, DCO Volume 7, Version 1) as secured by the relevant requirement in Schedule 2 to the draft Development Consent Order [APP-023]. The Applicant notes the Council's comments regarding species selection and recent guidance relating to *Castanea sativa*. Detailed planting proposals and species specifications will be developed through the detailed LEMPs submitted for approval post-consent and will have regard to applicable guidance and relevant biosecurity requirements in force at the time. Table B-2 of the Outline LEMP (Document reference 7.5, DCO Volume 7, Version 1) already includes a commitment to watering of scattered trees in fields and other planting and the replacement of plants which fail during the five-year establishment period.
RR-361-23	Terrestrial and freshwater biodiversity	Ecology Chapter 8 of the ES addresses Ecology, both terrestrial and fresh water, while chapter 9 addresses Marine biodiversity. The methodology is agreed.	The Applicant notes Winchester City Council agreement with ES Chapter 8 Terrestrial and freshwater biodiversity (Document reference 6.1, DCO Volume 6, Version 1) methodology.
RR-361-24	Marine biodiversity	As WCC does not have a coastline there are no comments to make in regard to chapter 9.	The Applicant acknowledges the Council's confirmation of no comments relating to ES Chapter 9 Marine biodiversity (Document reference 6.1, DCO Volume 6, Version 1).
RR-361-25	Terrestrial and freshwater biodiversity	BNG The submission includes details of BNG though it is acknowledged that the NSIP is not subject to BNG and will not be subject to the mandatory requirements of 10% biodiversity which will be introduced on 2nd November 2026. The details showing the baseline and post development BNG in the area south of Little Bull Lane includes a line of hedging immediately adjacent to woodland. It is considered that this could compete with the root protection areas of the woodland edge and cause issues relating to habitat fragmentation. Therefore, further details of this should be secured via requirements.	The Applicant welcomes Winchester City Council (WCC)'s acknowledgement of the Project's commitment to BNG. The Applicant acknowledges WCC's concerns regarding the hedgerow at the Little Bull Lane location. It is noted that all hedgerow creation in this area corresponds to the reinstatement of existing hedgerows and treelines that will be temporarily removed for the Project. The approach to reinstatement is secured in the Outline Landscape and Ecology Management Plan (Document reference 7.5, DCO Volume 7, Version 1), which itself is secured by the corresponding requirement in Schedule 2 of the draft Development Consent Order [APP-023]. As such, any competition in this location will be as is currently the case meaning there is no impact to be assessed and no need to secure anything via requirements.

Reference	Theme	Issue raised	The Applicant's response
RR-361-26	Terrestrial and freshwater biodiversity	Protected species There are a number of protected species that would be impacted as a result of the proposal. In regard to fish there are a number of S41 and Annex II species that inhabit the River Meon and the River Hamble. The submitted information indicates that there would be indirect impacts in terms of noise that could be harmful to some species, especially eels, Salmonids and lamprey. An indicator of how long it would take to tunnel under the rivers should be secured within the requirements for details. A number of surveys have been submitted however many are considered to be on the verge of being old. As such the requirements should reflect the need for updated ecological surveys to be submitted with detailed design elements. It is noted that static bat surveys have not been carried out around compound H5, however, given the proximity to ancient woodland it is considered that this should have been conducted. It is recommended that the requirements are updated to include this as part of the detailed design elements.	The Applicant notes WCC's comment that a number of protected species would be impacted as a result of the Project. ES Chapter 8 Terrestrial and freshwater biodiversity (Document reference 6.1, DCO Volume 6, Version 1) section 8.8 provides a comprehensive assessment of the likely effects of the Project. The comprehensive assessment of likely significant effects in ES Chapter 8 Terrestrial and freshwater biodiversity (Document reference 6.1, DCO Volume 6, Version 1) includes potential effects on S41 and Annex II aquatic species. The assumed noise level from the construction of the Pipelines using the microtunnel boring machine is lower than all thresholds for harm to fish and eggs published in all available literature. Therefore, no impacts are expected, regardless of the length of time the machine is in operation. The Applicant notes WCC's comment on the age of the survey data. The Applicant's approach to age of survey data has been discussed and agreed with Natural England (as per the draft Statement of Common Ground (Document reference 5.8, DCO Volume 5, Version 1)). Natural England agreed that while a small proportion of the data was at the limits of acceptable age, the likelihood of the ecological baseline changing sufficiently to influence the outcome of the assessment was negligible. The Outline Construction Environment Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3, [APP-413] and [APP-414] for documents 2 and 3) includes a requirement for pre-construction surveys for protected habitats and species to confirm and update the baseline survey findings and ensure the mitigation proposals remain appropriate. Again, this approach has been agreed with Natural England as set out in the draft Statement of Common Ground (Document reference 5.8, DCO Volume 5, Version 1). The static detector surveys undertaken in 2022 (shown in ES Figure 8.20 Static detector survey locations [APP-250]) were completed at a preliminary design stage of the Project and were not required once the Habitat Suitability Modelling (HSM) approach was begun. The data collected from the night-time bat walkovers and static detector surveys were used to inform the assessment (and the HSM). Specific sampling locations for additional static detector surveys were used for HSM (shown in ES Figure 8.21, Static detector locations for habitat suitability modelling [APP-251] to identify the presence of bat species (rather than abundance). The HSM was then used to identify key connective locations across the route of the Pipeline (detailed approach presented in ES Appendix 8.4 Bats [APP-130] and results shown on ES Figures 8.22 to 8.32 [APP-252 to APP-262] and ES Figure 8.33, Key connective locations for bats [APP-263]. The HSM did not identify any key connective locations specifically within the vicinity of H5, the closest being at Pricketts Hill (KCL-L) and Little Bull Lane (KCL-N).

Reference	Theme	Issue raised	The Applicant's response
			Construction compound H-5 is located over 470m north of the closest parcel of ancient woodland. There will be no direct impacts on the woodland located immediately south of construction compound H-5. Pre-construction surveys will include surveys of trees for bat potential within the Order Limits, plus a buffer of 10m. If trees within bat potential are identified within this area around construction compound H-5 mitigation will be implemented to avoid indirect impacts. For example, if working after dark is necessary, task lighting will be of the lowest luminosity necessary for safe delivery of each task and will be designed, positioned and directed to avoid light spill on sensitive habitats and, wherever practicable, to avoid any light spill within 20m of any confirmed bat roost.
RR-361-27	Terrestrial and freshwater biodiversity	Notable Habitats The proposed pipeline will be routed through an area of calcareous grassland to the east of Southwick Road and Crooked Walk Lane where a compound is due to be located. This would result in larger work areas and soil compaction that would make restoration of this rare habitat less achievable. Further to this, the BNG document highlights this area as being replaced with other neutral grassland rather than the calcareous grassland as existing. As calcareous grassland is an internationally rare habitat options to avoid this area in the first instance should be explored through undergrounding this part of the pipeline and moving the compound that would prevent indirect impacts on the Motte & Bailey and Chalk Pit SINC. Failing this, requirements should be updated to reflect an updated restoration programme in regard to calcareous grassland habitats that would be impacted along the pipeline route. It should be noted that there is a minor discrepancy on the habitat classification for the area to the east of Southwick Road (survey data sheet 5 of 10) and the BNG metric. Where one shows lowland calcareous grassland and the other shows other calcareous grassland. In regard to the field survey sheet 10 of 10 in Fig 8.7 (UK Habitat Classification for non linear habitats) the proposal would result in the loss of wet woodland to the south west of Brambridge, which is one of the rarest types of woodland within the UK. The post habitat creation proposes to replace the wet woodland with a mix of wet woodland and scrub. It is considered that undergrounding the pipeline in this area would allow for the retention of this habitat as the establishment of the replacement wet woodland would be subject to hydrology fluctuations. Further to this the planting of scrub would not be appropriate for this location, as such the requirements should be updated to allow an alternative to be suggested through the detailed submission and replace the proposed scrub planting with wholly wet woodland. There are also some concern regarding compound/ construction lighting at H5, G4 and G5. It is noted that lighting is covered within the outline CEMP and requirements should be updated to require updates to the CEMP for each phase of the development.	The Applicant acknowledges Winchester City Council (WCC)'s feedback regarding notable habitats. The Applicant also notes the discrepancy between the baseline habitat and BNG assessments in the area to the east of Southwick Road. The reference to other calcareous grassland in ES Chapter 8 Terrestrial and freshwater biodiversity (Document reference 6.1, DCO Volume 6, Version 1), Appendix 8.2 Habitats [APP-128] and Figure 8.7 UK Habitat Classification for non-linear habitats within the field survey area [APP-237] presents a precautionary approach to the assessment within the ES Chapter. This location was recorded as other neutral grassland (as per the Biodiversity Gain Plan [APP-426]) with presence of calcareous indicator species and therefore other calcareous grassland was included in the assessment. As this habitat is of greater importance than other neutral grassland, the assessment assumes a worse impact than is likely in reality and still considers there to be no significant effect. Following detailed design and pre-construction surveys, any changes to the existing habitat baseline will be recorded and if necessary, the BNG requirements for this location will be updated. The Pipeline will be constructed trenchlessly under the wet woodland south of Brambridge (as secured in Appendix A of the Outline Construction Environment Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3, [APP-413] and [APP-414] for documents 2 and 3), and the placement of construction compound L-9 has been carefully chosen in order to avoid direct impacts on this woodland meaning it will receive no direct impacts. Minimal interventions are considered likely in areas of established/mature wet woodlands in good condition and increased management is proposed where structure is more uniform and diversity needs improving for resiliency. This is secured in the Outline Landscape and Ecology Management Plan (Document reference 7.5, DCO Volume 7, Version 1). Each phase of the development will follow the same current guidance from the Institute of Lighting Engineers and the Bat Conservation Trust (Guidance note GN08/23) on lighting. Measures will be implemented at all construction compounds (including G-4, G-5 and H-5) to reduce light pollution (including

Reference	Theme	Issue raised	The Applicant's response
			backlight, up-light, and glare), disturbance, light trespass, and unnecessary energy use. However, where lighting is required for safety and security, it will be designed and managed to avoid excessive spill and reduce impacts on sensitive receptors. Where working after dark is necessary, task lighting will be of the lowest luminosity necessary for safe delivery of each task and will be designed, positioned and directed to avoid light spill on sensitive habitats and, wherever practicable, to avoid any light spill within 20m of any confirmed bat roost. These measures are secured in the Outline CEMP – 1 of 3 documents (Document reference 7.1, DCO Volume 7, Version 1), section 4.7.
RR-361-28	Terrestrial and freshwater biodiversity	Designated sites The CEMP should be updated in regard to the impact on the Solent Waders Brent Goose Strategy area (W03G) to make it clear that works will be conducted during the overwintering period. There are further concerns regarding the buffers between various SINCs and compounds/access tracks. Especially in regard to compound G5 and the River Meon SAC. It is considered that the requirements should be updated to include details of this with submission of the details. The suggested changes and requirements are considered to be compliant with section 4.3 of the NPS for water infrastructure.	The Applicant notes Winchester City Council (WCC)'s review of the Outline Construction Environmental Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3, [APP-413] and [APP-414] for documents 2 and 3). Solent Waders Brent Goose Strategy (SWBGS) sites are functionally linked habitat supporting wintering bird populations that are qualifying features of the coastal SPA and Ramsar sites. Therefore, works within SWBGS site W03G will take place between April and August to avoid the sensitive non-breeding period over winter. This is secured in the Outline CEMP – 1 of 3 documents (Document reference 7.1, DCO Volume 7, Version 1) under measure TFB23 - "*Construction works will be timed to avoid the non-breeding bird season (September to March inclusive) within candidate Solent Wader and Brent Goose Strategy (SWBGS) site W03G and an adjacent buffer of at least 175m*". The Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3, [APP-413] and [APP-414] for documents 2 and 3) is correct in this regard and does not require updating. Primary mitigation includes avoiding all direct impacts to statutory designated sites, including the River Meon Compensatory SAC and designing the Project to avoid, where practicable, non-statutory designated sites including SINCs. Buffers between the Order Limits and designated sites were designed on a case-by-case basis and where avoidance of a non-statutory designated site was not possible appropriate mitigation has been included within the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3, [APP-413] and [APP-414] for documents 2 and 3). The Pipeline will tunnel under the River Meon SINC and SAC to avoid direct impacts and construction compound G-5 will be at least 10m from the River Meon SINC at its closest point. In this location two construction compounds have been identified to provide flexibility for the Contractor to construct the Project. However, only one option, either construction compound G-4 or G-5, will be used and progressed in detailed design. The comprehensive assessment of likely significant effects in ES Chapter 8 Terrestrial and freshwater biodiversity (Document reference 6.1, DCO Volume 6, Version 1) includes potential effects on designated sites from the Project and concludes a minor adverse effect on the River Meon Compensatory SAC which is not significant.

Reference	Theme	Issue raised	The Applicant's response
			Tertiary good practice measures are detailed in the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3, [APP-413] and [APP-414] for documents 2 and 3) to mitigate construction-related effects on biodiversity and includes pollution control measures for construction compounds (such as measure WE4) which will protect the River Meon. These measures are considered to be compliant with section 4.3 of the National Policy Statement for Water Resource Infrastructure.
RR-361-29	Archaeology and cultural heritage	Historic Environment The proposal has considered Heritage impacts within chapter 7 of the ES. For clarity these have been split into above ground heritage assets and below ground heritage assets. In general, the methodology for assessment and the identification of relevant heritage assets set out in the chapter and the associated appendices is agreed.	The Applicant welcomes Winchester City Council (WCC)'s agreement with the assessment methodology and identification of above and below ground heritage assets presented within ES Chapter 7 Archaeology and cultural heritage [APP-086] and its supporting appendices.
RR-361-30	Archaeology and cultural heritage	Above Ground Heritage The proposal would result in two areas of above ground plant, Intermediate Pumping Station G (IPSG) and Break Pressure Tank K (BPTK). In general, the conclusions contained within chapter 7 are agreed. The proposed development would give rise to some temporary minor adverse effects on the significance of heritage assets during construction phase (where it relates to trenching), which would cease to be harmful upon completion of construction. However, some elements of the above-ground-plant (IPSG) would give rise to permanent moderate adverse effects on the significance of two listed buildings in Wickham. Little Park Mansions is a late 18th century three storey dwelling, now subdivided into flats. Its significance derives both from its historic interest, as a building of approximately 250 years old, externally largely intact. It also has architectural interest derived from its clear classical design and relationship with the fashions of the late C18. Park Place is an older building, being mid-18th century in origin, constructed as a grand residence for a wealthy landowner. It has since been converted to a nunnery and kindergarten. The significance of this building is greater than Little Park Mansions due to its higher grading of listing, principally due to its more elaborate architectural design, with a more elaborate material palette and finer architectural features. It also has historic interest deriving from its age and varied use throughout its history. The proposed IPSG would be a building of up to 8m tall, with associated surrounding features including fencing and access tracks. There are no drawings of this, or illustrative images to demonstrate the appearance of this equipment. It is unclear whether lighting is also proposed. This element of the scheme would result in a considerable change to the condition of this field, which would be apparent from the listed buildings. This would erode the open	The Applicant welcomes Winchester City Council (WCC)'s agreement of the assessment for above ground heritage assets set out in ES Chapter 7 Archaeology and cultural heritage [APP-086]. The Applicant acknowledges WCC's comments regarding the potential effects of IPS-G on the setting of Little Park Mansions and Park Place. The assessment concludes that IPS-G has the potential to give rise to permanent effects on the setting of these assets and identifies landscaping mitigation to reduce these effects. The detailed design will be developed in consultation with WCC and in accordance with the measures secured in the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1) (see Table 3-4) and the Outline Landscape and Ecology Management Plan (LEMP) (Document reference 7.5, DCO Volume 7, Version 1) in line with the corresponding in Schedule 2 of the draft Development Consent Order [APP-023].

Reference	Theme	Issue raised	The Applicant's response
		character of the field which would diminish an appreciation of the historic settings of these listed buildings. It is understood that mitigation is proposed, in the form of a 15m planted buffer around this pumping station. This buffer itself would erode the open character of the field but would be preferable to views of the plant equipment itself. It is noted that this mitigation (set out in the Design Principles Document section 3.4) is only proposed 'subject to operational requirements'. This phraseology is imprecise and makes an assessment of harm difficult. Winchester City Council recommend that the mitigation measures around IPSG are included as a requirement in the DCO. Even with these mitigation measures, the council considers that there will be residual harmful effects, likely falling within the minor to negligible adverse categories. Notwithstanding this, there is no objection raised on above ground heritage grounds.	
RR-361-31	Archaeology and cultural heritage	Below ground heritage There have been extensive discussions throughout the pre-application period with high level agreement that further evaluation is still required. There is also a high level agreement with the broad mitigation measures identified. However, the submitted versions of the OWSI, OLEMP and OCEMP do not include the latest amendments that were agreed. Therefore, these documents should be amended further to the latest sets of comments provided, before these documents can be agreed. A related change to the ES Commitments Register is also required. These changes are considered to be compliant with section 4.8 of the NPS for water infrastructure.	The Applicant acknowledges the engagement that has taken place through the pre-application period and the agreement regarding further archaeological surveys, which will consist of an iterative scheme of surveys which is secured in the Outline Written Scheme of Investigation (Document reference 7.6, DCO Volume 7, Version 1) and the corresponding requirement in Schedule 2 of the draft Development Consent Order [APP-023]. The Applicant notes the WCC's comments regarding required updates to the Outline Written Scheme of Investigation (Document reference 7.6, DCO Volume 7, Version 1), Outline Construction Environmental Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3, [APP-413] and [APP-414] for documents 2 and 3), Outline Landscape and Ecology Management Plan (LEMP) (Document reference 7.5, DCO Volume 7, Version 1) and Commitments Register (Document reference 6.2, DCO Volume 6, Version 1). the details of which have been confirmed through ongoing engagement. The Applicant has updated the Outline Written Scheme of Investigation (Document reference 7.6, DCO Volume 7, Version 1), Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3, [APP-413] and [APP-414] for documents 2 and 3) and Outline LEMP (Document reference 7.5, DCO Volume 7, Version 1) for submission at Examination Deadline 1.
RR-361-32	Water environment	Water environment Chapter 19 addresses the water environment and is supported by a range of reports within the appendices. The chapter covers elements that are outside of the administrative area of WCC and therefore these elements are deferred to the relevant authorities to comment.	The Applicant acknowledges WCC's comment that ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1) and the associated appendices covers elements that are outside of their administrative area. The Applicant confirms that elements outside of Winchester City Council's jurisdiction have been addressed through responses to other consultees.
RR-361-33	Water environment	Flooding and foul water There have been extensive discussions regarding flood risk and foul drainage and the submitted documents reflect the agreed approach and therefore there	The Applicant notes that WCC raises no objections to the agreed approach to flood risk and foul drainage as presented in ES Chapter 19 Water environment (Document reference 6.1, DCO Volume 6, Version 1).

Reference	Theme	Issue raised	The Applicant's response
		are no objections in this regard provided there are no further changes to this chapter.	
RR-361-34	Water environment	Nutrient neutrality The proposal will result in the release of nutrients into the Solent SPAs. The chapter lays out the methodology for calculating the existing, during construction and operational level of nutrients being released into the SPAs. Any comments on the methodology will be deferred to Natural England, however the overall calculations demonstrate that the proposal would result in a reduction in nutrients entering the SPAs as a result of the proposal. These changes are considered to be compliant with section 4.5 and 4.15 of the NPS for water infrastructure.	The Applicant acknowledges WCC's comments regarding the reduction in nutrients entering the Solent and associated designated sites, and compliance with the National Policy Statement for Water Resources Infrastructure. The nutrient assessment is presented in ES Appendix 19.7 Nutrient Assessment [APP-202].
RR-361-35	Major accidents and disasters	Major incidents Chapter 14 of the ES covers Major Incidents. The methodology is agreed. No objections are raised.	The Applicant notes that the Council raises no objections to the methodology used for the assessment contained in ES Chapter 14 Major accidents and disasters [APP-093].
RR-361-36	Carbon and climate change	Climate Change/GHG emissions Chapter 10 of the ES covers Carbon and Climate Change and is supported by a number of appendices including an outline Cabon Management Plan, Climate Change Resilience Assessment and an in-combination impact assessment. The methodology is agreed, however a number of aspects of the strategy rely heavily on future procurement processes and Carbon Management Plan updates resulting in limited certainty regarding the actual carbon reduction outcomes. Whilst the Carbon Management Plan states that assessment work has been undertaken to assess renewable energy potential, it is considered that insufficient evidence has been presented within the plan to enable this conclusion to be fully scrutinised. We would recommend that the applicant provide further details of the renewable energy assessment that was undertaken (i.e., referred to in paragraph 5.3.5) including the technologies considered, the estimated generation capacity and reasons for discounting opportunities. Without this information, is it difficult to conclude that all reasonable opportunities have been fully explored. As such requirements are recommended to be in included to secure the following updates: A more detailed strategy for reducing chemical-related emissions; Stronger evidence supporting the conclusion that renewable energy opportunities within the Order Limits are not viable; Greater certainty regarding renewable energy procurement.	The Applicant notes the feedback regarding the level of certainty associated with future carbon reduction outcomes. The whole-life carbon assessment presented within the ES and Outline Carbon Management Plan (CMP) [APP-423] has been undertaken in accordance with PAS 2080 and is based on a realistic worst-case scenario baseline that reflects the design maturity of the Project at the DCO stage. As such, the assessment does not rely on future carbon reduction measures that have not yet been defined or secured. This provides a robust and precautionary assessment of the Project's likely carbon impacts, while recognising that the design will continue to evolve through subsequent detailed design, procurement and delivery stages. As recognised within the assessment, opportunities to further reduce carbon emissions will continue to be identified as the design develops. The Outline CMP [APP-423] sets out a strategic carbon objective for the Project to achieve carbon emissions that are as low as reasonably practicable (ALARP), together with associated ALARP decision-making criteria. The strategic carbon objective and associated ALARP assessment criteria are set out within the Outline CMP [APP-423], which is secured through the DCO, ensuring that carbon reduction and climate resilience considerations remain embedded within future decision-making as the Project develops. This provides a robust framework for embedding carbon considerations throughout project development, while retaining the flexibility necessary to identify and implement innovative solutions and additional carbon reduction opportunities as the design matures. Renewable energy opportunities, including opportunities for on-site generation, have been considered during the development of the Project. The Applicant's approach to renewable energy is set out in Section 5.3 of the Outline CMP [APP-423]. The Outline CMP [APP-423] establishes the Project approach to managing construction and operational carbon emissions

Reference	Theme	Issue raised	The Applicant's response
		These changes are considered to be compliant with section 4.4 of the NPS for water infrastructure.	and is aligned with the principles of PAS 2080. The Applicant considers that decisions relating to renewable energy generation and low-carbon energy supply are most effectively considered through its wider energy management strategy. This enables renewable energy generation and procurement opportunities to be assessed across the broader asset portfolio, allowing investment to be directed towards solutions that deliver the greatest long-term cost and carbon reduction benefit. The Applicant therefore considers that a strategic, portfolio-based approach is better placed to secure reliable, scalable and resilient low-carbon energy supplies than project-specific renewable installations alone. The Applicant also notes that operational carbon emissions associated with chemical consumption and energy use have been quantified within the whole-life carbon assessment and identified as key operational carbon hotspots that should be managed through the ALARP principle. Given the current uncertainty around future decarbonisation pathways for chemical manufacturing, the Outline CMP [APP-423] baseline conservatively assumes no reduction in the carbon intensity of chemical production over the assessment period. This differs from electricity consumption, where recognised Department for Energy Security and Net Zero grid carbon intensity projections provide an established basis for reflecting future decarbonisation. The approach therefore avoids relying on uncertain future reductions in chemical manufacturing emissions, while retaining chemical consumption as an area to be managed and reduced, where reasonably practicable, through the ALARP process.
RR-361-37	Socio-economic, tourism and health	Socio economics/ tourism Chapter 17 of the ES addresses Socio Economics and Tourism. The methodology is agreed. There have been extensive discussions regarding this and the submitted documents reflect the agreed approach and therefore there are no objections in this regard provided there are no further changes to this chapter. However, it is recommended to secure phased or Local Authority specific Employment Skills plans. These changes are considered to be compliant with section 4.13 of the NPS for water infrastructure.	The Applicant welcomes the WCC's support for the assessment presented within ES Chapter 17 Socio-economics, tourism and health (Document reference 6.1, DCO Volume 6, Version 1) and notes that no objections are raised to the agreed methodology. The Applicant also notes the recommendation regarding phased and local authority specific Skills and Employment Plans. As set out in the Outline Skills and Employment Plan (SEP) (Document reference 7.9, DCO Volume 7, Version 1), the Applicant is committed to maximising employment, skills, training and apprenticeship opportunities arising from the Project and recognises the importance of tailoring delivery to local needs and priorities across the host authority areas. The Outline SEP (Document reference 7.9, DCO Volume 7, Version 1) provides the framework for supporting the delivery of these benefits throughout the construction phase. The Applicant therefore considers that an appropriate framework is in place to support the delivery of employment and skills benefits associated with the Project.
RR-361-38	Noise and vibration	Noise and vibration Chapter 15 of the ES addresses noise and vibration. The methodology for this chapter is accepted however, the reports adoption of 45dB LA90 background noise level baseline are not supported. The site monitoring undertaken	The Applicant acknowledges WCC's comment regarding the approach to the assessment of noise and vibration as outlined in ES Chapter 15 Noise and vibration [APP-094]. The specific comments are regarding the assessment of operational noise, which relate to the proposed BPT-K, IPS-G and INNS Treatment at Otterbourne WSW (as the only sources of operational noise in

Reference	Theme	Issue raised	The Applicant's response
		measured background noise levels of 28dB, therefore the 45db LA90 adopted is 17dB greater than that reported. While the proposed 35dB for noise generating equipment would still be 7dB above the measure LA90 resulting in moderate impact level that have no mitigation proposed. As such the requirements should reflect that background noise levels should be no higher than 18dB and that noise reports should be submitted with details for above ground plant to ensure that the proposal would not result in harm to neighbouring properties. These changes are considered to be compliant with section 4.11 of the NPS for water infrastructure.	the WCC administrative area). WCC appears to have misunderstood the operational noise assessment approach, as a background sound level of 45dB L_{A90} has not been adopted. Rather, the lowest operational noise level limit that accords with planning policy and guidance (the 'Lowest Observed Adverse Effect Level' (LOAEL) of 35dB $L_{Ar,Tr}$ has been applied at any receptors at which the background sound level is below 45 dB L_{A90}. Note that this is a relatively harsh interpretation of the relevant guidance, in that for the proposed sites not in the WCC area, the LOAEL is only applicable where background sound levels are below 30dB L_{A90} and where background sound levels are above this value, the noise level limit would be higher (5dB above the background) than in the WCC area. The value of 35 dB $L_{Ar,Tr}$ as the LOAEL for operational noise, which would apply in scenarios where background sound levels are low, is explained in ES Appendix 15.3 Operational Noise Assessment [APP-181] and was presented and agreed to in various EIA Working Group sessions which were attended by representatives of WCC. It is recognised that the LOAEL (35dB $L_{Ar,Tr}$) is 7dB above the background sound level, but, as discussed in APP-181, the applicable guidance (BS 4142:2014+A1:2019 Methods for Rating and Assessing Industrial and Commercial Sound) states that *"Where background sound levels and rating levels are low, absolute levels might be as, or more, relevant than the margin by which the rating level exceeds the background. This is especially true at night."* 28dB L_{A90} is considered a "low" level such that the absolute level is more relevant to the potential noise impact; hence the application of the LOAEL as an 'absolute level' below which adverse noise impacts are not anticipated. Section 4.11 of the National Policy Statement for Water Resources Infrastructure (NPSWRI) requires an assessment in accordance with relevant guidance, in this case BS 4142, which has been done. The mitigation measures proposed and adopted noise level limits ensure that impacts will be compliant with relevant planning policy, including the NPSWRI, namely by ensuring that significant impacts on health and quality of life do not occur and that other adverse impacts on health and quality of life are mitigated and minimised (by committing that the LOAEL will not be exceeded).
RR-361-39	Land use and agriculture	Land use Chapter 12 of the ES addresses land use. The methodology for this chapter is accepted. Best Most Versatile Land It is noted that the majority of the areas within the order limits are of Grade 4 (poor) however, there are higher grades around Waltham Chase and Shirrell Heath (grade 1 and 2). These areas are proposed for underground piping and construction compounds that are proposed to be temporary and therefore the impact is minor adverse.	The Applicant notes that WCC accepts the conclusion that the permanent effect of the Project on agricultural land is negligible.

Reference	Theme	Issue raised	The Applicant's response
		The two above ground plant areas at Wickham (IPSG) and Durley (BPTK) would be located on poor grade soil. It is noted that Natural England have indicated that the assessments undertaken are too broad to fully confirm the land use however it is considered that these areas are Grade 3(b) and 4. The permanent loss of low grade agricultural land is assessed to be negligible due to the size of the plots for the above ground plant when considering the size of the project in total. This is accepted.	
RR-361-40	Land quality and ground conditions	Contaminated Land The methodology proposed for contaminated land is agreed. It is noted that there are a number of areas along the Draft Order Limits that still require further investigation. These additional reports should be secured within the requirements. These changes are considered to be compliant with section 4.10 of the NPS for water infrastructure.	The Applicant notes that Winchester City Council agrees with the proposed methodology for contaminated land. The initial screening of potentially contaminated sites within the draft Order Limits was undertaken at the desktop study stage to identify potential contaminant source areas within the Order Limits and assess potential impacts on surrounding receptors. The findings are outlined within Section 7 of the Environmental Statement (ES) Appendix 11.2 Geotechnical and geo-environmental reports (Document reference 6.2, Volume 6, Version 1 – for document 15 of 18 documents). The screening considered locations that could potentially fall within high risk categories 1 or 2 under Part 2A of the Environmental Protection Act 1990, as well as lower-risk sites that may be classified as categories 3 or 4. On this basis, and where practicable, potentially higher risk sites were prioritised for ground investigation works. Requirement 7 of the draft Development Consent Order (DCO) [APP-023] requires the Undertaker to complete a risk assessment should contaminated land be found at any point when constructing the Project. Therefore, whilst ground investigations have not been carried out on all the sites / low risk sites within the draft Order Limits, it is considered that Requirement 7 of the draft DCO [APP-023] is sufficient to deal with uncovered contamination as being unforeseen. In addition, it is acknowledged that further ground investigation is required at some locations to further categorise the risk. However, based on exploratory works undertaken to date to refine the proposed mitigation measures, it is highly unlikely that these would pose a risk in relation to SPOSH. However, if conditions are uncovered to the contrary of what has been identified to date, then Requirement 7 of the draft DCO [APP-023] is considered sufficient to manage this. This is considered to be aligned to Section 4.10.5 of the National Policy Statement for Water Resources Infrastructure whilst applying a balanced solution to addressing potential ground contamination issues. In addition, additional ground investigations are proposed as part of the tertiary mitigation measures for the Project (see paragraph 11.4.10 of ES Chapter 11 Land quality and ground conditions (Document reference 6.1, DCO Volume 6, Version 1)).

Reference	Theme	Issue raised	The Applicant's response
RR-361-41	Air quality and odour	Air quality and odour Chapter 6 covers Air Quality and Odour the methodology is agreed. There have been extensive discussions regarding Air Quality and Odour and the submitted documents reflect the agreed approach and therefore there are no objections in this regard provided there are no further changes to this chapter	The Applicant acknowledges WCC's feedback regarding the approach of the assessment of air quality and odour as outlined in ES Chapter 6 Air quality and odour (Document reference 6.1, DCO Volume 6, Version 1).
RR-361-42	Cumulative effects	Cumulative/in combination impacts Chapter 20 of the ES addresses cumulative and in combination effects of the proposal. It should be noted that the policy section of this chapter is using outdated policy for WCC. The new local plan was adopted in March 2026 and therefore the updated policy for this section should consider SP3, D1, D5, NE13, NE14.	The Applicant will update ES Chapter 20 Cumulative and in-combination effects [APP-099] for submission at an appropriate Examination Deadline to reflect relevant policy numbering and text in the Winchester City Council Local Plan – Your Place Your Plan, Winchester District Local Plan 2020-2040 (adopted March 2026) that relates to the Cumulative Effects Assessment and In-combination assessment.
RR-361-43	Need case	Conclusion The need for the project is understood.	The Applicant notes and welcomes this comment.
RR-361-44	Terrestrial and freshwater biodiversity	Chapter 8 (ecology) there are modest changes and updates that are required to be made in regard to BNG, protected species, notable and protected habitats, the suitability of mitigations proposed, additional surveys to be conducted to comply with section 4.3. of the NPS for water infrastructure.	The Applicant welcomes further detail from WCC on the modest changes it considers are required to ES Chapter 8 Terrestrial and freshwater biodiversity (Document reference 6.1, DCO Volume 6, Version 1) and has responded to the specifics of these in RR-361-24 to RR-361-28.
RR-361-45	Archaeology and cultural heritage	Chapter 7 (Historic Environment) further clarification is required in regard to the mitigation measures proposed for IPS G. Various updates are required to below ground heritage assets to reflect the most recent discussions had with Southern Water and to comply with para 4.8 of the NPS for water infrastructure.	The Applicant notes WCC's comments regarding the need for further clarification. The Applicant is continuing to engage with WCC to finalise the relevant details and incorporate the latest agreed cross referencing to the relevant Design Principle (GDP_3) of the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1) within the Outline Landscape and Ecology Management Plan (Document reference 7.5, DCO Volume 7, Version 1), which has updated at Examination Deadline 1.
RR-361-46	Carbon and climate change	Chapter 10 (Climate change and GHG emissions) requires additional information to chemical related emissions, renewable energy opportunities and renewable energy procurement to comply with section 4.4 of the NPS for Water infrastructure.	Please refer to the Applicant's response to RR-361-7. The Applicant considers that the requirements of Section 4.4 of the National Policy Statement for Water Resources Infrastructure (NPSWRI) have been addressed through the application documents and the Outline Carbon Management Plan (CMP) [APP-423], which have been developed in accordance with PAS 2080 principles. The whole-life carbon assessment presented within ES Chapter 10 Carbon and climate change [APP-089] quantifies greenhouse gas emissions associated with the construction and operation of the Project, including emissions arising from energy consumption, chemical use and transport. To support carbon reduction, the Outline CMP [APP-423] establishes a strategic carbon objective for emissions to be reduced to as low as reasonably practicable (ALARP), supported by defined assessment criteria. These requirements are outlined in the Outline CMP

Reference	Theme	Issue raised	The Applicant's response
			[APP-423] which is secured under the draft DCO [APP-023] and provide a legally binding framework for identifying, evaluating and implementing carbon reduction opportunities throughout the Project lifecycle. Renewable energy opportunities, including opportunities for on-site generation, have been considered during the development of the Project. The Applicant's approach to renewable energy is set out in Section 5.3 of the Outline CMP [APP-423]. The Outline CMP [APP-423] establishes the Project approach to managing construction and operational carbon emissions and is aligned with the principles of PAS 2080. The Applicant considers that decisions relating to renewable energy generation and low-carbon energy supply are most effectively considered through its wider energy management strategy. This enables renewable energy generation and procurement opportunities to be assessed across the broader asset portfolio, allowing investment to be directed towards solutions that deliver the greatest long-term cost and carbon reduction benefit. The Applicant therefore considers that a strategic, portfolio-based approach is better placed to secure reliable, scalable and resilient low-carbon energy supplies than project-specific renewable installations alone. The Applicant also notes that operational carbon emissions associated with chemical consumption and energy use have been quantified within the whole-life carbon assessment and identified as key operational carbon hotspots that should be managed through the ALARP principle. Given the current uncertainty around future decarbonisation pathways for chemical manufacturing, the Outline CMP [APP-423] baseline conservatively assumes no reduction in the carbon intensity of chemical production over the assessment period. This differs from electricity consumption, where recognised Department for Energy Security and Net Zero grid carbon intensity projections provide an established basis for reflecting future decarbonisation. The approach therefore avoids relying on uncertain future reductions in chemical manufacturing emissions, while retaining chemical consumption as an area to be managed and reduced, where reasonably practicable, through the ALARP process.
RR-361-47	Landscape and visual	Chapter 13 (Landscape and visual) Minor updates are required to the OLEMP and Appendix 13.5 for the proposal to comply with NPS for Water Infrastructure.	The Applicant welcomes further detail from WCC on the minor updates it considers are required to the Outline Landscape and Ecology Management Plan (Document reference 7.5, DCO Volume 7, Version 1) and ES Appendix 13.5 Arboricultural Impact Assessment [APP-175 and APP-176 – 2 documents].
RR-361-48	Noise and vibration	Chapter 15 (noise and vibration) requires amendments to clarify the background noise level baseline. The current proposed baseline is not accepted. This is required to comply with section 4.11 of the NPS for Water infrastructure.	The Applicant notes this request to clarify the baseline noise level and has responded to it in the response to Issue Reference RR-361-38.

Reference	Theme	Issue raised	The Applicant's response
RR-361-49	Socio-economic, tourism and health	Chapter 17 should be updated to secure a phased Employment Skills Plan to comply with section 4.13 of the NPS for Water infrastructure.	The Applicant notes WCC's recommendation regarding the provision of a phased Employment and Skills Plan. The Applicant is committed to maximising employment, skills and training opportunities arising from the Project and has prepared an Outline Skills and Employment Plan (SEP) (Document reference 7.9, DCO Volume 7, Version 1), which provides the framework for delivering these benefits throughout the construction phase. The Outline SEP (Document reference 7.9, DCO Volume 7, Version 1) sets out measures relating to local employment, apprenticeships, skills development, training opportunities and engagement with education providers. The Applicant considers that the Outline SEP (Document reference 7.9, DCO Volume 7, Version 1) provides an appropriate framework for the delivery of employment and skills benefits during construction of the Project. The Applicant will continue to engage with the relevant local planning authorities and stakeholders regarding the implementation of employment and skills initiatives as the Project progresses.
RR-361-50	Cumulative effects	Chapter 20 should be updated to reflect the current Winchester Local Plan Policy.	The Applicant will update ES Chapter 20 Cumulative and in-combination effects [APP-099] for submission at an appropriate Examination Deadline to reflect policy numbering and text in the Winchester City Council Local Plan – Your Place Your Plan, Winchester District Local Plan 2020-2040 (adopted March 2026) that relates to the Cumulative Effects Assessment and In-combination assessment.
RR-361-51	The draft DCO	Overall Winchester City Council does not Object to the proposal however; there are requested updates prior to determination and recommendations for reequipments.	The Applicant notes this comment.
RR-361-52	Landscape and visual	Requested updated prior to determination: OLEMP - To meet Tree British Standards To include scientific names of proposed species To update archaeology provisions that have been agreed	The Applicant notes the Council's request to update the Outline Landscape and Ecology Management Plan (LEMP) (Document reference 7.5, DCO Volume 7, Version 1) to provide the scientific names of proposed species and to address archaeology provisions that have been agreed. Appendix A of the Outline LEMP (Document reference 7.5, DCO Volume 7, Version 1) already provides the Latin names of the indicative planting and grassland species proposed. The Applicant welcomes further engagement with the Council to agree what additional information is considered necessary.
RR-361-53	Archaeology and cultural heritage	OCEMP and OWSI To update archaeology provisions that have been agreed	The Applicant is continuing to engage with WCC to finalise the relevant details and incorporate the latest agreed amendments into the Outline Written Scheme of Investigation (Document reference 7.6, DCO Volume 7, Version 1) and Outline Construction Environmental Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3, [APP-413] and [APP-414] for documents 2 and 3). The Applicant has updated the Outline Written Scheme of Investigation (Document reference 7.6, DCO Volume 7, Version 1) and Outline CEMP (Document reference 7.1, DCO

Reference	Theme	Issue raised	The Applicant's response
			Volume 7, Version 1 for document 1 of 3, [APP-413] and [APP-414] for documents 2 and 3) for submission at Examination Deadline 1.
RR-361-54	Terrestrial and freshwater biodiversity	Appendix D BNG metric in spreadsheet form	The Applicant assumes that this was a request to have a copy of the BNG metric in spreadsheet form. A copy of the metric spreadsheet was shared with all local planning authorities relevant to the Project in October 2026.
RR-361-55	Noise and vibration	Chapter 15 Update baseline for noise.	The Applicant notes this request to update the baseline noise level and has responded to it in the response to Issue Reference RR-361-38.
RR-361-56	Location of AGP	Suggested requirements Details of scale, mass, siting, layout, design and finishing materials of above ground plant	IPS-G is situated within Winchester City Council. As per the detailed design Requirement 3 in Schedule 2 of the draft Development Consent Order [APP-023] Winchester City Council, as the relevant planning authority, would have the ability to approve the detail of the external appearance of IPS-G. The Site Specific Design Principles for IPS-G are contained within Table 3-4 of the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1). They contain commitments around scale, mass, siting, layout, design and finishing materials of IPS-G where relevant.
RR-361-57	Traffic and transport	Details of access	The Framework Construction Traffic Management Plan (CTMP) [APP-415] includes indicative designs of the accesses required for the construction compounds, alongside the permanent access to the Water Recycling Plant (WRP) site. Other permanent accesses to the Above Ground Plant (AGP) sites are described in the ES Appendix 18.1 Transport Assessment (TA) [APP-186 to APP-188 – 3 documents]. The protective provisions for the benefit of the local highway authorities contained in the draft Development Consent Order [APP-023] Part 4 of Schedule 10 require, among other matters, the approval of the local highway authority of the plans for highway operations before they are commenced.
RR-361-58	Landscape and visual	Details of landscaping: plating, layout, management and maintenance.	The Outline Landscape and Ecology Management Plan (LEMP) (Document reference 7.5, DCO Volume 7, Version 1) provides information on the how the proposed planting would be implemented, established and managed in the long-term. Due to the outline nature of the design, it is not appropriate to provide detailed planting and layout plans at this stage. Paragraph 1.1.14 of the Outline LEMP (Document reference 7.5, DCO Volume 7, Version 1) explains that detailed LEMPs will be produced in accordance with the measures contained in the Outline LEMP and submitted for approval as secured by the corresponding requirement in Schedule 2 to the draft Development Consent Order [APP-023].
RR-361-59	Noise and vibration	Details of noise mitigation for above ground plant	Mitigation secured in the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1) includes that the Contractor will be required to design the Water Recycling Plant site, Above Ground Plant and Invasive

Reference	Theme	Issue raised	The Applicant's response
			Non-Native Species Treatment at Otterbourne Water Supply Works to ensure that operational noise levels at Noise and Vibration Sensitive Receptors do not exceed the Lowest Observed Adverse Effect Level. The mitigation hierarchy to be applied is identified in the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1). Example mitigation options which could be included in the development design are as follows: • Selection of quiet plant • Silencers • Enclosing items of noisy outdoor plant • Upgraded acoustic enclosures • Upgraded building fabric • Installation of acoustic roller shutter doors • Adjustment of site layout to place buildings between source and receiver • Noise screens/barriers
RR-361-60	Location of the proposed pipeline routes	Final routing details including where undergrounding is happening	The pipelines will be located within Work No. 2, Work No. 3 and Work No. 4 as shown on the Works Plans [AS-007, AS-008, APP-014]. The Applicant is not proposing detailed design approval of the pipeline routes as pipelines will be installed below ground and therefore would not have any permanent above ground impacts. Appendix A of the Outline Construction Environmental Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3, [APP-413] and [APP-414] for documents 2 and 3) shows the locations where trenchless construction would be used.
RR-361-61	Land quality and ground conditions	Details of contamination	Sections E, G, H, J, K, L and M of the pipelines between the Water Recycling Plant and Otterbourne Water Supply Works are located within the administrative boundary of Winchester City Council. Proposed Above Ground Plant located within the administrative boundary of Winchester City Council includes Intermediate Pumping Station (IPS) G and Break Pressure Tank (BPT) K (see Environmental Statement (ES) Figure 11.1 Land quality and ground conditions study area [APP-294]). BPT/IPS-E is located to the immediate south of the administrative boundary of Winchester City Council (within the administrative boundary of Portsmouth City Council). Potential contaminative land uses identified within Pipeline sections G and K included, for example, infilled land, Made Ground, Wickham water treatment works and Wintershill Hall (a former military / civilian base). Within Pipeline sections G and K, a total of 72 No. and 42 No. soil samples respectively were collected as part of the Project specific ground investigation. Of the soil samples analysed, there were no exceedances of the generic acceptance criteria values for a commercial end use. Asbestos was identified within two of

Reference	Theme	Issue raised	The Applicant's response
			the soil samples collected from Pipeline sections G and K. Soil leachate and groundwater samples were also collected and analysed as part of the Project specific ground investigations within Pipeline sections G and K, exceedances of generic acceptance criteria were recorded within both the soil leachate and groundwater samples analysed. Further details relating to potentially contaminative land uses and the results of Project specific ground investigations within Pipeline sections G and K, which are inclusive of IPS-G and BPT-K, are discussed with Tables 11-41 and 11-42 and paragraphs 11.7.153 – 11.7.161, 11.7.175 – 11.7.181, 11.7.202 – 11.7.209 and 11.7.220 – 11.7.223 of ES Chapter 11 Land quality and ground conditions (Document reference 6.1, DCO Volume 6, Version 1).
RR-361-62	Carbon and climate change	Details of carbon reduction	The Applicant welcomes the representation and acknowledges the interest in how carbon emissions will be managed and reduced through the delivery of the Project. The Applicant has adopted a carbon management approach set out in the Outline Carbon Management Plan (CMP) [APP-423]. A key component of this approach is the strategic carbon objective for greenhouse gas emissions to be reduced to as low as reasonably practicable (ALARP), supported by defined ALARP assessment criteria, both are outlined in the oCMP [APP-423] which is secured through the DCO. The Outline Construction Environmental Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3) ([APP-413] and [APP-414] for documents 2 and 3) also identifies the principal sources of whole-life carbon emissions and the key areas where reduction opportunities should be considered as the Project progresses. The Applicant considers this to be the most appropriate approach because responsibility for detailed design, construction and operation will transfer to a Contractor through the Direct Procurement for Customers (DPC) model. Rather than prescribing specific carbon reduction measures at the DCO stage, the Outline CMP [APP-423] establishes a framework that requires the Contractor to identify, evaluate and implement carbon reduction opportunities across the key emissions sources throughout the design, construction and operational phases, in accordance with latest information, experience and carbon-reduction measures available at the relevant time. This approach ensures that carbon reduction remains embedded within decision-making while providing the flexibility needed to take advantage of future innovation, evolving technologies and supply chain expertise as the design develops.
RR-361-63	Terrestrial and freshwater biodiversity	Additional ecology surveys for each phase Details of ecology planting and mitigations per phase of development Details for an ecological restoration scheme	The Outline Construction Environmental Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3) ([APP-413] and [APP-414] for documents 2 and 3) measure TFB5, sets out the requirement for additional, pre-construction surveys for protected habitats and species to be carried out to confirm and update the baseline survey findings and ensure the current mitigation proposals remain appropriate.

Reference	Theme	Issue raised	The Applicant's response
			The Outline LEMP (Document reference 7.5, DCO Volume 7, Version 1) sets out the approach to reinstatement and restoration of existing vegetation following construction, and the implementation, maintenance and long-term management of proposed environmental mitigation.
RR-361-64	The draft DCO	Updated CEMP, LEMP, WSI, AIA and AMS and BNG information at design detail submission	The Applicant refers to the responses above on each of these matters.
RR-361-65	Archaeology and cultural heritage	Details of mitigation for historic assets in relation to above ground assets at details design stage	The Applicant notes WCC's comments regarding the provision of further detail on mitigation for the effects on above-ground heritage assets at the detailed design stage. The Applicant is continuing to engage with WCC to finalise the relevant details and incorporate the latest agreed amendments and details into the Outline Landscape and Ecology Management Plan (Document reference 7.5, DCO Volume 7, Version 1), Outline Construction Environmental Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3) and Environmental Statement Appendix 5.5 Commitments Register (Document reference 6.2, DCO Volume 6, Version 1). The Applicant has updated the Outline Landscape and Ecology Management Plan (Document reference 7.5, DCO Volume 7, Version 1), Outline Construction Environmental Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3, [APP-413] and [APP-414] for documents 2 and 3) and Environmental Statement Appendix 5.5 Commitments Register (Document reference 6.2, DCO Volume 6, Version 1) for submission at Examination Deadline 1.
RR-361-66	Socio-economic, tourism and health	Phased Employment skills plan	The Applicant notes the Council's recommendation regarding the provision of a phased Employment and Skills Plan. The Applicant is committed to maximising employment, skills and training opportunities arising from the Project and has prepared an Outline Skills and Employment Plan (SEP) (Document reference 7.9, DCO Volume 7, Version 1) which provides the framework for delivering these benefits throughout the construction phase. The Outline SEP (Document reference 7.9, DCO Volume 7, Version 1) sets out the approach to supporting local employment, skills, training and apprenticeship opportunities and will help inform the delivery of these commitments as the Project progresses.
RR-361-67	Greeting	Thank you for your consideration.	The Applicant notes this comment.

Table 2-27 The Applicant's response to AS-023 from National Grid Electricity Transmission Plc

Reference	Theme	Issue raised	The Applicant's response
AS-023-1	The draft DCO	Relevant Representation of National Grid Electricity Transmission Plc in respect of the Hampshire Water Transfer and Water Recycling Project DCO (the 'Project') Introduction This relevant representation is submitted on behalf of National Grid Electricity Transmission Plc ('NGET') in respect of Southern Water Services Limited ('the Applicant') application for the Order to authorise the Hampshire Water Transfer and Water Recycling Project ('the Project'), and in particular NGET's existing and proposed infrastructure and land interests which will be located within and in close proximity to the proposed limits of the Order boundaries ('the Order Limits').	The Applicant notes this comment.
AS-023-2	The draft DCO	National Grid will require appropriate protection for retained apparatus including compliance with relevant standards for works proposed within close proximity of its apparatus. The Project is located at Hampshire, South East England, extending from Havant on the south coast, to Otterbourne near Winchester. The Project proposes the construction, operation and maintenance of the following components; Water Recycling Plant (WRP) and associated pumping stations, Pipelines between Budds Farm Wastewater Treatment Works and 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, Pipeline between the WRP site and Otterbourne Water Supply Works and Above Ground Plant comprising Intermediate Pumping Stations and Break Pressure Tanks located along the Pipeline between the WRP site and Otterbourne Water Supply Works. Further detail is set out below.	The Applicant notes this comment and confirms that it has engaged with National Grid relating to its infrastructure and will continue to engage on these matters, including the ongoing negotiation of protective provisions.
AS-023-3	Landowner engagement	NGET Affected Land The Application documents indicate that the Applicant is seeking the permanent freehold acquisition of land over a number of plots containing NGET assets and rights for its 400 kV overhead line routes (06-095, 20-015, 20-016, 20-017, 20-020). The Applicant is also seeking temporary and permanent rights over a number of plots containing NGET rights for its existing 400kV overhead line route. The Applicant is seeking temporary possession in land over plots 13-017, 18-008, 20-010, 20-018, 20-021, 20-022, 20-023, 20-024, 20-025, 20-026, 20-027, 20-028, 21-001, 23-001, 23-012, 23-103, 23-014, 23-015, 23-016, 23-017, 23-018, 23-026, 23-027, 23-028, 23-028, 23-029, 23-030, 23-031, 23-032, 24-006, 24-008, 24-009, 24-010, 24-011, 25-004	The Applicant notes this comment and confirms the respondent has land interests within the Book of Reference [APP-027].

Reference	Theme	Issue raised	The Applicant's response
AS-023-4	Landowner engagement	National Grid infrastructure within/in close proximity to the proposed Order Limits NGET owns or operates the following infrastructure within or in close proximity to the proposed Order Limits for the Project: Associated overhead and underground apparatus including cables. Overhead Lines: • 4YE 400kV OHL - Botley Wood - Lovedean and Fawley - Lovedean • 4YC 400kV OHL - Lovedean - Mannington - Nursling and Lovedean - Nursling • Overhead Lines • 4YE (400kV) overhead line Botley Wood - Lovedean and Fawley - Lovedean • 4YC (400kV) overhead line - Lovedean - Mannington - Nursling and Lovedean - Nursling • Towers: • 4YC 48-49 • 4YC 49-50 • 4YC 58-59 • 4YC 61-60 • 4YC 62-63 • 4YE 30-31 These overhead lines form an essential part of the electricity transmission network in England and Wales.	The Applicant notes this comment and confirms that the Applicant has engaged and will continue to engage with the respondent regarding their infrastructure, particularly through the ongoing negotiations of protective provisions.
AS-023-5	The draft DCO	NGET's Statutory Duties As a responsible statutory undertaker and the holder of an electricity transmission licence under the Electricity Act 1989, NGET must meet its statutory obligations and ensure that any development does not adversely affect those statutory obligations. NGET has a statutory duty to protect its position in relation to apparatus, land and rights of access which is within or in close proximity to the draft Order Limits. Additionally, NGET must protect its ability to deliver, operate and maintain its future proposed infrastructure. NGET will therefore require appropriate protection for retained or proposed infrastructure, including compliance with relevant standards for works proposed within close proximity of its apparatus or proposed apparatus. NGET's rights of access to inspect, maintain, renew and repair such apparatus must be maintained at all times and access to inspect and maintain such apparatus must not be restricted. Further, where the Applicant intends to	The Applicant notes NGET's statutory duties and confirms that the Applicant and NGET are liaising on protective provisions and any supplemental agreements required.

Reference	Theme	Issue raised	The Applicant's response
		acquire land or rights, or interfere with any of NGET's interests in land or NGET's apparatus, NGET will require appropriate protection. Further discussion and agreement with the Applicant is required in relation to the impact on its apparatus and rights. National Grid is liaising with the Applicant in relation to such protective provisions, along with any supplementary agreements which may be required.	
AS-023-6	The draft DCO	Protection of NGET Assets As stated above, NGET requires robust Protective Provisions to be included within the draft Development Consent Order (the 'Order') for the Project. These provisions must ensure that all NGET assets, both existing and any anticipated future assets, are adequately protected together with necessary access and maintenance rights and that all works comply with relevant safety standards.	The Applicant notes this comment and confirms that the Applicant and NGET are liaising on protective provisions and any supplemental agreements required.
AS-023-7	Landowner engagement	Compulsory Acquisition Powers in respect of the Project As noted above, the Order seeks powers of compulsory acquisition of land, temporary possession of, and compulsorily acquisition of rights and interests over land which NGET has an interest. NGET must safeguard its ability to deliver its statutory undertaking and licence obligations, it is therefore critical that NGET's consent is a precondition to any such land being occupied, or any such interest or right being acquired. NGET's Protective Provisions, which it requires to be included in the Order, will include provision for such consent. This protection is critical not only for existing assets but also for land and rights required for NGET's future infrastructure. In the absence of appropriate provisions for the protection of NGET, its ability to deliver its statutory duties will be severely compromised.	The Applicant notes this comment and confirms that the Applicant has engaged and will continue to engage with the respondent regarding their infrastructure, particularly through the ongoing negotiations of protective provisions.
AS-023-8	The draft DCO	Conclusion NGET is committed to co-operating with the Applicant during the course of the Examination and does not object in principle to the Project. However, NGET's ability to fully support the Project remains subject to the agreement of satisfactory Protective Provisions which are essential to ensure the appropriate protection of NGET's existing and proposed infrastructure, land interests, statutory functions and operational requirements (including access and maintenance rights). As the holder of an electricity transmission licence under the Electricity Act 1989, NGET is under a legal duty to develop and maintain an efficient, co-ordinated and economical system of electricity transmission. That duty necessarily requires the protection of its operational apparatus, land interests and rights of access. It is therefore essential that the Order includes adequate protections to ensure that NGET is able to continue to discharge its statutory and licence obligations without impediment.	The Applicant notes this comment and recognises NGET's statutory duties. As noted, the Applicant and NGET are liaising on protective provisions and any supplemental agreements required.

Reference	Theme	Issue raised	The Applicant's response
AS-023-9	The draft DCO	NGET's concerns therefore relate not to the principle of the proposed development, but to the need for the Order to preserve the integrity and operability of its existing infrastructure, protection for retained apparatus, confirmation that existing infrastructure will not be removed or interfered with, and the inclusion of robust protective provisions in the event that any relocation is proposed. In the absence of satisfactory agreement on these matters, NGET's ability to fulfil its statutory functions could be prejudiced.	The Applicant notes this comment. It will continue to liaise with NGET in respect of protective provisions, such that agreement on these matters can be reached.
AS-023-10	The draft DCO	It is for that reason that NGET objects to the Order unless and until appropriate protections are secured. NGET reserves the right to make further representations as part of the Examination process in relation to specific interactions with any NGET projects identified during the Examination process, and as negotiations continue, but in the meantime will continue to liaise with the Project with a view to reaching a satisfactory agreement including on appropriate protective provisions during the Examination process and will keep the Examining Authority updated in relation to these discussions. NGET is currently engaged with and requests that the Applicant continues to engage with it to provide explanation and reassurances as to how the Applicant's works pursuant to the Order (if made) will ensure protection for those National Grid assets which will remain in situ, along with associated interests including facilitating ongoing future access to assets and other rights as are necessary to allow National Grid to properly discharge its statutory obligations.	The Applicant notes this comment and confirms that the Applicant is engaging, and will continue to engage, with NGET in relation to the interaction of the Project with NGETs assets and in the negotiation of protective provisions.

Table 2-28 The Applicant's response to AS-024 from Historic England

Reference	Theme	Issue raised	The Applicant's response
AS-024-1	Archaeology and cultural heritage	Representation: Historic England (retaining the formal title of the Historic Buildings and Monuments Commission for England) is the government service championing England's heritage and giving expert, constructive advice. It is our intention not to register as an interest party as part of the examination process for the above DCO application. This letter stands as an explanation of our decision.	The Applicant acknowledges and welcomes Historic England's position.
AS-024-2	Archaeology and cultural heritage	We summarise our representation regarding this proposed project as follows: There is some potential for this development to affect the historic environment (both designated and undesignated heritage assets), and consequently mitigation will be required to ensure these impacts are removed or minimised. We are aware the application includes an Environmental Statement (ES).	The Applicant acknowledges this representation. Potential effects of the Project on designated and non-designated assets have been assessed within Environmental Statement (ES) Chapter 7 Archaeology and cultural heritage [APP-086].
AS-024-3	Archaeology and cultural heritage	We have been in discussions with Southern Water and their representatives since 2023 on the details of the scheme and have provided extensive pre-	The Applicant acknowledges this position. A summary of the engagement undertaken is detailed within section 7.3 of ES Chapter 7 Archaeology and cultural heritage [APP-086].

Reference	Theme	Issue raised	The Applicant's response
		application advice to them so that appropriate consideration is made with regarding any potential impacts to the historic environment within the ES.	
AS-024-4	Archaeology and cultural heritage	Specific issues addressed were: • Requirements for archaeological mitigation in response to the potential for non-designated archaeological remains to be impacted by the proposal; • Requirements to understand any effects to hydrogeological systems and potential impacts to the preservation condition of archaeological and palaeoenvironmental remains; • Requirements for a geoarchaeological study to understand the potential for, and mitigate impacts to, Palaeolithic remains; • Agreement on assessment methodology, study area and baseline information; • Agreement on the Outline Written Scheme of Investigation and the proposals for further archaeological works (including geoarchaeology); • Agreement with the assessment of any potential impacts on the setting of designated heritage assets that any such impacts would be low negligible and satisfaction that this has been appropriately evidenced in the submission documents; • Agreement that appropriate mitigation has been secured for works affecting the Frith Farm aircraft crash site; • Agreement that proposals outlined in the indicative environmental master plan and biodiversity net gain plan are unlikely to cause harm to any designated assets, that it is clear within the OLEMP that consideration will be given to ensure this remains the case and that the DCO will contain provision that Historic England will be consulted on the final landscape and ecology management plan, prior to approval.	The Applicant welcomes Historic England's agreement on the assessment methodology, study area, baseline information, and conclusions of the assessment of effects on archaeological remains including deposits of geoarchaeological interest and the consideration of change to hydrology and hydrogeology and effects arising through change to setting of heritage assets set out in ES Chapter 7 Archaeology and cultural heritage [APP-086]. The Applicant further notes Historic England's agreement to the proposed mitigation for non-designated archaeological remains set out in the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1) and the Outline Written Scheme of Investigation (WSI) (Document reference 7.6, DCO Volume 7, Version 1) [APP-086]. The Applicant notes Historic England's satisfaction that the potential effects on designated assets have been appropriately assessed and evidenced, the mitigation at the Frith Farm World War II aircraft crash site is suitable, the proposed biodiversity measures are unlikely to result in harm to designated heritage assets, and that the draft Development Consent Order (DCO) [APP-023] will be updated at a future deadline to make provision for consultation on the detailed Landscape and Ecology Management Plan.
AS-024-5	Archaeology and cultural heritage	We are satisfied that the above matters and proposed mitigation have been satisfactorily addressed within the documents included in the submission by Southern Water, including the draft DCO. The matters are also covered and addressed in a Statement of Common Ground (SoCG) that has been agreed between Southern Water (and their representatives) and Historic England.	The Applicant notes and welcomes Historic England's response. The Applicant notes that these matters are within the Draft Statement of Common Ground - Historic England [APP-070].
AS-024-6	Archaeology and cultural heritage	Should consent be granted, Historic England's Science Advisor for the South East Region will continue to provide advice to the Local Authority Archaeologists monitoring works for this development.	The Applicant notes that Historic England's Regional Science Advisor intends to continue providing advice to the local planning authority archaeologists in line with the provisions of the Outline Written Scheme of Investigation (Document reference 7.6, DCO Volume 7, Version 1).

Reference	Theme	Issue raised	The Applicant's response
AS-024-7	Archaeology and cultural heritage	Notwithstanding the requirement for eventual consultation with Historic England on detailed design, the enhancement opportunities and any changes to the scheme, we do not feel it necessary for us to continue our involvement in the Examination process.	The Applicant notes and welcomes Historic England's position. The Applicant agrees that consultation with Historic England shall continue where appropriate.

Table 2-29 The Applicant's response to AS-25 from Fareham Borough Council

Reference	Theme	Issue raised	The Applicant's response
AS-025-1	The process of developing the Project	Fareham Borough Council - Relevant Representation Hampshire Water Transfer and Water Recycling Plant Development Consent Order Application by Southern Water Services Limited Following the Planning Inspector's confirmation that the above project has been accepted as an application for a Development Consent Order (DCO) to construct a Water Recycling Plant at Broadmarsh in Havant, and to run a pipeline from the Havant Thicket reservoir to Otterbourne Water Plant near Winchester, Fareham Borough Council (the Council), as one of the host authorities, requests to be registered as an Interested Party at the Examination. Following an initial review of the DCO application documentation, this letter provides a summary of the issues which the Council currently agrees and/or disagrees with together with an appropriate explanation in accordance with Planning Inspectorate note 8.3. The comments/views expressed in this representation therefore are made without prejudice to a detailed assessment of the examination documents and the Council reserves the right to raise any further matters/issues at a later stage and as part of our Local Impact Report (LIR) and subsequent Written Representation.	The Applicant has noted this comment.
AS-025-2	The process of developing the Project	In summary, an outline of the principal topics which the Council intends to address in relation to the application during the examination will cover the following: • Biodiversity and Ecology; • Landscape and Visual Impact; • Noise and Pollution; • Land Contamination; • Cultural Heritage (Archaeology) Matters regarding traffic, highways and access will be dealt with by the Local Highway Authority at Hampshire County Council. Matters regarding surface water and flood risk will be dealt with by the Lead Local Flood Authority, at Hampshire County Council.	The Applicant has noted this comment.

Reference	Theme	Issue raised	The Applicant's response
AS-025-3	Principle of development	Please also note that these representations relate only to matters where the pipeline passes through the Council's administrative area, and the proposed construction of the Intermediate Pumping Station within the Borough as the Council has raised no objections to the principle of the creation of the water recycling plant, which is located within the administrative area of Havant Borough.	The Applicant has noted this comment.
AS-025-4	Terrestrial and freshwater biodiversity	The Council has the following comments to make at this stage. Biodiversity and Ecology A broad suite of ecological surveys and investigations have been undertaken by the Applicant. The results of these surveys have been used to inform the ES for the project and to be used in the development of any necessary mitigation measures. However, the following matters of concern remain, and areas where further information and clarification is sought from the Applicant.	The Applicant notes this and has responded to the matters raised below.
AS-025-5	Terrestrial and freshwater biodiversity	Bats Whilst there will be a 15m buffer between Carpenters Copse Ancient Woodland/SINC and the works, there will be medium-term severance of the woodland/hedgerow network connected to this Ancient Woodland in areas shown below in yellow. Therefore, FBC is not clear why the modelling and survey work (statics and nighttime bat walkovers) did not cover this area, as a sampling location and key connective location, for the presence of bats, particularly Annex II bat Barbastelle. Instead, a static was placed at the crossing with the River Wallington, where the impact is limited due to the trenchless nature of the crossing. Given the large number of Ancient Woodlands located to the east, west and north of Carpenters Copse, it is not considered that sufficient survey work has been carried out to understand the baseline and enable impact assessment/proportionate mitigation in the areas to be affected as a result of severance of commuting routes for bat populations. A number of trees with bat potential were identified and whilst subject to ground level and climbing assessment, with no roosts identified, the surveys were carried out in 2024 and due to the mobile nature of bats and transient nature of roosts, updating surveys will be required. Whilst the need for pre-commencement surveys has been acknowledged, clarification in relation to the timeline for such updating survey work is required. Whilst the woodland and scrub planting around the proposed Intermediate Pumping Station-F is supported, it is not clear if there will be any requirement for external lighting of the station during the operational phase. Furthermore, is there any scope for further planting to increase ecological connectivity in this area and help with achieving more on site BNG.	The Applicant recognises the importance of Carpenters Copse Ancient Woodland/ Site of Importance for Nature Conservation (SINC) and associated connected hedgerow network. The night-time bat walkover surveys were completed at three targeted locations across the survey area in 2024, focusing on areas with the potential for significant impacts. This included the Water Recycling Plant (WRP) site due to presence of permanent infrastructure and two locations along the pipeline route where the desk study data identified records of known Annex II populations. The static detector surveys undertaken in 2022 (shown in Environmental Statement (ES) Figure 8.20 Static detector survey locations [APP-250]) were completed at a preliminary design stage of the Project and were not required once the Habitat Suitability Modelling (HSM) approach was begun. The data collected from the night-time bat walkovers and static detector surveys were used to inform the assessment (and the HSM). The HSM approach identifies potential effects on bats away from roosts through a statistical technique that predicts the distribution of a species from environmental data and occurrence records. The HSM is used to predict the areas of suitable habitat for each bat species within and around the Order Limits at a landscape scale. Specific sampling locations for additional static detector surveys were used for the HSM (shown in ES Figure 8.21, Static detector locations for habitat suitability modelling [APP-251]) to identify the presence of bat species (rather than abundance). These consisted of 40 sampling locations generated by the HSM to achieve a geographic distribution that captures the variability of the environment. Although only 36 of the proposed 40 static detector locations generated by HSM were deployed because of access issues, this is not considered to be a significant limitation as the statics data was combined with local species records to provide 'additional species' presence records in the HSM outputs.

Reference	Theme	Issue raised	The Applicant's response
			The HSM output included heat maps of relative high and low suitability for each bat species, which are provided in ES Figures 8.22 to 8.32 [APP-252 to APP-262]. The extents and locations of these suitable areas were then used to identify the key connective locations (KCL) crossed by the Project, shown in ES Figure 8.33, Key connective locations for bats [APP-263]. There are 21 KCL in total across the Project, representing areas where key habitats likely to be used by significant numbers of bats (such as woodland, hedgerows and watercourses) were present within the Order Limits and within or well connected to substantial areas of habitat with high suitability or known roosts and records. In this location there are three KCL: E – Wallington River, F – Crockerhill, G – Crockerhill (between Wickham Road and Forest Lane). Key Connective Location G is directly connected to Carpenters Copse Ancient Woodland; this represents a poorly-vegetated boundary which the Order Limits intersects via trenched open-cut construction with a 20m reduced working width (RWW_F_6). Considering the above, the Applicant is confident that the importance of the habitats around Carpenters Copse Ancient Woodland has been appropriately considered in terms of establishing the ecological baseline and identifying potential impacts to bat populations. Mitigation measures, secured via the Outline Construction Environmental Management Plan (CEMP) (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3, [APP-413] and [APP-414] for documents 2 and 3) for impacts to bats at KCL locations are considered to address these impacts. The Applicant agrees that updated surveys of trees with potential to support roosting bats will be required to identify the presence of any bat roosts. These pre-construction surveys will be undertaken during or following detailed design, to ensure appropriate mitigation and licencing requirements are met. Pre-construction surveys for bats are secured via the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3, [APP-413] and [APP-414] for documents 2 and 3). The Applicant recognises the importance of ecological connectivity around IPS-F, and this is delivered with woodland and scrub planting. The Applicant is consulting with the Welborne development to ensure the landscaping at IPS-F is aligned with the requirements of that development in this area. As the AGP would be unmanned, lighting would be required intermittently during operation. The external lighting would be designed in line with appropriate regulations, standards and guidance, and in accordance with the GDP_6 Minimising light impacts of the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1) and Operational Environmental Management Plan [APP-076].
AS-025-6	Construction compound location	Clarification is required if Compound F-1 is located at least 30m away from River Wallington and if any night-time lighting of the compound during the construction phase will be required.	The closest boundary of construction compound F-1 is 30m from the River Wallington where the river meanders towards the compound. The rest of the boundary is further than this point and therefore the compound is at least 30m from the river. In respect to night-time construction, section 4.7 of the Outline

Reference	Theme	Issue raised	The Applicant's response
			CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3), [APP-413] and [APP-414] for documents 2 and 3), highlights how construction light pollution will be mitigated. Where it may be necessary for temporary lighting to be used to ensure safe working outside daylight hours, *"task lighting will be kept to a minimum. Lighting will be of the lowest luminosity necessary for safe delivery of each task. It will be designed, positioned, and directed to reduce the intrusion into adjacent properties and habitats".*
AS-025-7	Terrestrial and freshwater biodiversity	Badgers Whilst the survey work is thorough and a number of setts have been identified, the survey work was carried out in March 2025 and due to their mobile nature, pre-commencement updating surveys will be required which has been acknowledged. FBC requires that knowledge of the timeline for undertaking these surveys and submission of the results to the relevant LPAs would be useful, prior to detailed submissions being considered.	The Applicant can confirm that updated surveys for badgers will be included in the suite of pre-commencement surveys undertaken for the Project. These surveys will be undertaken at the detailed design stage to ensure appropriate mitigation and licensing requirements can be implemented. The pre-construction surveys are secured in the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3, [APP-413] and [APP-414] for documents 2 and 3).
AS-025-8	Terrestrial and freshwater biodiversity	Notable fish Bullhead, an annex II species, European Eel and Brown Trout, S41 species, are present within the River Wallington. Whilst the river crossing will be trenchless, FBC has concern that there is anticipated to be indirect impact as a result of noise to these species, particularly Eel which is understood to be more susceptible to noise levels, with the noise generated from tunnelling likely above the threshold of impact. Could an indication be provided in relation to the duration of tunnelling under this section of the River Wallington?	The comprehensive assessment of likely significant effects in ES Chapter 8 Terrestrial and freshwater biodiversity (Document reference 6.1, DCO Volume 6, Version 1) includes potential effects on S41 and Annex II aquatic species. The noise level expected to be generated from the construction of the Pipelines using the micro tunnel boring machine is lower than all thresholds for harm to fish and eggs published in the available literature. A specific duration for the impact is not provided, partly because no impacts are considered likely, regardless of the length of time the micro tunnel boring machine is in operation and partly because the duration of tunnelling will not be known until the detailed design has been completed.
AS-025-9	Terrestrial and freshwater biodiversity	Otter As Otter spraints and resting sites are present along the River Wallington, FBC would like to know what enhancement measures along this stretch of the river will be carried out post trenching and construction of compounds?	The Applicant is aware of the presence of Otter in the River Wallington and has considered this within the Environmental Statement Chapter 8 Terrestrial and freshwater biodiversity (Document reference 6.1, DCO Volume 6, Version 1). The Applicant is committed to reinstating habitats in accordance with the original UK Habitat Classification System type and ecological function and this is secured via the Outline Landscape and Ecology Management Plan (LEMP) (Document reference 7.5, DCO Volume 7, Version 1). Upon completion of construction and commissioning in this area the construction footprint, including that of construction compounds F-1 and F-2 will be reinstated. Details regarding habitat reinstatement are provided in the Outline LEMP (Document reference 7.5, DCO Volume 7, Version 1). No additional enhancement measures within the watercourse of the River Wallington, or other riparian habitats, are proposed as the Project is utilising trenchless crossings under Major Rivers to avoid impacts on riparian mammals in particular. However, reinstatement will be carried out on all open-cut watercourse crossings. In addition, the delivery of offsite BNG units will include riparian habitat and the Project will be seeking to deliver this within Hampshire.

Reference	Theme	Issue raised	The Applicant's response
AS-025-10	Construction compound location	Clarification is required if Compound F-1 is located at least 30m away from River Wallington and if any night-time lighting of the compound during the construction phase will be required.	Please refer to the Applicant's response to AS-025-6.
AS-025-11	Project timescales and programme	CEMP The submitted CEMP is outline and an indication of the timeline for the submission of a detailed one would be helpful.	The Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3, [APP-413] and [APP-414] for documents 2 and 3) confirms that the detailed CEMP(s) will be prepared by the Contractor post consent. The detailed CEMP must be submitted for approval by the relevant planning authority in accordance with the relevant requirement in Schedule 2 to the draft Development Consent Order (DCO) [APP-023]. Schedule 2 to the draft DCO [APP-023] states that no part of the Project may commence until a CEMP for that part has been submitted to and approved in writing by the relevant planning authority. Accordingly, no construction may take place until a detailed CEMP has been approved. It is currently expected that construction of the Project would commence in 2028, however this is dependent on various elements including the DCO programme and detailed design post-consent.
AS-025-12	Terrestrial and freshwater biodiversity	BNG A copy of the BNG Metric in excel format is requested.	A copy of the metric spreadsheet was shared by the Applicant with all host local authorities in October 2026.
AS-025-13	Terrestrial and freshwater biodiversity	INNS When can a site-specific INNS Method Statement be expected, due to the presence of Himalayan Balsam along the River Wallington.	The Applicant can confirm that detailed Invasive Non-Native Species (INNS) method statements will be completed after detailed design and prior to commencement of construction or enabling works. However, due to the trenchless methodology for construction under the River Wallington no site-specific INNS method statement is anticipated to be required at this location as the riverbanks will not be affected. This measure is secured via the INNS Biosecurity Plan [APP-422].
AS-025-14	Landscape and visual	Landscape and Visual Impact The principal landscape, design and visual impact concern regarding this project has been the design, siting, and landscape visual impact of the above ground plant (IPS F), taking account of engineering operational requirements to deliver the water supply. FBC considers that the issues raised and the proposed resolutions as set out in the Draft Statement of Common Ground with FBC are a fair and full reflection of the discussions that have taken place to date.	The Applicant welcomes the Council's response. The landscape and visual effects which would arise from the construction and operation of IPS-F are addressed in section 13.8 of ES Chapter 13 Landscape and visual [APP-092], with residual effects addressed in section 13.10.
AS-025-15	Design principles	FBC accepts that the final design of the building, plant, perimeter fencing and planting will be subject to further details once an agreed contractor is appointed. The Design Principles Document (5.11, DCO Vol 5) provides	The maximum building height is controlled by Design Principle IPS-F_6 on page 15 of the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1), which limits the visible building height to 8m above existing ground level at its highest point. The Design Principle does not

Reference	Theme	Issue raised	The Applicant's response
		sufficient reassurance and flexibility to ensure that a good quality design can be achieved in due course. However, FBC would like greater clarity and limitation with regard to IPS-F_6 Building height: • The current wording would allow for a building higher than 8m if existing ground levels are lowered to meet the second commitment as indicated in the draft SoCG. (extract italics below) • The maximum building height will not exceed 8m from existing ground level at its highest point. • To reduce the impact on views from the residential areas of Welborne Garden Village to the south west, consideration will be given to embedding the building into the existing levels of the hillside to reduce its height and visibility.	preclude the use of excavation or partial embedding within the hillside. Consequently, where embedding is adopted, the overall structural height of the building could exceed 8m when measured from finished floor level, whilst still complying with the requirement that no part of the building projects more than 8m above existing ground level. The maximum building height is assessed within ES Chapter 13 Landscape and visual [APP-092]. The purpose of the provision is to control visual impact rather than the absolute structural height of the facility. Assessed building heights therefore represent a worst reasonable case envelope for visual assessment. Detailed design undertaken by the future Contractor will determine the optimum relationship between building levels, earthworks and structure heights, with opportunities expected to be explored to reduce visual prominence and integrate the facility into the surrounding landform where reasonably practicable.
AS-025-16	Design principles	FBC would prefer a more strongly worded commitment to 'embedding the building into the landscape' than merely 'consideration'. Moreover, FBC would not wish to see the land raised or profiled as part of such a design with 1:3 slope engineering platforms to achieve a level site.	The Applicant has considered these requests. The Applicant considers that Design Principle IPS-F_6 (see the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1)) appropriately requires consideration of opportunities to embed the building within the landscape. It would not be appropriate at this stage to commit to a specific outcome, or to prohibit land raising and reprofiling, as the detailed design must balance landscape objectives with operational, drainage, geotechnical, constructability and health and safety requirements. Further, whilst using existing topography may contribute to embedding the building within the landscape, localised earthworks and reprofiling can equally be legitimate design measures for reducing visual effects and integrating the infrastructure into the landform. Excluding such measures at this stage could unnecessarily constrain the future designer's ability to achieve the very landscape outcomes sought by the representation. The existing wording of IPS-F_6 is therefore considered appropriate and provides the necessary flexibility for detailed design to identify the optimum solution.
AS-025-17	Design principles	FBC would also prefer to see more enhanced mitigation planting 'to protect views from the diverted footpath', as set out in IPS-F_8 and contained in Design Approach Document - 3 of 3 see p 8 Indicative environmental masterplan figure 3 - indicative above ground plant landscape plans intermediate pumping station - plan sheet 1 of 2 as amended below and on Environmental Statement - Figure 13.23 Viewpoint photography - 40 of 45 documents (images)	Design Principles IPS-F_3 and IPS-F_8 (see the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1)) make provision for woodland, hedgerow, meadow strips and scrub planting in relation to the diverted footpath. The Applicant has considered whether further planting could be included to screen views of IPS-F from the diverted footpath. In this location, the design is constrained by existing overhead cables and Welborne Garden Village. As such, the Applicant does not consider that it is feasible to include further screening planting beyond that already proposed. It is noted that with the woodland planting around IPS-F, the majority of the Public Right of Way diversion route would be located within woodland and it is only a short

Reference	Theme	Issue raised	The Applicant's response
			section of the route (approximately 50m) that would be located immediately adjacent to the IPS-F site.
AS-025-18	Noise and vibration	Noise and Pollution FBC has reviewed the application documentation in respect of noise and vibration issues, set out in Chapter 15 of the ES. Whilst the Intermediate Pumping Station F is proposed to be located within an area of open countryside at present, and adjacent to an existing copse of trees, the site of the IPS-F is located immediately adjacent to the proposed Albany Estate of the Welborne Garden Village proposal. Consideration of potential noise issues arising from the Pumping Station has been set out in this chapter, and baseline noise surveys, together with proposed survey methodologies were discussed and agreed with FBC officers.	The Applicant welcomes the Council's response.
AS-025-19	Noise and vibration	Due to the limited exposure of nearby residential properties during any construction phase, no concerns have been raised regarding noise or pollution. Future impacts on residents of the Albany Estate were also considered given the proximity of the IPS-F, and subject to the agreed methodologies being complied with, FBC does not consider it likely that noise issues would be generated to a harmful level.	The Applicant welcomes the Council's response.
AS-025-20	Land quality and ground conditions	Land Contamination FBC has looked through the application and consider that ground contamination matters are set out in Section 6 of the submitted ES: - WA010002-000581-6.2 ES Vol II - ES Appendix 11.2 Geotechnical and geo-environmental reports - 4 of 18 documents.pdf. FBC does not believe any further works have been completed so the recommendations should still be relevant, although it is difficult to clarify given the amount of information submitted. The areas of support From a contaminated land perspective FBC support the application. The areas of objection No overriding objection is raised from a contaminated land perspective.	The Applicant can confirm that no additional works have been completed and that the recommendations made within ES Appendix 11.2 Geotechnical and geo-environmental reports ([APP-151] to [APP-155] for documents 1 to 5, [APP-157] for document 7, and [APP-161] to [APP-164] for documents 11 to 14 of 18 documents) (Document reference 6.2, DCO Volume 6, Version 1 for documents 6, 8 to 10 and 15 to 18 of 18 documents) remain relevant. The Applicant notes that from a contaminated land perspective Fareham Borough Council support the application and have no overriding objection to the Project in relation to contaminated land.
AS-025-21	Land quality and ground conditions	Evidence to support these The submitted Environmental Statement identifies the Albany Farm Historical Landfill as a potential source of contamination. From a contaminated land perspective, the principal historical land uses of concern associated with the Fareham section of the pipeline route are considered to be the Albany Farm Historical Landfill and the former landfill located within the site.	The Applicant acknowledges the evidence Fareham Borough Council has reviewed in order to reach its conclusions.

Reference	Theme	Issue raised	The Applicant's response
		Potential risks to human health, controlled waters, surface waters and the built environment have been assessed through the development of a conceptual site model, with appropriate pollutant linkages identified where necessary. In addition, exploratory holes 2F3504DS and 2F3505DS were undertaken to investigate Albany Farm Historical Landfill. The submitted investigations have identified and assessed the potential contamination risks associated with these historical land uses and have recommended further investigation where uncertainties remain.	
AS-025-22	Land quality and ground conditions	Proposed mitigation The submitted reports recommend further targeted ground investigation where contamination risks have not yet been fully characterised, together with additional groundwater monitoring, construction phase watching briefs, stockpile management procedures and measures for dealing with any previously unidentified contamination encountered during the works. The Outline CEMP includes measures for the management of contamination risks, including risk assessments and method statements, procedures for dealing with unforeseen contamination, appropriate handling and storage of contaminated soils, and the preparation of a Materials Management Plan in accordance with the CL:AIRE Definition of Waste: Code of Practice. Subject to the implementation of these measures, contamination risks associated with the development can be appropriately managed.	The Applicant notes the recommendations and proposed mitigation measures outlined by Fareham Borough Council within AS-025-22. The proposed environmental measures outlined within the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3, [APP-413] and [APP-414] for documents 2 and 3), as secured by Requirement 6 in Schedule 2 of the draft DCO [APP-023], will be further refined post consent and implemented as appropriate during the construction of the Project in order to reduce the potential impacts associated with contaminated land. The Applicant notes that, subject to the implementation of these measures, Fareham Borough Council consider that the potential risks associated with contamination can be appropriately managed.
AS-025-23	Land quality and ground conditions	Specific locational impacts Whilst historical contamination sources have been identified within the Fareham section of the route, including areas of landfill and infilled ground, no significant locational impacts are identified from a contaminated land perspective that would warrant objection to the proposal.	The Applicant notes that whilst historical contamination sources have been identified within the administrative boundary of Fareham Borough Council, no significant impacts associated with contaminated land have been identified within ES Chapter 11 Land quality and ground conditions (Document reference 6.1, DCO Volume 6, Version 1) that would warrant their objection to the Project.
AS-025-24	Archaeology and cultural heritage	Cultural Heritage (Archaeology) The pipeline route through the Fareham Borough area runs from the Eastern boundary from Boarhunt Road to the Northern boundary at Crockerhill (Section F) and the pipeline and associated compound construction has the potential to disturb non designated archaeological remains and so falls under Chapter 20 of the NPPF and policies HE1, HE4 and HE5 of the adopted Fareham Local Plan 2037. Archaeology and Cultural Heritage are dealt with in Chapter 7 and related appendices of the Environment Statement; these and other ES chapters and submission documents (such as the OCEMP, OLEMP) have been reviewed before providing this advice. This submission includes reports on a detailed desk-based assessment, phases of geophysical survey, geoarchaeological assessment and monitoring	The Applicant notes the Council's confirmation that the archaeological assessment and iterative investigation reports submitted have been reviewed. The Applicant welcomes the acknowledgement that the scope of future archaeological evaluation (non-intrusive and intrusive) and subsequent mitigation where required, has been developed through engagement and is incorporated within the Outline Written Scheme of Investigation (WSI) (Document reference 7.6, DCO Volume 7, Version 1), Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1), the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3, [APP-413] and [APP-414] for documents 2 and 3) and Outline LEMP (Document reference 7.5, DCO Volume 7, Version 1).

Reference	Theme	Issue raised	The Applicant's response
		of geotechnical investigations as well as a report on a limited amount of trial trenching undertaken to date. These reports have all been previously reviewed and agreed. There has been extensive discussion and broad agreements on the need for further archaeological evaluation (non-intrusive and intrusive) as well as a range of archaeological mitigation measures for the proposed scheme. These have been incorporated into drafts of an (archaeological) Outline Written Scheme of Investigation, the Design Principles document and within the OLMEP and OCEMP.	
AS-025-25	Archaeology and cultural heritage	All the archaeological work to date, including the desk- based assessments and fieldwork has been overseen and approved by the Hampshire County Archaeological Service providing advice to Fareham Borough Council as can be seen in the Draft Statement of Common Ground. This service was ended by Hampshire County Council in March 2026 and archaeological advice is now provided by the Historic Environment Planning Team for Surrey County Council, specifically (redacted) Principle Archaeologist BA Hons MCIfA and (redacted) BA Hon MCIfA. The only currently outstanding issue is the final agreement of the Outline Written Scheme of Investigation. Detailed comments have been provided on a first draft, and a meeting is scheduled to review the comments and formalise the document and update the OLEMP and OCEMP so that they are suitable for submission with the DCO. Please note that these comments solely apply to non-designated upstanding and buried archaeological remains, with consideration of Scheduled Monuments and built heritage (including their settings) dealt with by Historic England and the Fareham Council Conservation Planner respectively. Further, these comments relate only to that part of the draft Order Limit which lies within the Fareham Borough Council boundary.	The Applicant notes that archaeological assessment and fieldwork undertaken to date were carried out in consultation with and approved by the Hampshire County Archaeologist as archaeological advisor to Fareham Borough Council, as stated in the draft Statement of Common Ground - Fareham Borough Council (Document reference 5.8, DCO Volume 5, Version 1). The Applicant also notes the transfer of archaeological advice from Hampshire County Council to the Surrey County Council's Historic Environment Planning Team. The Applicant acknowledges the confirmation that the only current outstanding matter is final agreement of the Outline WSI (Document reference 7.6, DCO Volume 7, Version 1). Comments on the Outline Written Scheme of Investigation (WSI) (Document reference 7.6, DCO Volume 7, Version 1) have been received and are being addressed through ongoing engagement, alongside relevant comments in relation to the Outline CEMP (Document reference 7.1, DCO Volume 7, Version 1 for document 1 of 3, [APP-413] and [APP-414] for documents 2 and 3) and Outline LEMP (Document reference 7.5, DCO Volume 7, Version 1). A meeting to discuss the comments on the Outline WSI (Document reference 7.6, DCO Volume 7, Version 1) was held on 23 September 2026 and amendments to the relevant extracts of the Outline WSI (Document reference 7.6, DCO Volume 7, Version 1) were shared with Fareham Borough Council on 24th September 2026. The Applicant circulated proposed amendments to the Outline WSI (Document reference 7.6, DCO Volume 7, Version 1) addressing those comments to FBC's review, ahead of formal resubmission of the revised document into the Examination. FBC subsequently confirmed that the proposed amendments satisfactorily addressed its previous comments. The Applicant acknowledges Fareham Borough Council's further comments regarding the protocol and the archaeological clerk of works and confirms that these have been addressed in the updated Outline WSI (Document Reference 7.6, DCO Volume 7, Version 1) submitted at Examination Deadline 1.
AS-025-26	Principle of development	Summary As set out above, Fareham Borough Council does not have any overriding objections to the principle of the development proposal, subject to further consideration of the above matters. The Council has been liaising with Southern Water in the lead up to the submission of the DCO application, and	The Applicant welcomes this comment and looks forward to continuing to engage with the council throughout Examination.

Reference	Theme	Issue raised	The Applicant's response
		most issues have been considered and largely addressed during the discussions that took place during this time.	

Table 2-30 The Applicant's response to AS-026 and AS-031 from Fisher German LLP on behalf of Exolum Pipeline System Ltd Statutory Consultees

Reference	Theme	Issue raised	The Applicant's response
AS 026-1	Greeting	Our Ref: RS/HA/WC/0950/ 242348/ NG/CM Your Ref: SWHWTWRP 14th September 2026 Private and Confidential The Planning Inspectorate FISHER GERMAN LLP Exolum Pipeline System Ltd PO Box 7273 Ashby de la Zouch Leicestershire LE65 2BY Tel: [REDACTED] Email: Exolumpipelinesystem@fishergerman.co.uk www.fishergerman.co.uk Dear Sirs/Madam Exolum Pipeline System Ltd – Mortimers Lane, Upham, Fair Oak, Winchester, Hampshire, SO50 7QT	The Applicant notes this comment.
AS-026-2	Principle of development	Regarding the above Referenced Planning Application. We confirm that our client's High-Pressure Oil Pipeline Apparatus will be affected by the application as indicated in the attached plan(s) and we must therefore OBJECT for the following key reasons:	The Applicant has noted this comment.
As-026-3	Legislation, policy and permits	• The application has the potential to contravene Exolum's ability to Safely access and maintain its assets under their legal rights as set out in Part IV of The Energy Act 2013, and • Due to the potential for breach(s) of the Health & Safety at Work Act 1974 with specific concerns around Regulation 15 of the Pipeline Safety Regulations 1996 and the potential for any subsequent work close to the High-Pressure Pipeline to impact both ethe Safety of the pipeline and those doing the work.	The Applicant notes the statutory duties and rights held by Exolum and is engaging with Exolum on the interactions of the Project with its assets.

Reference	Theme	Issue raised	The Applicant's response
AS-026-4	Landowner engagement	We note in this specific case: 1. The plan cuts through the Exolum Pipeline at Lower Upham 2. Exolum's external solicitors VWV are in negotiations for protective provisions	The Applicant notes this comment and confirms that the Applicant has engaged and will continue to engage with the respondent regarding its infrastructure. The Applicant also confirms that it has been negotiating protective provisions relating to Exolum's assets and will continue to engage on this topic.
AS-026-5	The draft DCO	It is therefore critical that all Construction and Design work affecting a High-Pressure Pipeline is discussed and agreed with Exolum before the objection can removed and before any work on site. NOTE: The location plan(s) supplied are intended for general guidance only and should not be relied upon for detailed design, excavation or construction purposes. No guarantee is given regarding the accuracy of the information provided in the plans and to verify the true location of the High-Pressure Pipeline at site contact MUST be made with Exolum to arrange a site visit.	The Applicant notes this comment and will continue to engage with Exolum on protective provisions to secure appropriate approval rights relation to the design and construction of works which may affect its infrastructure.
AS-026-6	Landowner engagement	My client must be consulted to ensure the proposal has no impact on their High-Pressure Pipeline apparatus. Their contact details are: Central Services Email: pipelinerow@exolum.com Ashdon Road Tel: 01799 564101 Saffron Walden Essex, CB10 2NF When contacting Exolum, please quote this Unique Reference Number (redacted), Information on how Exolum Safely manage development near its High-Pressure Pipeline apparatus can be found at the following link: https://exolum.com/varios/TPA/CGU.0011.ITG.NWE.UK%20Managing%20Development%20and%20Works%20in%20Proximity%20to%20Exolum%20Pipelines.pdf Should you require any further assistance regarding this letter please contact the undersigned or alternatively, you can contact Exolum using the details provided above. Yours faithfully	The Applicant notes this comment and confirms that the Applicant has engaged and will continue to engage with Exolum regarding its infrastructure.
AS-026-7	Consultation	[Attachment - Outline summary of the proposed Construction Techniques (to be progressed by the CAP)] [Attachment - Maps for Project interface with Exolum Oil Pipeline] [Attachment - Table with Map descriptions for location, type of crossing and mitigation measure] [Attachment - Summer 2024 Consultation response] [Attachment - Map]	The Applicant notes the map of the interface with Exolums' assets, and historic correspondence shared from pre-application consultation.

Reference	Theme	Issue raised	The Applicant's response
		[Attachment - Summer 2024 Consultation Letter] [Attachment - Summer 2024 Consultation Section 48 notice] [Attachment - Summer 2024 Consultation Draft Order Limits] [Attachment - Email signature]	

Table 2-31 The Applicant's response to AS-028 from Marine Management Organisation

Reference	Theme	Issue raised	The Applicant's response
AS-028-1	Greeting	Tyneside House Skinnerburn Road Newcastle Business Park Newcastle upon Tyne NE4 7AR Hampshire Water Transfer and Water Recycling Project Case Team Planning Inspectorate HampshireWaterProject@planninginspectorate.gov.uk (Email only) MMO Reference: DCO/2020/00003 Planning Inspectorate Reference: WA010002 27 August 2026 Dear Sir or Madam,	The Applicant notes this comment.
AS-028-2	The process of developing the Project	Planning Act 2008, Southern Water Services Limited, Proposed Hampshire Water Transfer and Water Recycling Order This document comprises the Marine Management Organisation's ("MMO") initial comments in respect of the above Development Consent Order application ("DCO Application") in the form of a relevant representation. This is without prejudice to any future representation the MMO may make about the DCO Application throughout the examination process. This is also without prejudice to any decision the MMO may make on any associated application for consent, permission, approval or any other type of authorisation submitted to the MMO either for the works in the marine area or for any other authorisation relevant to the proposed development.	The Applicant notes this comment.
AS-028-3	The draft DCO	The MMO's role in Nationally Significant Infrastructure Projects (NSIPs)	The Applicant notes this comment.

Reference	Theme	Issue raised	The Applicant's response
		The MMO was established by the Marine and Coastal Access Act 2009 (the "2009 Act") to make a contribution to sustainable development in the marine area and to promote clean, healthy, safe, productive and biologically diverse oceans and seas.	
AS-028-4	The draft DCO	The responsibilities of the MMO include the licensing of construction works, deposits and removals in English inshore and offshore waters and for Northern Ireland offshore waters by way of a marine licence. Inshore waters include any area which is submerged at mean high water spring ("MHWS") tide. They also include the waters of every estuary, river or channel where the tide flows at MHWS tide. Waters in areas which are closed permanently or intermittently by a lock or other artificial means against the regular action of the tide are included, where seawater flows into or out from the area.	The responsibilities of the Marine Management Organisation (MMO) are understood, including the licensing of construction works, deposits and removals in English inshore and offshore waters.
AS-028-5	The draft DCO	In the case of NSIPs, the Planning Act 2008 (the "2008 Act") enables DCO's for projects which affect the marine environment to include provisions which deem marine licences. As a prescribed consultee under the 2008 Act, the MMO advises developers during pre application on those aspects of a project that may have an impact on the marine area or those who use it. In addition to considering the impacts of any construction, deposit or removal within the marine area, this also includes assessing any risks to human health, other legitimate uses of the sea and any potential impacts on the marine environment from terrestrial works.	The Applicant notes this comment; a deemed marine licence has been included at Schedule 9 to the draft DCO [APP-023].
AS-028-6	The draft DCO	Where a marine licence is deemed within a DCO, the MMO is the delivery body responsible for post-consent monitoring, variation, enforcement and revocation of provisions relating to the marine environment. As such, the MMO has a keen interest in ensuring that provisions drafted in a deemed marine licence ("DML") enable the MMO to fulfil these obligations.	The Applicant notes this comment and has been engaging with the MMO in connection with the terms of the draft deemed marine licence for an extended period of time in advance of submission of its application for development consent.
AS-028-7	The draft DCO	Further information on licensable activities can be found on the MMO's website here [Link to MMO Website]. Further information on the interaction between the Planning Inspectorate and the MMO can be found in our joint advice note 11 Annex B here [Link to MMO].	The Applicant notes this comment.
AS-028-8	The draft DCO	Relevant Representation On the 10 July 2026 the MMO received notice under Section 56 of the Planning Act 2008 (the "PA 2008") that the Planning Inspectorate ("PINS") had accepted an application made by Southern Water Services Limited (the "Applicant") for a DCO Application (MMO ref: DCO/2020/00003; PINS ref: WA010002). The DCO Application includes a draft development consent order (the "DCO") and an Environmental Statement (the "ES"). The draft DCO includes, at Schedule 9 a draft Deemed Consent under Part 4 (Marine Licensing) of the Marine and Coastal Access Act 2009 (the "Deemed Marine Licence") (DML).	The Applicant notes this comment.

Reference	Theme	Issue raised	The Applicant's response
AS-028-9	The draft DCO	The DCO Application seeks authorisation for the construction, operation and maintenance of Hampshire Water Transfer and Water Recycling Project ("the project") which will use advanced treatment techniques to turn treated wastewater from Budds Farm Wastewater Treatment Works into purified recycled water at a Water Recycling Plant. Please find the MMO comments below.	The Applicant notes this comment.
AS-028-10	The draft DCO	1. General comments on the application 1.1 General Comments 1.1.1 The MMO were given the opportunity to view and provide comments on the draft DML on the 08 April 2026 and 22 June 2026, prior to the submission to PINS. The MMO provided comments on the draft DML to the Applicant on 23 April 2026.	The Applicant notes this comment and welcomes the MMO's comments on the draft deemed marine licence.
AS-028-11	The draft DCO	1.1.2 The MMO are aware that the draft Development Consent Order (DCO) and DML are still in early stages, and as such the MMO have not commented on any formatting errors or missing text, as it is presumed that these will be refined in future versions.	The DCO has now been submitted and there is opportunity for refinement during the examination process.
AS-028-12	The draft DCO	1.2 Major Comments Marine Plans 1.2.1 The Applicant should demonstrate that they have considered whether the project adheres to all the relevant marine plans and policies in the area. The MMO recommends that this is presented in a single, coherent document instead of a number of separate references throughout the submission. The relevant marine plan policies that should be met can be identified using the Explore Marine Plans tool and policy information on the following website: https://www.gov.uk/guidance/explore-marine-plans	In accordance with section 104(2)(aa) of the Planning Act 2008, the Secretary of State, in deciding the application, must have regard to the appropriate marine policy documents. The Applicant has provided a detailed assessment of relevant marine policies in Chapter 5 and Appendix C of the Planning Policy Statement which enables the SoS to fulfil this requirement. The Applicant does not consider it necessary to provide this assessment as a separate application documents. Chapters 5 and Appendix C are self contained in relation to marine policy but benefit from being read in context with the rest of the Planning Policy Statement.
AS-028-13	The draft DCO	1.2.2 MMO requires the Applicant to detail how the proposed project is compliant with the relevant marine plans by producing a marine plan policy assessment in one document. Once a comprehensive marine plan assessment has been provided, the MMO will provide comment on this.	Please see response to AS-028-12 above.
AS-028-14	The draft DCO	2. Development Consent Order (DCO) and Deemed Marine Licences (DMLs) 2.1 DCO Major Comments 2.1.1 The MMO's position is that all references to the MMO and DML should be removed from Articles for Transfer of Benefit of the Order of the DCO. Our reasoning for requesting such amendments are as follows:	The Applicant notes, but disagrees with, the MMO's position as is further detailed below and in particular at AS-028-30.

Reference	Theme	Issue raised	The Applicant's response
AS-028-15	The draft DCO	2.1.2 Benefit of the Order In the MMO's initial comments on the draft DML, provided to the Applicant on the 8 April 2026, the MMO raised concerns with the inclusion of this provision. The MMO still have significant concerns with Part 2 Paragraph 5 of the DML For the benefit of the Secretary of State, the MMO would like to reiterate our position on this below:	The Applicant notes the response.
AS-028-16	The draft DCO	2.1.3 It is the MMO's stated position that the DML granted under a DCO's should be regulated by the provisions of the Marine and Coastal Access Act 2009 (MCAA 2009), and in respect of this DCO application, specifically by all provisions of section 72 MCAA 2009.	The Applicant notes the response.
AS-028-17	The draft DCO	2.1.4 PINS Guidance As set out in Advice Note Eleven, Annex B – Marine Management Organisation | National Infrastructure Planning (planninginspectorate.gov.uk) where a developer chooses to have a marine licence deemed by a DCO, we, the MMO, "will seek to ensure wherever possible that any deemed licence is generally consistent with those issued independently by the MMO."	The Applicant notes the response.
AS-028-18	The draft DCO	2.1.5 Developers can seek consent for a marine licence directly with the MMO, reinforcing that in respect of marine licences, the Development Consent Order (DCO) process is nothing more than a mechanism for granting a marine licence – it is not a vehicle to amend established process and procedures, such as those for the transfer of a marine licence.	The Applicant notes the response.
AS-028-19	The draft DCO	2.1.6 As the guidance further sets out, we, the MMO are responsible for enforcing marine licences regardless of whether these are 'deemed' by a DCO or consented independently, and it is therefore fundamental that all marine licences are clear and enforceable, and consistency is a key element in achieving this.	The Applicant notes the response.
AS-028-20	The draft DCO	2.1.7 Section 72(7)(a) MCAA 2009 permits a licence holder to make an application for a marine licence to be transferred, and where such an application is approved for the MMO to then vary the marine licence accordingly (section 72(7)(b)).	The Applicant notes the response.
AS-028-21	The draft DCO	2.1.8 Application to transfer or lease In considering the proposed provisions of Article 7 DCO, Article 7(2), being read with Article 7(4) introduces a process involving the Secretary of State providing consent to the transfer in certain circumstances, rather than the MMO as the regulatory authority for marine licences considering the merits of any application for a transfer. The MMO note the proposed ability for the	Please see the response to AS-028-22 below.

Reference	Theme	Issue raised	The Applicant's response
		undertaker to lease the deemed marine licence for an agreed period of time – This specific power has been addressed separately below.	
AS-028-22	The draft DCO	2.1.9 As the process proposed by the applicant is a significant departure from the current statutory framework in relation to marine licences, it has not been tested, it may therefore be the case that the applicant/undertaker will face unnecessary delays following its application as it is not clear that the Secretary of State will have a process in place to deal with requests of this nature and it is not clear what any consultation period with the MMO would be.	The Applicant notes the MMO's comments which can essentially be summarised as, the MMO objects to a provision in the DCO that would enable the Secretary of State to approve a transfer of the benefit of the deemed marine licence to a third party, following consultation with the MMO. The MMO is mistaken to suggest that such a process "has not been tested". It is in fact a long and well-established feature of development consent orders featuring deemed marine licences such as offshore wind farms. To give a handful of examples over time from the many that are available: • Article 6 to the Triton Knoll Offshore Wind Farm Order 2013; • Article 5 of the Walney Extension Offshore Wind Farm Order 2014; • Article 35 of the Hornsea Two Offshore Wind Farm Order 2016; • Article 8 of the Net Zero Teeside Order 2024. There are also numerous examples from other fields of infrastructure where marine licences have been deemed to have been granted by a DCO and where there are no requirements to consult the MMO before a transfer of the benefit has been approved by the Secretary of State, see for example article 7 of the Great Yarmouth Third River Crossing Development Consent Order 2020 or more recently article 8 of the A122 (Lower Thames Crossing) Development Consent Order 2025. Such provisions are necessary in the context of offshore wind farms because regulation of the energy market requires the transmission cable to divested by the developer through an OFGEM regulated market to an 'offshore transmission owner' (often referred to as an 'OFTO'). In that context, it is important that the relevant benefits of the DCO (together with the deemed marine licence) are transferred at the appropriate time to the correct person. This avoids situations where the owner of the asset and the licensee are different people. There is a vibrant market for OFTOs and provisions such as those cited above are routinely exercised. In the context of the Applicant's application, its deemed marine licence seeks permission for a modest sustainable drainage system (SuDS) outfall to be constructed from the bank of a tidal watercourse. While this important infrastructure is of more modest scale, the Applicant shares the need of the offshore wind farm developers to be in a position to transfer the relevant benefit of the Order to its contractor in a timely and cohesive manner and considers these well-established provisions, supervised by the Secretary of State, to be an appropriate means to that end. Furthermore, the Planning Inspectorate's Advice Note 15 would appear to be consistent with the Applicant's position. Paragraph 28.3 of that advice states:

Reference	Theme	Issue raised	The Applicant's response
			'Sub-section 72(7) of the MCAA2009 provides that, on application by the licensee, the licensing authority which granted (or is deemed to have granted) a Deemed Marine Licence May transfer it from the licensee to another person. Whilst this provision does not expressly allow only part of a Deemed Marine Licence to be transferred, sub-section 120(5) of the PA2008 provides that a DCO may apply, modify or exclude a statutory provisions which relates to any matter for which provision may be made in a DCO, which would include this provision. It is therefore considered that there is no legal reason to prevent a DCO from allowing part of a Deemed Marine Licence to be transferred, although there may be operational difficulties with such an approach including monitoring compliance and taking enforcement action.' The above advice is considering the more nuanced position whereby part of a deemed marine licence is to be transferred. In that context, it seems quite apparent that there is nothing novel in the Applicant's proposals, which are appropriate in the context of its application and consistent with established practice and advice.
AS-028-23	The draft DCO	2.1.10 Duty to consult MMO It is noted that the Secretary of State "must consult" the MMO (Article 7(6)) – however the obligation goes no further than this, the Secretary of State is not obligated to take into account the views of the MMO in providing its consent and there is no obligation for the MMO to be informed of the decision of the Secretary of State nor the undertaker.	It is well established in public law (the 'Gunning' principles) that the duty to consult incorporates a duty to conscientiously consider the feedback received. There is no need to add additional words to the draft DCO to achieve this outcome. The Applicant would welcome further engagement with the MMO concerning establishing a means by which it could be notified of the Secretary of State's decision.
AS-028-24	The draft DCO	2.1.11 In the regulatory sphere it strikes the MMO as highly unusual that a decision to transfer a marine licence or to lease is not the decision of the regulatory authority regulating in that area.	The MMO's view is noted, but for the reasons stated above (AS-028-22) the Applicant considers it is following a well-established approach that is consistent with the advice of the Planning Inspectorate.
AS-028-25	The draft DCO	2.1.12 Power to vary the marine licence following a transfer Despite the proposed changes to the process of transferring a marine licence it remains that neither the licence holder/undertaker nor the Secretary of State has any power to actually vary any terms of a marine licence and it will still therefore be necessary for the MMO to take steps to vary a marine licence to reflect that it has been transferred to another entity. To our mind the proposed mechanism for transfer of a marine licence does not actually work and in fact does little more than complicate the process.	As noted in the Planning Inspectorate's Advice Note 15 at paragraph 28.3 (quoted in response to AS-028-22 above), section 120(5) of the Planning Act 2008 permits a DCO to apply, modify or exclude statutory provisions that relate to any matter for which provision may be made by a DCO.
AS-028-26	The draft DCO	2.1.13 There are also very real practical concerns as to how the proposed process would work in practice. The transfer of the licence would happen first, and then the marine licence would need to be varied. After the transfer of the licence, the new license holder/undertaker would have a marine licence which would still be in the name of the license holder/undertaker who had transferred the licence. The new license holder/undertaker would have no authorisation to	As noted above (AS-028-22) provisions for the transfer of deemed marine licences are routinely used in the context of development consent orders.

Reference	Theme	Issue raised	The Applicant's response
		carry out any acts until the variation had taken place and until the variation had been affected the original licence holder/ original undertaker would remain liable for any actions undertaken. The procedure under section 72 MCAA avoids this issue entirely.	
AS-028-27	The draft DCO	2.1.14 Transfer of "any or all of the benefit" Article 7(2)(a) specifies the transfer of *"any or all of the benefit of the provisions of this Order (including the deemed marine licence". Article 72(7)(a) MCAA 2009 specifies: "On an application made by the licensee, the licensing authority which granted the licence –* *(a) may transfer the licence from the licensee to another person…"*	Please see paragraph 28.3 of the Planning Inspectorates' Advice Note 15 (quoted in full in response to AS-028-22 above) which directly addresses this point. The Applicant notes that the article dealing with the transfer of benefit is article 8 and not article 7.
AS-028-28	The draft DCO	2.1.15 As can be seen above there is no concept within the regulatory framework of MCAA 2009 for a marine licence to be transferred (or indeed leased) 'in part'. This proposal by the applicant creates a new power and an additional level of complexity. The MMO would be grateful if the Applicant could indicate why it considers the ability to either transfer or lease 'in part' necessary.	Please see the response to AS-028-22 above. The Applicant further notes that article 8 does not contain any reference to a 'lease' albeit the drafting is such that it could apply to a lease.
AS-028-29	The draft DCO	2.1.16 The ability to transfer 'part' of a marine licence is a wholly new concept and would lack consistency with marine licences granted independently by the MMO – which would make a significant departure from the PINS guidance to applicants as set out above.	Please see paragraph 28.3 of the Planning Inspectorates' Advice Note 15 (quoted in full in response to AS-028-22 above) which directly addresses this point. The Applicant notes that the article dealing with the transfer of benefit is article 8 and not article 7.
AS-028-30	The draft DCO	2.1.17 The MMO objects to the provisions relating to the process of transferring and/or granting the deemed marine licences set out in the draft DCO at Part 2, Article 7 insofar as these are intended to apply to the MMO and requests paragraphs 7(6) and 7(9) be removed in their entirety, with a clarification added to specifically exclude these provisions from applying to the MMO (with corresponding wording amended in the Deemed Marine Licences).	As noted in the two rows immediately above (AS-028-29 and AS-028-28), the provisions dealing with the transfer of benefit of the deemed marine licence can be found in article 9(4) and 9(5). For the reasons stated above (AS-028-23), the Applicant considers them to be appropriate for the development for which it seeks consent and consistent with the Planning Inspectorate's Advice Note 15 and established precedent.
AS-028-31	The draft DCO	2.1.18 Grant to a lesse of a deemed marine licence Article 7(2)(b) specifies a grant to a lessee for an agreed period of "any or all of the benefit of the provisions of the Order (including the deemed marine licences)".	The Applicant notes that the word 'lessee' or cognate terms does not appear in article 9 of its DCO (being the provision that deals with the transfer of the benefit of the Order).
AS-028-32	The draft DCO	2.1.19 'Leasing' There is however no mechanism either in the DCO or indeed in MCAA 2009 for a marine licence to be 'leased', specifically there is no provision for the licence 'reverting' to the licence holder after the agreed lease period – in practical terms it would be necessary to vary the marine licence to change the details of the licence holder at the beginning of the agreed period and then	Please see the response to AS-028-31 above.

Reference	Theme	Issue raised	The Applicant's response
		again at the end of the agreed period. It is not clear why the applicant considers it necessary to introduce the ability to 'lease' the whole or part of a deemed marine licence and we should be grateful for any clarity on this issue.	
AAS-028-33	The draft DCO	2.1.20 There are significant practical implications should the power to lease be created in this DCO as there is no procedure in place to affect such a lease. Any such lease would require a transfer or variation to allow lessee to claim the benefit of the licence, and then at the end of the lease period the marine licence would need to be varied to transfer it back to the lessor. Further information is required from the applicant as to the detail of this process, for example is it anticipated that the return of the licence to the lessor to be automatic and what would the process be if the lessee refused to transfer the marine licence back.	Please see the response to AS-028-31 above.
AS-028-34	The draft DCO	2.1.21 Article 7(2)(b) use of the term 'grant' The MMO would be grateful for clarification on the use of the term 'grant' in Articles 7, specifically 7(2)(b) in respect of granting the benefit of the marine licence to a lessee. Article 7(2)(a) refers to the transfer of the marine licence - as is the language of Article 72 MCAA 2009. As the granting of marine licences fall under section 69 MCAA and not section 72, can the applicant provide further explanation of it intention in this regard and its use of the term?	Article 9(1)(a) uses the term "transferee" to describe an agreement under which the benefit is disposed of to the transferee: "The undertaker may...with the consent of the Secretary of State enter into agreements... to transfer, charge or otherwise dispose of to another person (the "transferee"). In contrast article 9(1)(b) uses the term "grantee" to describe an agreement under which the benefit of the order is enjoyed by the recipient for a period of time "The undertaker may...with the consent of the Secretary of State enter into agreements... to grant to another person ("the grantee") for a period agreed between the undertaker and the grantee..." In essence, a grantee will enjoy the benefit of the Order for a finite period of time.
AS-028-35	The draft DCO	2.1.22 Enforcement It is essential as the regulatory authority in the marine environment that the MMO is always fully aware who has the benefit of marine licence in order that it can carry out its regulatory function and where necessary take enforcement action. The mechanism the applicant is currently proposing for the transfer of a marine licence departs from this established process without clear justification as to why such a departure is necessary or appropriate in the circumstances.	Please see responses above (AS-028-22 to AS-028-34).
AS-028-36	The draft DCO	2.1.23 Conclusion It is firmly the MMOs position that the current regulatory framework should prevail, specifically that only a transfer of the whole of a marine licence should be permitted and not part of it and the transfer should be left entirely to the MMO to process outside of the Nationally Significant Infrastructure Project process. The provisions currently proposed by the applicant raise several significant issues and complicates a what is a straightforward and well-established statutory process and the MMO can see little or no benefit to this.	Please see responses above (AS-028-22 to AS-028-34). The Applicant is proposing nothing unusual in the context of development for which development consent is required.

Reference	Theme	Issue raised	The Applicant's response
AS-028-37	The draft DCO	2.1.24 The MMO is concerned that the procedure proposed represents an unnecessary duplication of the existing statutory regime set out in s72 of the Marine and Coastal Access Act 2009 and that it will give rise to significant enforcement difficulties for the MMO. The MMO also considers that it has the potential to prejudice the operation of the system of marine regulatory control in relation to the proposed development. The MMO also regards the proposed procedure as cumbersome, more administratively burdensome, slower and less reliable than the existing statutory regime set out in s72 of the 2009 Act.	Please see responses above (AS-028-22 to AS-028-34).
AS-028-38	The draft DCO	2.1.25 The MMO considers that little advantage is gained for the Applicant by these provisions and the tangible risks and disadvantages that it poses can be avoided by retaining the existing statutory regime in full.	Please see responses above (AS-028-22 to AS-028-34).
AS-028-39	The draft DCO	2.2 DCO Interpretations, Articles and Requirements Comments DML Schedule 9 Comments 2.2.1 Part 2 12(5), Part 3 20(2) - The MMO strongly considers that it is inappropriate to put timeframes on complex technical decisions of this nature. The time it takes the MMO to make such determinations depends on the quality of the application made, and the complexity of the issues and the amount of consultation the MMO is required to undertake with other organisations to seek resolutions. The MMO's position remains that it is inappropriate to apply a strict timeframe to the approvals the MMO is required to give under the conditions of the DML given this would create disparity between licences issued under the DCO process and those issued directly by the MMO, as marine licences issued by the MMO are not subject to set determination periods.	The Applicant considers that, in the context of the delivery of the public benefits of a project of national significance, it is appropriate for there to be clear timeframes for decisions to be taken by the relevant bodies. In the context of DCOs there is considerable precedent for such provisions. Nonetheless, the Applicant is willing to engage further with the MMO in relation to the matter.
AS-028-40	The draft DCO	2.2.2 Whilst the MMO acknowledges that the Applicant may wish to create some certainty around when it can expect the MMO to determine any applications for an approval required under the conditions of a licence, and whilst the MMO acknowledges that delays can be problematic for developers and that they can have financial implications, the MMO stresses that it does not delay determining whether to grant or refuse such approvals unnecessarily. The MMO makes these determinations in a timely manner as it is able to do so. The MMO's view is that it is for the developer to ensure that it applies for any such approval in sufficient time as to allow the MMO to properly determine whether to grant or refuse the approval application.	Please see the response to AS-028-39 above.
AS-028-41	Marine biodiversity	3. Environmental Statement (ES) 3.1 Marine Biodiversity (Chapter 9) [APP-088] 3.1.1 Habitat loss associated with the Sustainable Drainage System (SuDS) has been scoped out for the operation stage. Table 3-1 of the design principles document (APP-076) referenced in paragraph 5 states that the "design of the hard infrastructure comprised in the SuDS outfall will seek to reduce	The Applicant acknowledges and notes these comments. The presence of the SuDs has been scoped out of the operational assessment; any habitat loss associated with it is covered in the construction assessment in ES Chapter 9, Marine biodiversity (Document reference 6.1, DCO Volume 6, Version 1).

Reference	Theme	Issue raised	The Applicant's response
		disturbance of the existing scour protection on the banks of Hermitage Stream and not protrude into Hermitage Stream more than existing outfalls". While the MMO do not necessarily have concerns regarding scoping this effect out at this stage of the Proposed Development, it is unclear to what extent the design of the proposed outfall will potentially replace existing habitat and the MMO would encourage the Applicant to provide additional rationale for scoping out the effects of habitat loss associated with the design of the SuDS, particularly regarding the design of the outfall pipe and with respect to a potential change in habitat. The outfall may become colonised by Invasive Non Native Species, and this should be assessed accordingly. The inclusion of a schematic to demonstrate the nature and design of the outfall pipe.	The Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1) commits the Applicant to designing the SuDs within a set boundary to minimise the habitat loss during construction. The detailed design of the SuDs will be provided post-consent but will be within the parameters as set out in the draft Deemed Marine Licence and the Design Principles Document (Document reference 5.11, DCO Volume 5, Version 1). The risk of Invasive Non-Native Species (INNS) is assessed in paragraphs 9.8.23 (construction) and 9.8.75 (operation) of ES Chapter 9: Marine biodiversity (Document reference 6.1, DCO Volume 6, Version 1) with management measures secured in the INNS Biosecurity Plan [APP-425] and the Outline Construction Environment Management Plan (CEMP) – 1 of 3 documents (Document reference 7.1, DCO Volume 7, Version 1). Given the mitigation and management measures proposed in these documents, the risk of INNS being introduced is considered to be low and therefore results in a negligible (not significant) effect.
AS-028-42	Marine biodiversity	3.1.2 The MMO note that there are apparent errors in the references cited in support of paragraph 9.8.48. The Lower Thames Crossing Tunnel Boring Machine (TBM) information is cited as reference (105); however, reference (105) relates to Langstone Harbour Board commercial fishing information. Similarly, the horizontal directional drilling (HDD) measurement data are cited as reference (106), whereas the accompanying footnote identifies the confidential Mott MacDonald HDD report as reference (107). Reference (106) appears to direct the reader to the wider Lower Thames Crossing Examination Library rather than identifying the specific technical report from which the 130 decibel (dB) re 1 one-millionth of a pascal (µPa) prediction was obtained.	The Applicant notes these comments and has updated ES Chapter 9, Marine biodiversity (Document reference 6.1, DCO Volume 6, Version 1) for submission at Deadline 1.
AS-028-43	Marine biodiversity	3.1.3 The acoustic metric associated with the quoted underwater sound levels is also unclear. The text refers to "a peak of 130 dB re 1 µPa at 100 Hertz (Hz) one-third octave band "and" an underwater sound peak of 100 dB re 1 µPa at 600 Hz one-third octave band"; however, it is not apparent whether these values represent peak sound pressure levels, Root Mean Square (RMS) sound pressure levels (SPL), sound exposure levels (SEL), or the maximum level within a one-third octave band spectrum. Consequently, the basis on which these values have been compared against thresholds for harm is not readily apparent from the information presented.	The Applicant acknowledges these comments. Underwater noise and vibration was discussed at the February 2025 Technical Working Group (TWG) meeting. The Applicant's response was agreed with the MMO and this is recorded in the Statement of Common Ground (SoCG; (Document reference 5.8, DCO Volume 5, Version 1)), specifically rows MMO-ES-008, MMO-SCO-004 and MMO-SCO-008. However, it should be noted that the report referred to here was located following the February 2025 TWG meeting in response to comments from the Environment Agency in relation to underwater noise beneath freshwater river crossings. The report outlines noise from a continuous source and, as such, it is assumed that these are RMS values, as SEL is not explicitly stated and Peak SPL would not be expected to be reported for a continuous noise source. We acknowledge that the report has its limitations but also note that, as the MMO does also, in AS-028-46, there is "*limited peer reviewed literature directly quantifying underwater noise from tunnel boring activities in marine and estuarine environments*" and additional detail is not available.

Reference	Theme	Issue raised	The Applicant's response
AS-028-44	Marine biodiversity	3.1.4 In relation to the cited Lower Thames Crossing TBM assessment, the report presents an underwater sound level of 130 dB re 1 µPa. The assessment uses a computer model called FINDWAVE which is designed to predict how vibrations travel through the ground and surrounding geology. The model is intended to estimate the underwater sound associated with these vibrations. However, the report does not clearly explain how the modelled ground vibrations were translated into the quoted underwater sound level of 130 dB re 1 µPa, making it difficult for the reviewer to independently follow the derivation of the reported underwater noise prediction.	The Applicant acknowledges and notes these comments. The report cited was used to support the DCO application for the Lower Thames Crossing and no updates to it in relation to the derivation are publicly available. As the MMO notes in AS-028-46, there is "*limited peer reviewed literature directly quantifying underwater noise from tunnel boring activities in marine and estuarine environments*" and additional detail is not available. The cited information was not relied upon in the assessment (ES Chapter 9 Marine biodiversity (Document reference 6.1, DCO Volume 6, Version 1)). Underwater noise and vibration was discussed at the February 2025 TWG meeting. The Applicant's response was agreed with the MMO and this is recorded in the Statement of Common Ground (SoCG; (Document reference 5.8, DCO Volume 5, Version 1)), specifically rows MMO-ES-008, MMO-SCO-004 and MMO-SCO-008.
AS-028-45	Marine biodiversity	3.1.5 Furthermore, Plate 7.1 appears to present a one-third octave band spectrum for the worst-case location, with a maximum level of approximately 130 dB re 1 µPa occurring at around 100 Hz. The assessment subsequently summarises the underwater noise prediction as "130 dB re 1 µPa". Based on the presentation of Plate 7.1, this appears to represent the maximum level within the predicted one third octave band spectrum, rather than an overall broadband underwater sound level. The assessment does not appear to present a broadband underwater sound level, nor explain how the spectral results were converted into or compared against the exposure metrics used to evaluate potential effects on fish and marine mammals. Consequently, it is difficult for the reviewer to fully understand the basis on which the predicted sound levels have been assessed against the cited effect thresholds.	The Applicant acknowledges this comment. However, it relates directly to a third-party source over which the Applicant has no control. The Applicant refers the MMO to the responses given above to AS-028-43 and 44.
AS-028-46	Marine biodiversity	3.1.6 The Environmental Statement concludes that *"Given the information on underwater noise and vibration above, levels of vibration and underwater noise are predicted to be extremely low"* (paragraph 9.8.49). There are a number of inconsistencies and uncertainties relating to the supporting references, acoustic metrics and presentation of the underpinning evidence (as outlined above). The MMO also note that there appears to be limited peer-reviewed literature directly quantifying underwater noise from tunnel boring activities in marine and estuarine environments, and this is acknowledged in the Environmental Statement. However, notwithstanding these limitations, the MMO consider it unlikely that underwater noise and vibration generated by the proposed Micro Tunnel Boring Machine would result in significant adverse effects on marine receptors. This is because the activity would occur beneath the riverbed and is generally expected to represent a lower underwater noise source than activities such as impact piling or other high-energy marine construction activities.	The Applicant acknowledges that the MMO considers it unlikely that underwater noise and vibration generated by the proposed Micro Tunnel Boring Machine would result in significant adverse effects on marine receptors.

Reference	Theme	Issue raised	The Applicant's response
AS-028-47	The draft DCO	4. Summary 4.1 General Comments 4.1.1 The MMO still have concerns in relation to both the details within the ES and the conditions within the DMLs.	The Applicant notes this comment and is committed to engaging with the MMO on its concerns in relation to the Environmental Statement and the deemed marine licence.
AS-028-48	Consultation	4.1.2 We strongly recommend that the Applicant continues to engage with the MMO throughout the process in order to ensure the assessment is as smooth as possible and agreements can be reached through the ongoing SoCG.	The Applicant will continue to engage with the MMO throughout the examination stage.

References

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[2] *Rights of Way Act,* 1990.

[3] *Control of Pollution Act,* 1974.

[4] A. T. Ford and F. Ginley, "Insights into PFAS contaminants before and after sewage discharges into a marine protected harbour," 2024. [Online]. Available: https://www.sciencedirect.com/science/article/pii/S0045653524024263. [Accessed 7 October 2026].

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[6] Southern Water Services Limited, "Developer Services: Stand-off distances to underground apparatus," August 2017. [Online]. Available: https://www.southernwater.co.uk/media/kzof0ba5/stand-off-distances.pdf.

[7] Department for the Environment, Food and Rural Affairs, National Policy Statement for Water Resources Infrastructure, 2023.

[8] Department for Levelling Up, Housing & Communities, "National Planning Policy Framework," December 2023. [Online]. Available: https://assets.publishing.service.gov.uk/media/65a11af7e8f5ec000f1f8c46/NPPF_December_2023.pdf.

[9] Gov.UK, *National Planning Policy Framework,* Gov.UK, 2012.

[10] *Article 17 (permanent diversion of public rights of way)..*

[11] *Part 2 of Schedule 2 of the draft DCO [APP-025],* 2026.


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