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<i>Date</i>	11 December 2020	<i>Email</i>	planning@hants.gov.uk

Dear Sir/Madam,

Development of an Energy Recovery Facility and Associated Infrastructure at Alton Materials Recovery Facility, A31, Alton GU34 4JD -

We refer to our previous Regulation 25 letters (dated 23 October and 12 November 2020; same ref: PLAN/SD/EH141) concerning the planning application and Environmental Statements (ES) submitted to Hampshire County Council (33619/007) (HCC) in connection with the above proposed development.

As recently advised, this Regulation 25 request only includes matters concerning landscape and visual effects, including matters requiring clarification

To reiterate, this Regulation 25 request is only based on the consultation responses received by the Waste Planning Authority to date. Hampshire County Council reserves the right to make further Regulation 25 requests where it considers it necessary. Where any further consultation responses are received, the applicant will be notified, with any further requests under Regulation 25 or for further areas of clarification identified.

As previously advised, the consultancy Indigo Landscape Architects Limited (ILA) has undertaken a review of both the landscape and visual effect related submissions and assessments within the submitted planning application and Environmental Statements (ES) and numerous responses by the relevant consultees and interested/affected third parties on this same matter. The Indigo Landscape Architects Limited (ILAL) report (Project No. 948 Review.doc, dated 29 November 2020) is attached.

*Director of Economy, Transport and Environment
Stuart Jarvis BSc DipTP FCIHT MRTPI*

Further information hereby formally requested under Regulation 25

In accordance with Regulation 25 of the [Town & Country Planning \(Environmental Impact Assessment\) Regulations 2017](#) and following public consultation of the applications and the ES, we are writing to request further information, set out by relevant ES chapter, considered to be necessary to enable the full and proper consideration of the likely environmental effects of the proposed development. In all instances, we refer you back to the main responses from the consultees for more detailed information on the requests being made. This response summarises the information required to assess the potential impacts of the proposal, by theme to the overlap in some areas between responses. The further information is *highlighted*.

1. APPROACH TO THE ENVIRONMENTAL STATEMENT

ES Vol.1 Section 2.0

To reiterate the County Council's concerns, as stated in our previous Regulation 25 letters (dated 23 October and 12 November 2020; same ref: PLAN/SD/EH141), the attached ILAL report also makes a number of comments and criticisms that require further and/or clarification information from the applicant. These too directly relate as to whether or not the submitted ES fully satisfies the requirements of Regulation 18(3) of the EIA Regulations with particular reference to paragraphs 4. to 7. of Schedule 4, which identifies the information for inclusion in an ES.

2. ALTERNATIVES

ES Vol.1 Section 3.0

Although this Regulation 25 letter concerns landscape and visual effects, and the likely significant environmental effects of the proposed development upon the local environment, the lack of assessed alternatives as raised **in 2. ALTERNATIVES** of our original letter (dated 23 October 2020; same ref: PLAN/SD/EH141) remains pertinent when assessing the proposed development's assessment of and effects upon the local landscape, including areas formally designated both locally and nationally, and statutorily and non-statutorily.

Therefore, it remains the County Council's opinion that this criterion is a fundamental matter, as stipulated within the Council's Scoping Opinion issued 27 September 2019. Therefore, this information is still needed to allow for a reasoned conclusion to be reached on the likely significant effects of the development, based on the submitted EIA (and ES), and for compliance with the EIA Directive.

Therefore, as the applicant's choice of site and location was specified as a requirement to be included as per the Council's Scoping Opinion issued 27 September 2019, this does need a fuller explanation to ensure compliance with the 2017 Regulations is demonstrated. The ES, in updating its assessment of the proposed development's significant environmental effects in respect of landscape and visual effects (below) should be updated accordingly.

3. LANDSCAPE AND VISUAL EFFECTS

ES Vol.1 Section 5.0

The consultation responses and views made by the County Council's Landscape Advisor, Indigo Landscape Architects Limited (ILAL), the South Downs National Park Authority (SDNPA), East Hampshire District Council (EHDC), Natural England (NE), the County Council's Public Rights of Way Team (PRoW), various Parish Councils and interested third parties including Countryside Protection for Rural England (CPRE) and the No Wey Incinerator (NWI) Residents' Group have all been considered and factored into the below discussion and required information.

Whilst it is acknowledged in ILAL's Review that the *'that the methodology in assessing landscape and visual effects appears to be sound'* and that *'environmental baseline and nature of receptors was established'*, it was noted that some areas need further assessment and locations revisiting *'so that justification for the proposed sensitivity levels and values of receptors is fully established in order that it is clear how these have informed the predicted levels of effect'* to fully inform this section of the ES.

It is of note that the SDNPA consider *'that the submitted Landscape Visual Impact Assessment (LVIA) is not comprehensive'* and *'fails to generate a meaningful understanding of the landscape and particularly its importance culturally/historically.'* further noting *'that the LVIA has not assessed all the potential effects.'* The required information below will need to satisfy these concerns, much of which are also raised by other Landscape consultees/advisors.

South Downs National Park

As you are aware National Parks are Nationally Protected Landscapes and *'afforded the highest level of protection from development'*. The statutory purposes of the National Park are to conserve and enhance the natural beauty, wildlife and cultural heritage of the park; and to promote opportunities for the understanding and enjoyment of the special qualities of the park by the public.

The SDNPA and other consultees have raised concerns over the LVIA's assessment on the Park. The SDNPA state *"that further work is required in*

terms of the need for additional viewpoints and areas of visibility, and that presently “it does not tackle the issue of the setting of the National Park, in landscape or visual terms. As a result, this landscape may be more sensitive than is accounted for in this assessment. The omission of viewpoints makes it difficult for consultees to provide a full assessment.”

a. Viewpoints within the LVIA

The SDNPA in their consultation response (dated 14 August 2020) (and the CPRE and NWI in their representations)) raised concerns about the assessment of several viewpoints.

Whilst the identification and assessment of receptor locations from which views - albeit mostly glimpsed or partial views - will be subject to significant effects were identified within the LVIA (in the SDNPA’s view), there were other viewpoints close to or within the setting of the Park, where significant adverse effects are generated for users who may begin or end their route in the Park, where the LVIA concluded ‘*no significant visual effects upon the Park will arise*’. This conclusion was queried by the SDNPA over its accuracy based upon the LVIA’s own evidence.

We are aware that further discussions with officers at the SDNPA have taken place over their above concerns and the selection of additional viewpoints and/or supplementing existing ones has been agreed in principle. It is expected that the updated views will form part of any resubmission.

b. Visibility

In terms of ‘visibility’ the SDNPA note that the LVIA has not fully assessed the impact of all the potential effects, especially and importantly, within areas where views of, and associated impacts from, the proposed development are likely to be achieved.

The SDNPA advise that the proposal is in its current form contrary to their SDNP View Characterisation Study (2015), which contains aims and objective for conserving and enhancing views from Viewpoint 11 (Hangers Way which is on the Park boundary and may cover land within and outside of the Park. The LVIA does not appear to apply any of this Study’s guidance within its assessment of its moderate to potentially major adverse effects (on people’s experiences here) despite referring to it.

Notwithstanding the submitted Lighting Assessment and its mitigating factors, and the efforts of the applicant to create a building using designs, plus materials and finishes that are as ‘rural’ and ‘natural’ in style and form as feasible what is missing or requires further work includes:

- All visual effects - ruled in or out based upon the ZTV evidence provided; and

- Effects of lighting both upon the perceptual/visual qualities and the tranquillity of the landscape.

The SDNPA consider that the LVIA is not comprehensive and by concluding that '*no significant visual effects upon the Park will arise*' fails to generate a meaningful understanding of the landscape and particularly its importance culturally/historically in accordance with the aims and objectives of the SDNP View Characterisation Study (2015), despite the LVIA referencing it. It also does not tackle the issue of the setting of the National Park, in landscape or visual terms. As a result, this landscape may be more sensitive than is accounted for in this assessment. The omission of viewpoints makes it difficult for consultees to provide a full assessment.

c. Setting of the National Park

The SDNPA advise that the Landscape Baseline in the LVIA, is discursive in places and not comprehensive - outside of the SDNPA, and somewhat lacking in regard to the National Park. Whilst the impact upon the landscape resource is occurring outside the National Park, some evidence and commentary would be expected in relation to determining what constitutes the setting of the National Park, and whether or not the proposed development contributes to its landscape setting.

Furthermore, the SDNPA note that the setting of the National Park has not been defined in the Baseline evidence. The setting to a Protected Landscape is important particularly in defining and contributing to the perceptual qualities and experiences people have within the National Park and particularly close to its boundary. The proposed development lies within this setting, as defined within the SDNP View Characterisation Study (2015), and therefore the condition and quality of the landscape here directly affects the National Park.

Assessment of impact on the landscape and/or visual setting should have been determined as part of the baseline evidence - and its value and sensitivity established, the effect of the proposal could have been assessed against this. The landscape here is described in the Landscape Baseline as ordinary countryside and not distinctive, yet from the National Park point of view it performs a key role in its visual setting and possibly its landscape setting also. This setting is also key in terms of experiencing this important Writers' landscape - which is not just within the Park, it takes users right through Alton.

Overall, the Baseline evidence is not complete and potentially effects, upon this cultural landscape and an understanding of its contribution to the setting of the National Park. may be greater/more numerous as a result.

Therefore, the ES, in updating and informing its assessment (LVIA) of the proposed development's significant environmental effects in respect of landscape and visual effects upon the South Downs National Park, relative to the omitted and inadequately assessed viewpoints should be updated accordingly using information on how the aims and objectives of the SDNP View Characterisation Study have been taken into account, and the inclusion of evidence and commentary in relation to determining what constitutes the setting of the National Park, and whether or not the proposed development contributes to its landscape setting.

LVIA – Viewpoints

a. Existing viewpoints

Within the analysis of effects in Appendix 5.6 of the ES, the photographs supporting the numerous viewpoints need to be updated. The majority were taken in the summer months (some October) when the majority of trees, hedgerows and planting still maintain full leaf cover. Therefore, they do not present 'the worst-case scenario' in terms of the ability to assess the significance of the proposed development's effects on the local landscape, and any harm that could be created.

Winter photography is required to update the LVIA at viewpoints 4, 8, 10-11, 13 and 16-19 respectively. An accompanying additional narrative in respect of the effects and updated photomontages will be required

b. Additional viewpoints

To support the LVIA and a. above, additional viewpoints (with photomontages) are required to include and accompanying additional narrative in terms of the ability to assess the significance of the proposed development's effects on the local landscape, and any harm that could be created.

The locations will include:

- Water Lane near West Worldham in DSM ZTV;
- Neatham Down – Footpath west of VP 18; and
- Lane between Upper Froyle and Stowell Cottage (if not obscured by hedgerow) or Public Right of Way to the north-west (Froyle Route 16) off road from Lower Froyle to Yarnhams.

An analysis of effects as undertaken in Appendix 5.6 of the ES should be applied to present 'the worst-case scenario' in terms of the ability to assess the significance of the proposed development's effects on the local landscape, and users of these rights of way in these locations, and any harm that could be created.

c. Additional viewpoints - construction activities

To support the LVIA and b. above, the analysis of effects in paragraph as concluded in paragraph 5.5.11 of the ES, where it is concluded that construction activities would not cause any significant effects upon the character of the surrounding landscape and upon views, shall be updated for the three additional viewpoints locations. This should be added to Appendices 5.5 and 5.6 as part of the description of landscape and visual effects.

Therefore, the ES, in updating and informing its assessment (LVIA) of the proposed development's significant environmental effects in respect of landscape and visual effects upon the local landscape, relative to the inadequately assessed and additional viewpoint, and construction activities, should be updated accordingly using the methodologies and analysis methods already employed.

Recommended/Clarification information to be supplied (not requested under Regulation 25)

There are also some elements which require additional information, clarification or comments. We have only sought to highlight the keys areas of concern in this letter. We consider that this will help the application process especially as some of these link into the further information required above.

The following list sets out information that needs to be addressed to consider the application against relevant policy (as required), rather than, or as well as, being required to address issues in the ES. These are set out below:

ALTERNATIVES & SCHEME DESCRIPTION AND CONSTRUCTION METHODS

ES Vol.1 Sections 3.0 & 4.0

3.3 Alternative Design Solutions, 4.2.14 to 4.2.25 Design Philosophy & 4.2.26 to 4.2.28 Landscaping

In conjunction with the requirements requested through Regulation 25 above, further details of the proposed 'Green Walls', used to aid the proposed development's assimilation into its surroundings are required. This information is critical to understanding their viability, and should include construction details, irrigation details and long-term management and maintenance programmes including remedial measures in case of failures. Precedent studies, including photographic records and manufacturer's specifications, would help enormously.

LANDSCAPE AND VISUAL EFFECTS

ES Vol. 1 Section 5.0

5.4.13 to 5.4.37 Landscape Character Assessment and Other Studies

In conjunction with the requirements requested through Regulation 25 above, the provision of further details of the applicant's identified relevant published assessments would help the County Council appreciate the levels of sensitivity and value ascribed especially where any of the applicant's evaluations identify which key characteristics are likely to be effects and to what extent. These published assessments include regional and district character appraisals and the East Hampshire District Council (EHDC) Capacity Study. A written narrative expanding on the use of these published assessments in defining the value of landscape character areas should be provided.

Furthermore, it should be confirmed where other published assessments and local studies exist, such as the Alton Townscape Assessment and various Conservation Area Appraisals, have been discounted. These may be relevant in informing the environmental baseline particularly where intervisibility is indicated. Again, a written narrative with supporting ZTVs highlighting the limited extent of visibility from these areas should be provided.

Lastly, CPRE Hampshire in their objection to the proposed development were critical of and disagree with the LVIA's comments *'that areas outside of the SDNPA boundary which would be affected by the presence of the proposed development does not have any attributes that indicate that it is in anyway unique, special or notably distinct from the wider landscape of the District, or of North Hampshire in general. There is little to distinguish it from, or raise its value above that of the wider countryside'*.

CPRE contest that this is wrong and the tract of land to the north of the A31 within the vicinity of the site constitutes a 'Valued Landscape' due to it having demonstrable attributes, and must be considered as High Sensitivity, in terms of both landscape character and physical distinctiveness and public experience of the landscape.

Your views on CPRE's assessment (refer to Appendix A in their objection dated 12 August 2020) would be welcomed and I think useful in supporting your overall clarification response here.

5.4.8 Landscape Designations

Whilst the South Down National Park is identified as a National Designation, other designations, and their relevance, need clear definition even if many of them are cultural heritage designations (e.g. Conservation Areas, Listed Buildings and Registered Parks and Gardens) as their setting and the visual amenity of visitors to them is an important consideration in terms of LVIA.

Whilst certain locally affected cultural heritage designations have been assessed within the **HISTORIC ENVIRONMENT** section of the ES (*Vol. 1 Section 10.0*), Conservation Areas and Registered Parks and Gardens should be added into the detailed DSM ZTVs with a written narrative explaining and justifying their limited nature of impacts and resultant effects upon the surrounding landscape.

5.5.17 to 5.5.22 Landscape Fabric

Paragraph 5.5.19 states *'that the trees and vegetation that are proposed to be removed are of medium susceptibility and low value'*. Although existing arboriculture has been assessed (through an Arboricultural Impact Assessment (AIA)), it is unclear how this conclusion has been made. It is also stated but not fully substantiated *'that the overall sensitivity of the area is considered to be low to medium in the context of the A31 corridor.'*

To lose numerous trees and vegetation that form part of the existing natural screening of the proposed development site needs clearer description and justification.

A written narrative describing the applicant's concluded limited impacts on site trees and vegetation paying reference to the AIA, plus details of pipeline construction and lack of vegetation loss associated with this work as well as grid connection should be provided.

5.5.3 to 5.5.16 Construction Phase

Paragraph 5.5.11 concludes *'that construction activities, scheduled for 3 years, would not cause any significant effects upon the character of the surrounding landscape and upon views.'*

It is unclear how this assessment was reached and therefore clarification using the combination of the duration of the construction phase and the use of large structures including a crane in constructing a large waste management facility, should be provided through the full analysis of this temporary activity's effects upon the surrounding landscape.

5.5.73 to 5.5.80 Plume Visibility

Whilst the plume is mentioned in relation to visual effects, it is not included within the description of landscape effects. More information regarding visibility, scale and duration is required.

The plume could be viewed negatively within the landscape in-combination and cumulatively with the massing of the facility from numerous viewpoints and from persons passing the site, in addition to those living and working within the locality. Whilst not included within Regulation 25 to not detail this pictorially (with or without the exact same technology/facility) with supporting narrative could undermine the overall additional landscape and visual effects information package.

5.5.81 to 5.5.85 Night-time Effects (Assessment)

Whilst a Lighting Assessment has been undertaken within **SCHEME DESCRIPTION AND CONSTRUCTION METHODS** section of the ES (*Vol. 1 Section 4.0*), the proposed development's effects upon the surrounding landscape '*that changes to night-time effects would not be significant*' should be further clarified to support this. It is recommended that the lighting assessment's findings '*that night operation mode would result in lower impacts than currently happening at the existing MRF*' is clearly cross-referenced paying particular attention to the changes between existing and proposed lighting layout, type and usage being provided.

5.5.37 to 5.5.52 Viewpoints & 5.5.53 to 5.5.55 Pattern of Visual Effects (i.e. Public Rights of Way)

The County Council's Rights of Way officer comments '*that the application fails to take into account Binsted Footpath 57 and Writers Way to the South of the development site*' and '*the Landscape and Visual Impact Assessment only has one view from the South of the development and it does not show views from Footpath 57. No visual representations have been provided and therefore, impacts to the visual amenity of sensitive Right of Way users may not have been taken into account.*'

To address this and building on work already submitted, it is suggested that a plan or plans showing section of footpaths within 2km of the proposed development site where significant effects could occur based on the DSM ZTV and aerial photography with an accompanying narrative for each route (including local minor roads). It is recommended that a section of St Swithun's Way north-east of Upper Froyle beyond the 2km be included also. Definitive PRoW numbers should be included on the plan or plans.

5.5.56 to 5.5.63 View from nearby Residential Properties

Whilst paragraphs 5.5.56 to 5.5.61 describe the visual effects on the occupants of residential properties, with Figure 8.2 showing properties' locations, the absence of property reference numbers make cross-referencing more difficult.

Where borderline adverse significant or significant adverse effects are predicted, a plan or plans clearly showing these affected properties with aerial photography and DSM ZTV would aid the consideration of the assessment of the impact/s on the surrounding landscape. It would also be helpful to confirm which properties had been scoped out

5.56 Settlements

Whilst the submitted DSM ZTV indicates areas of fragmented intervisibility across settlements such as Holybourne and Alton, the frequency of these areas is relatively high in some areas.

The analysis undertaken to date, should be supplemented with supporting ZTVs and an accompanying narrative to highlight the limited extent of visibility from Holybourne and Alton with theoretical visibility in these areas largely limited to the tops of trees and buildings. The impact of the presence of intervening vegetation in limiting views from settlements, particularly during winter months needs clarifying. This supplementary analysis would allow a better understanding of the visual effects on the residents in individual properties and the settlement as a whole.

5.6.1 to 5.6.4 Cumulative effects

It has not been made clear what the potential is for combined or sequential cumulative effects with other development such as the gas pipeline and the grid connection.

The additional analysis and assessment work as required above in **5.5.17 to 5.5.22 Landscape Fabric** should be provided in relation to cumulative effects.

The Waste Planning Authority would welcome a response to the issues raised above.

NEXT STEPS

We will let you know of any additional matters affecting this request for further and clarification information, which require further consideration as a matter of urgency.

This Regulation 25 request requires additional information to be submitted for the ES. This will mean re-advertisement and consultation in accordance with the requirements of the EIA regulations once the information is received.

With the intention of moving the application forward towards a resolution, Hampshire County Council formally requests that the further information be provided **no later than 04 January 2021**.

If you have any queries on the matters addressed in this letter, please do not hesitate to contact us on the details provided.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'SD', with a long horizontal flourish extending to the right.

Sam Dumbrell
Project Manager Development Management