Broads Authority

19 March 2021
Agenda item number 11

Peat Guide – for adoption

Report by Planning Policy Officer

Summary

The adopted Local Plan for the Broads includes a policy that seeks a reduction in the amount of peat that is excavated as part of a development proposal. Officers have produced a Peat Guide to elaborate on the policy and support its implementation. The draft guide was subject to public consultation from September to November 2020 and the final draft guide is appended to this report.

Recommendation

Adoption of the Peat Guide.

1. Introduction

1.1. The Local Plan for the Broads includes a policy that seeks a reduction in the amount of peat that is excavated as part of a development proposal. If peat is excavated, it requires that the special characteristics of the peat are assessed, recorded and considered when disposing of it. The Peat Guide seeks to elaborate on the policy and help with its implementation. It intended as a tool to assist potential applicants and others who may be considering development on peat.

2. Consultation responses

2.1. The first draft guide was subject to public consultation between September and November 2020 and the responses received are at Appendix 1. Some of the comments resulted in changes to the guide.

3. Planning Committee responses

3.1. The final draft guide and consultation comments were presented to the Planning Committee in March. The Committee's comments will be reported verbally to today's meeting.

4. Final version for adoption

4.1. The proposed amendments to the final guide for adoption are at Appendix 2. Additions are shown as blue underline and removals as red strikethrough.

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Date of report: 12 February 2021

Appendix 1 – Draft Peat Guide – Consultation responses

Appendix 2 – Final Draft Peat Guide – for adoption with changes marked

Ref	Name	Organisation	Comment	BA response	Amendments
#1	Matt Layt	Individual	I am sorry to jump onboard on someone else's email but I was recently forwarded an email which was sent to the Brundall riverside road committee regarding the broads authority consultation on dredging and reducing peat extraction on the Norfolk broads. In brief I am Norfolk born and bred and run a small business on the Norfolk broad specialising in piling and dredging. We have a good base of clients including private residents the commercial sector and even yourselves. Although our business is 75% piling the dredging side is a part of the business I would like to grow and we have recently taken delivery of our 2nd dredger. To be honest the job is hard enough with the guidelines we have to work within ie the dredging in one mechanical motion and only being able to build land up a small amount and removing dredging's off site is another mine field. Being from a family where my dad had a boatyard(brundall based) for 30 years I have seen the boatyards slowly die off one by one and riverside estate slowly turn into a series of marinas which is not a problem in anyway and can only be seen as forward step and a positive one for work and for the Norfolk broads in general. My point to which I am getting at is 30/40 years ago the vast majority of river craft were hire boats and had a draught of 2'6" to 3' maximum but with the evolution of larger private craft we now need around 4'on a low tide to accommodate around 80% of the boats moored in brundall. Other contractors don't tend to dredge brundall anymore with goodchilds not really concentrating in that area of expertise any more(Alan's words) and John bell the only other contractor and the (only) one which has a waste transfer site via grandfathers rights dating back to the may gurney days doesnt like to do much dredging now and doesn't like to come down hoborough's dyke at all. This leaves myself Broadwurx piling and dredging who is happy to do the work but has no where to put the dredgings even if I was to buy my own bit of marshland the same as John bells there is no way I can put dredgings on it as said by the broads authority. I would be interested to hear back from yourselves to see what the way forward is and how the bigger boats will use the Norfolk broads when most yards are not deep enough to accommodate and where peat diggings and silt differ in what can and can't be excavated. And to see if I could come and look at the videos mentioned in your email to the riverside committee.	This comment is about dredging. Dredging is about accumulated silt and not excavating peat. We have responded to Mr Layt separately. So if dredging an existing waterway, that should be accumulated silt. But if the work makes a mooring cut for example wider, then that could be relevant to the peat policy (if the area is peat).	No change to guide.
#2	Matt Shardlow	Individual	It's a small point but early in the Peat Guide it says that peat 'can' be developed on in the Broads. 'Can', like 'may' can have two meanings. Perhaps better to be explicit, something like - 'there are circumstances where development on peat soils in the Broads may be necessary'. Sets a clearer tone. Otherwise, it looks great - does the whole document become supplementary planning guidance when agreed with the new policy part of the Broads planning policy?	Noted and agreed. Will amend the guide.	In the Broads, development ~~can take place in areas where peat might be~~ on occasion may be proposed that ~~developed on,~~ can affect peat because it is excavated or removed, or actually developed on.
#3	Sarah Luff	LLFA, Norfolk County Council	In point iv. of section 6.4.1, the guidance indicates that this is a change in the way of working for contractors and place the onus on the developer to inform the contractor. However, it is important that the Broads Authority provides information and makes the contractors aware of this approach change as this will support the developer in requesting this new approach to be applied.	Noted. We will consider running a session for contractors. Please also note, that applicants often ask us for free pre-application advice, before they plan schemes. So this information, and other policy requirements, can be provided.	No change to guide.
#4	Sarah Luff	LLFA, Norfolk County Council	In section 6.4, the use and redistribution of peat arising is discussed. However, the preference order appears to indicate that peat should be offered to offsite organisations for agricultural reuse before exploring the potential for neighbours to use the arising. This appears to be at odds with the preferred approach of retaining and distributing the peat arisings appropriately onsite. Please could the prioritisation be re-considered or clarification provided?	Agreed.	Move 6.4.3 to before 6.4.2.
#5	Sarah Luff	LLFA, Norfolk County Council	The organisation mentioned specifically in point 'r' within the box have not previously been highlighted within the guidance.	Mentioned in para 2 of 6.4.3	No change to guide.

#6	Sarah Luff	LLFA, Norfolk County Council	In section 6.4.1 there is guidance on the relocation of peat within the site with the preference for the use of low areas of potentially wet ground being given the priority. We would like to remind you of the need to retain flood storage areas as there is the potential for flood storage infill. Please can you include further information relating to the assessment and prevention of flood storage loss and the associated consenting process for both ordinary watercourses and main rivers? Further information on the need for ordinary watercourse consenting is available online at https://www.norfolk.gov.uk/rubbish- recycling-and-planning/flood-and-water-management. Follow up: In section 6.4.1, there is guidance on the relocation of peat within the site with the preference for the use of low areas of potentially wet ground being given the priority. We appreciate the need to keep the Peat wet and local to the point of arising and we support the good intensions that it is founded upon. However, should these “hollows” and “backfill areas” be within the 1% AEP (1 in 100 year) floodplain for the associated watercourse, then there would be an active loss of the flood storage area. The NPPF Guidance on Flood Risk and Coastal Change has emphasised that floodplain storage should be retained both on an individual and cumulative basis (See extract below from https://www.gov.uk/guidance/flood-risk-and-coastal-change#flood-risk-raised-by-minordevelopments).	In terms of small schemes, like moorings cuts, backfilling or filling in lower areas will not have a signigicant impact on flood risk. We sought advice from the EA: 'There should be compensatory flood storage provided for any deposition of peat within the flood zones. However the volumes generated from a new or extended mooring cut are relatively small compared to the large Broads floodplains. And therefore the offsite impacts are likely to be very small indeed, fractions of a millimetre increase in flood levels. Also the Broads land is often sinking, so any raising is often just reinstating what used to be present. Therefore we would not usually require compensation as the impacts are minimal. Also in the Broads it is often not possible for level for level compensation to be achieved as there is no higher land to lower. The alternative may be to remove the spoil from the floodplain, however instead we usually require it to be spread thinly and a calculation as to the offsite impacts carried out. Especially if there are negative impacts of it being removed from the floodplain as seem to be indicated. If the calculation shows very insignificant impacts then we will not object and ask the LPA to determine if it’s ok, taking into account the cumulative impacts. In terms of the cumulative effect, as the impacts are usually so small you would require a lot of mooring cuts for any appreciable effects to be felt. We also feel that this is an appropriate pragmatic response for small-scale water compatible development'. For larger schemes, like a basin extension, the amount of excavated peat would be much more and disposal on site may be difficult. That is where other options like nearby land will come into consideration. Again, we asked the EA for their thoughts and they said 'In general the risk is relatively low but for these schemes, however, if there was a larger scheme which provided a greater impact (i.e. more than a couple of centimetres), it would be necessary for the Broads Authority to ‘ok’ the off-site impacts (if at all). This may be if you agree the benefits outweigh the impacts. It would be worth (if not already) including something in the document stating that the flood risk impacts should be calculated or mitigated (although it is difficult to mitigate due to the Geography of the Broads). The Environment Agency would happily review any calculations supplied to us on a site by site basis and would be able to advise you of the impacts further which should help with your determinations'.	Make this change: 1.1.Flood risk When considering how to dispose of peat, in line with this guide, the impact on flood risk will need to be considered. For example, when backfilling or placing the peat in sunken areas, how will that affect flood storage? The EA have advised that for a smaller scheme, such as a mooring cut, the impact on flood storage will be negligible. But for larger schemes, the flood risk impact of where you dispose of the peat will need to be calculated and mitigated. And then this question: a.How do your plans for disposing of peat affect flood risk? What calculations and mitigation, if needed, have you produced?
#7	Sarah Luff	LLFA, Norfolk County Council	This is further supported in the Environment Agency’s guidance for the preparation of a Flood Risk Assessment in Flood Zone 2 or 3 (https://www.gov.uk/guidance/flood-riskassessment-in-flood-zones-2-and-3) as shown in the extract below. Furthermore, it should be noted that inappropriate development in these floodplain areas should be actively avoided unless the exception test can be suitably passed (Chapter 14 of NPPF https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf). Should a development occur in the floodplain that causes a reduction in the flood storage, then compensation on a level for level, volume for volume basis is required. This means that any loss of flood storage must be compensated for by the reduction in level of nearby ground, such that the same volume is available at every flood level before and after the works and it can freely fill and drain. In other words, in order to mirror the existing situation for a particular flood, each stage (or level) is provided with the same storage volume, cut and fill must equate on a level for level basis, i.e. at each level (say at 0.2 metre vertical intervals for example) the excavated and filled volumes are equal. The timing at which the storage effect comes into operation is significant. If this volume is reduced for any stage of a flood then the lost storage results in flood waters being diverted elsewhere, leading to third party detriment. The detriment caused by a small encroachment may not be significant, or even measurable, when taken in isolation but the cumulative effect of many such encroachments will be significant. This approach to flood storage compensation is supported by both the Environment Agency and Norfolk LLFA. Therefore, please can you include further information relating to the assessment and prevention of flood storage loss and the associated consenting process for both ordinary watercourses and main rivers.		
#8	Sarah Luff	LLFA, Norfolk County Council	The mapped Peat areas within the Broads Authority’s area are shown in Appendix A. It would be useful to have reference to Appendix A within the main guidance text. In addition, would the Broads Authority be willing to provide a digital copy of our information? It would be useful for the LLFA to be aware of developments that may be in these areas of Peat	There is already reference to Appendix A in the text. There will be licencing requirements to consider. But the BGS layer can be found here: https://mapapps.bgs.ac.uk/geologyofbritain/home.html	No change to guide.

#9	Sarah Luff	LLFA, Norfolk County Council	In relation to further information provided in Appendix A, it is indicated that further information is provided on the benefits of peat in flood risk management. Would you be able to share any further information you have or provide links to where this information can be found? In Appendix A, the Broads Authority has made the statement that "Water: Peaty soils help prevent flooding by absorbing and holding water like a sponge as well as filtering and purifying water. Peat can absorb large quantities of nutrient and other pollutants, although peat soils can under certain conditions release these chemicals back into the surrounding water." The LLFA would like for this statement to be justified. As we are aware, peat soil naturally has a highwater content and frequently there is high groundwater, which means the void spaces within the peat soil are already saturated. If the ground is already saturated then there is very limited capacity for additional water from flood events. The LLFA is unsure of how the guidance document could reasonably state that "Peaty soils help prevent flooding by absorbing and holding water". Therefore, the LLFA requests that information that supports this statement and any other information available on the benefits of peat in flood risk management at your disposal are shared so that we may support you on this matter.	Appendix A is taken from the Local Plan and this guide cannot change that wording. Peat soils in an ideal and healthy condition will be water-logged and as such form part of the floodplains natural water storage. Development and/or management that negatively affects the health and natural functioning of the peat will therefore limit this ability to store water. The statement in Appendix A is more about explaining why wet peat soils are important to protect.	No change to guide.
#10	Mark Norman	Highways England	The proposals are unlikely to affect the Strategic Road Network in any way and therefore, we have no comments to make on the proposed guidance.	Noted.	No change to guide.
#11	Naomi Chamberlain	Norfolk CC	We advise that the SPD should include reference to paragraph 205 d) of the NPPF which states that planning permission should not be granted for peat extraction from new or extended sites.	This is not a SPD; it is a Guide. But we will make such reference.	Add to section 1: It should be noted that the NPPF refers to peat in terms of extraction, rather than development on peat. So for any schemes relating to the extraction of peat, it is important to note paragraph 205d) of the NPPF that says planning permission should not be granted for peat extraction from new or extended sites.
#12	Ian robinson	RSPB	Introduction: In the second paragraph there needs to be a definition of what 'organic content' means for clarity.	Noted and we will add some explanation.	Add: organic content is partially decomposed plant matter which has carbon stored within it.
#13	Ian robinson	RSPB	Section 3: Fourth paragraph. Examples and clear definition are needed describing what kind of archaeology the guidance is referring to. Follow up: I don't know what the statement 'water-logged heritage' means. All I was asking for was a definition to help me (and others) better understand and make a thorough, informed assessment of their proposal. An example would be if a conservation organisation wanted to create a number of small turf pond 5sq m and no deeper than 30cm would we be damaging the water-logged heritage? If we would be, what is the nature of that heritage and how can we mitigate for the damage?	Noted. We will add some wording about water-logged heritage. Regarding the specific example, see comment 33.	Add some more wording about water-logged heritage.
#14	Ian robinson	RSPB	Section 3 The final paragraph gives a false impression that peat soils are primarily important for absorbing flood water and filtering nutrients. Peat soils are most important as a medium in which protected plants and vegetation communities grow, this needs to be recognised and stated. The role of peat soils in purifying water leads to their deterioration and reduction in habitat quality as the peat soils (which in the Broads have low nutrient levels) become adversely nutrient enriched. Follow up: I suggest removing the text 'as well as filtering and purifying water' from the last paragraph of section 3. The peat soils in the Broads are characterised by low nutrient profiles – low nitrates and phosphates. This has created the unique habitats and species composition we see and which are protected by European law. Indeed 75% of the UK calcareous fen resource is found in the Broads. It may well be true that peat soils filter and purify water but if the impression given is that filtering and purifying water is a key function of peat soils in the fens then this needs amending. If peat soils capture nutrients they lose their intrinsic value and change adversely. Anything that causes these changes would be described as having a 'likely significant effect' on protected sites and protected species. These adverse changes would lead to deterioration of the peat soils and habitats leading to loss of swallowtail butterflies, loss of fen orchid etc.	Noted. Will add some text to the end of this section to clarify.	Ad: But that does not mean that peat soils should be considered as a water treatment process.

#15	Ian robinson	RSPB	Question relating to Section 4 Peat Report – Page 6. The guidance needs be clear on how recent the data from peat cores sampling should be. If peat samples have already been taken across a site, will this information be acceptable and if so beyond which point in time would this data/information become inadmissible? Substantial peat cores have already been taken across the Broads and a link to this information might provide a useful appendix.	To confirm, as set out in the guide, peat coring is only required near to the edge of the BGS boundary and if there is disagreement that the site in question is on peat. Coring is not required on all occasions. Historic information would be useful, but if there has been a big change to the site, then that could affect the historic core's accuracy and relevance. All soil information is historic, compelted around 1980 for the Broads and not systematically modified, but is still relevant. This is a site specific issue.	No change to guide.
#16	Ian robinson	RSPB	Questions relating to Section 5 - Page 8… and Appendix A Page 18. From the outset there needs to be clarity and definition of what represents development. For example, is there a minimum surface area and depth, below which excavation of peat or covering peat is not classified as development? This is particularly important for conservation purposes where small, shallow turf ponds are proposed (as described in Appendix A), or for example a fence post or footings for a bridge needs installing. Do these examples qualify as development? A list of activities which are exempt would be a useful addition as an appendix.	The issue raised is just not about peat, but relates to all applications. If anyone has any queries about what is development and what needs permission, we offer a free pre-application advice. Such a list would be extremely long and may not cover all eventualities.	No change to guide.
#17	Ian robinson	RSPB	RSPB suggests clarity is provided regarding sequential planning applications to make it clear that gradual creep will not be permitted. For example, an applicant may apply to create or extend an area for car parking involving loss of peat by 10m2. The overall objective of the applicant may be to ultimately create a larger covered area and they may decide to achieve this in a piecemeal way and submit further, subsequent applications to extend the parking area, which over time may be considerably larger than the initial application. It needs to be made clear at the outset that concurrent developments which may seek to perverse the process will be refused.	Any additional development that could lead to creep would require the submission of a separate application, which would be consdiered on its own merits, but the site's history would be taken into account.	No change to guide.
#18	Ian robinson	RSPB	In a similar way some clarity is needed describing that peat is valuable whether a site is designated or not and there is no difference between peat on a County Wildlife Site compared to a SSSI.	Peat policy is considered regardless of land designation.	No change to guide.
#19	Ian robinson	RSPB	Clarifying Confusion Between Development for Nature Conservation and Built Development RSPB suggests a clear distinction is made between traditional built development (housing, pilings, construction) where there is a permanent loss of peat; and peat excavation as part of nature conservation where the net result is positive and both the habitat and Carbon capturing potential is enhanced.	It is important to note that the peat policy and guide are not saying that development is not allowed on peat at all. It is a reduce, re-use kind of policy. One of the key questions is justifying why the scheme needs to go where it is proposed, can it be reduced in scale and then what are you going to do with the peat that is excavated. These queries are important and can be addressed, regardless of the type of development. Planning is all about weighing up the benefits with any negative impact a scheme can have.	No change to guide.
#20	Ian robinson	RSPB	If the proposed development/work is on a SSSI and the work is consented by Natural England through a site management plan and is deemed necessary for site management and is a valid plan or project as defined in European legislation and/or is part of habitat restorative/maintenance what approach is recommended? The draft guidance isn't clear and given the potential scale of works linked to habitat and species management, the large number of potential applications clarity here would help to limit inquiries and avoid unnecessary officer time and prevent the need for conservation charities to submit unnecessary and costly planning applications.	It is important to note that the peat policy and guide are not saying that development is not allowed on peat at all. It is a reduce, re-use kind of policy. One of the key questions is justifying why the scheme needs to go where it is proposed, can it be reduced in scale and then what are you going to do with the peat that is excavated. These queries are important and can be addressed, regardless of the type of development. Planning is all about weighing up the benefits with any negative impact a scheme can have.	No change to guide.
#21	Ian robinson	RSPB	Most of the proposed work carried out on SSSI's with peat soils involves creation of shallow scrapes (10-30cm deep and up to 25m2). What is the known intelligence regarding the benefit of 'new peat' created as these shallow scrapes accrete and the ability of newly forming peat to capture carbon as compared with existing peat? If indeed 'new peat' is better able to capture carbon as well as provide habitat for a wider range of biodiversity this may provide added impetus for this type of operation, especially if the process followed to obtain planning consent is considered separate from what be described as construction or built development; and given the benefits may warrant a reduced application cost.	Regarding reduced application cost, fees are set nationally. It is important to note that the peat policy and guide are not saying that development is not allowed on peat at all. It is a reduce, re-use kind of policy. One of the key questions is justifying why the scheme needs to go where it is proposed, can it be reduced in scale and then what are you going to do with the peat that is excavated. These queries are important and can be addressed, regardless of the type of development. Planning is all about weighing up the benefits with any negative impact a scheme can have.	No change to guide.

#22	Ian robinson	RSPB	If the development involves removing invading primarily willow and alder scrub and lifting and removing root plates to encourage and promote restoration of the fen, and which disturbs/removes some of the surface peat does this activity constitute removal of peat, require assessment and provision of information provided as part of a proposal/application?	It is unlikely that this activity of essentially short-term disturbance and removal of scrub would be included.	No change to guide.
#23	Ian robinson	RSPB	The opening comments in these sections of the document are contradictory and serve only to confuse. In 6.4.1 the direction given is that peat needs to be kept wet because drying peat releases Carbon and confirms the sentence in Section 3 which states 'The protection of peat soils is therefore critical to help address climate change.' In 6.4.2 this position regarding protection of peat soils and the need to keep them wet is completely eroded by saying that 'in some cases' it may not be possible to keep peat soils wet and then goes on to provide a list of several alternative uses for excavated peat all of which will release Carbon. Either peat needs to be kept wet or not. RSPB suggests any developments which cannot be completed in such a way that excavated peat soils are kept wet either at the parent site or at a donor site are refused. The guidance also needs to state what level of wetness needs to be achieved/maintained and whether this needs to be constant i.e. is periodic drying out OK or does the peat need to be perpetually waterlogged. Follow up: Following on from the above comment there may be opportunities where it is deemed ecologically, environmentally and archaeologically sound to excavate and transport peat to a donor site to reinstate peatland habitats lost to recent and historical land management practices, and where the transported peat will remain wet. Consideration needs to be taken that in order to maintain peat soils in a wet state will likely dramatically increase costs of maintaining the quality of some of the most biodiverse sites in the Broads. Some form of compromise regarding degree of wetness of peat needs to be made otherwise the new development guidance might lead to unreasonable management costs resulting in deterioration of the common, scarce and rare habitats and species for which the Broads is special.	There seems to be two points to this comment. The first is on the issue of keeping the peat wet and if the scheme cannot commit to this, why allow another option. The preference in the guide and policy is to keep the peat wet to ensure the carbon stays locked in. But we need to remember that this policy and guide are local approaches to protecting peat and its qualities and there is no national approach. To give the only option as keeping peat wet is restrictive and may be contrary to various planning rules and policies. The policy approach is not a stop of development on peat, but a reduce/re-use type appraoch. As such, the Authority is trying to be pragmatic and seek benefits from the peat if it cannot be kept wet. This policy approach is quite a step change in thinking about development on peat and given the national commitments to carbon dioxide and climate change, it may be that peat is addressed nationally or there is scope to go further as we produce the next local plan. The second point is asking how wet the peat should be kept. This is site specific. Ideally, for it not to waste, needs to be completely saturated for the majority of the year.	Add some text about the peat needing to be saturated for most of the year to the guide: In terms of keeping the peat wet, it will need to be somewhere so it is saturated for most of the year.
#24	Ian robinson	RSPB	Following on from the above comment there may be opportunities where it is deemed ecologically, environmentally and archaeologically sound to excavate and transport peat to a donor site to reinstate peatland habitats lost to recent and historical land management practices, and where the transported peat will remain wet.	Noted. This will be considered on a case by case basis	No change to guide.
#25	Ian robinson	RSPB	Consideration needs to be taken that in order to maintain peat soils in a wet state will likely dramatically increase costs of maintaining the quality of some of the most biodiverse sites in the Broads. Some form of compromise regarding degree of wetness of peat needs to be made otherwise the new development guidance might lead to unreasonable management costs resulting in deterioration of the common, scarce and rare habitats and species for which the Broads is special.	The policy is not saying no development on peat. See previous comments. We are taking a pragmatic approach to using peat excavated.	No change to guide.
#26	Ian robinson	RSPB	Thoughts on how to dispose of excavated peat: • Shred excavated peat then spread/blow across site – in a similar way to how a spoil or muck spreader broadcasts soils? Would this be acceptable on SSSI's?	Noted. This is the sort of discssion we would have to have at time of application.	No change to guide.
#27	Ian robinson	RSPB	• Create discreet sections of revetment along ditch edges (plastic piling or brushwood with biodegradable membrane) especially where ditches have been over-widened.	Noted. This is the sort of discssion we would have to have at time of application.	No change to guide.

#28	Ian robinson	RSPB	• RSPB disagrees with the suggestion that incorporation of peat into agricultural soils can be a route for disposal of peat soils and feel undue focus is placed on providing 'acceptable' locations. Surely the primary aim is to keep peat wet and any soil improvement options are an absolute last resort. Follow up: 1. The hard line would be - if peat is such an important resource as a substrate and has critically important properties in mitigating for climate change in capturing carbon then any proposed development which is unable to ensure excavated peat will be kept wet, will not be permitted. The guidance states in 6.4 that in order to retain its important qualities peat needs to be kept wet. If peat isn't kept wet it loses its ability to retain carbon and actually releases carbon as it oxidises. 2. What are the exceptional circumstances which over-ride the need to keep peat wet and consign the substrate to 'soil improver' status? In essence is it more important to allow development or to capture and retain carbon? If there genuinely are cases where development must take place it might help to provide guidance perhaps with an example such as 'replacement of riverside revetment to protect property with peat disturbance and maximum loss of 2cu m' is acceptable, but extending a parking area or mooring area which proposes disturbing previously untouched peat would be unacceptable.	The Guide and policy are clear that the ultimate aim is to reduce the voume of peat excavated. If the peat is to be excavated, then again, the guide is clear that it should be kept wet in order to preserve the carbon held within it. But we also need to be pragmatic - that on occasions, not all the peat will be able to be kept wet. And that is when we discuss other ways to make the post of the peat that is being excavated. We do agree this is a last resort and needs to be acceptable with regards to EA permissions. However, in principle, increasing soil organic matter can be beneficial for retaining water, fertiliser and chemicals on agricultural land rather than these leaching into groundwater that supplies rivers and wetlands. As part of the hierarchy of decisions of what to do with peat arising from developments, if peat were added to agricultural land which is adjacent wetland sites, this could provide uffering services to wetland sites. It is important to note that this policy was never a prevention policy. That is to say that it is not the intention of the policy to stop development on peat. It is considered that to do so would be contrary to the economic objectives of national policy. Furthermore, this is a step change in the approach to considering schemes that will excavate peat.	No change to guide
#29	Ian robinson	RSPB	Broads Authority need to provide acceptable locations, consented by Natural England with permissions obtained from Environment Agency indicating suitable, waste regulation compliant deposition areas.	Comment noted. The Guide does give suggestions about what to do with peat if it needs to be disposed off elsewhere and highlights what permits or licencing might be needed. But it is not our role to provide acceptable locations and get these consented - it is the role of the applicant and their agent.	No change to guide.
#30	Ian robinson	RSPB	• Moving peat offsite might require an environmental permit. The planning guide needs to clearly state examples of when this would normally be the case rather than leaving this as an open-ended statement!	Noted. But this text was provided by the Environment Agency.	No change to guide.
#31	Ian robinson	RSPB	• The planning guidance needs to make clear that completion of a risk assessment is essential when moving soils to ensure biosecurity issues have been mitigated for. Follow up: Section 6.6 says 'When moving material, such as peat soils and associated vegetation from site to site, an assessment of the risk to spreading disease and non-native species and their propagules (such as seeds and roots) needs to be considered.' It doesn't describe how to go about assessing that risk and the information in the guidance is suggestive using statements such as 'you could do this.' Given the cost involved in dealing with INNS I suggest it better to be directive and offer guidance which states 'Before considering moving peat undertake a vegetation survey to determine whether there is visible evidence of INNS.' My suggestion of carrying out a risk assessment should be mandatory and to: • Identify the hazard • Evaluate the risk • Put in place control measures • Write it down • Communicate to all concerned Providing a simple template to enable those proposing development to assess risk would smooth the process. The link on Gov.UK suggests spraying with chemicals is acceptable! This may not be the right way to go and often spraying with chemicals is of limited effectiveness.	Comment noted. Chemical treatment is not always effective but it is an option. We would however encourage other ways to be considered. We agree it would be helpful to come up with something to help people regarding invasive species.	Include some guidance relating to ensuring biosecurity issues have been considerded and addressed.

#32	Ian robinson	RSPB	Reasoned Justification Page 17/18. Climate Change. Correct management and restoration could lead to enhanced storage of carbon and other greenhouse gases in these soils, while mis-management or neglect could lead to these carbon sinks becoming net sources of greenhouse gases.' Follow up: Comment is to qualify what correct management and restoration means, either in the document or making it clear this can be provided as advice from BA or other organisations. This advice need not necessarily be linked to development, may be part of an agri-environment agreement, could be gleaned from publications such as the 'Fen Management Handbook.' One specific element to consider is achieving correct water levels and flows and a description of what that statement means, namely to achieve near natural groundwater inputs and restriction of nutrient loaded surface water inputs, combined with appropriate management of vegetation growing on peat soils as described in the Fen Management Strategy and Natural England Site Improvement Programme statements and favourable condition assessments.	Many factors combine to vary emissions of GHG from soils and this is an emerging areas of academic research. It is not the place of this guide to simplify this complexity and we would expect correct management for GHG exchange to reference this (below) and other relevant literature http://sciencesearch.defra.gov.uk/Default.aspx?Menu=Menu&Module=More&Location=None&Completed=0&ProjectID=17584	No change to guide.
#33	Ian robinson	RSPB	Reasoned Justification Page 17/18. Archaeology Page 18- Question. At what depth are archaeological features found? Is the surface 30cm devoid of features and if so, does the enable turf pond creation to proceed without cost of employing an archaeologist?	SCCAS were asked and responded saying: • Specifying 30cm is risky as the depths of remains vary. • Having said this if works are minimal such as turf removal we don't need consulting. • If there is any uncertainty we suggest contacting SCCAS at the earliest opportunity for free preapp advice.	Make reference to this advice in the guide: It should be noted that the depths that archaeology may be present varies. SCCAS advised that if works are minimal such as turf removal, the Records Service may not need consultation. However, if there is any uncertainty they suggest contacting them at the earliest opportunity for free pre-application advice.
#34	Jessica Nobbs	Water Management Alliance	No comment	Noted.	No change to guide.
#35	Georgia Teague	Suffolk CC	We welcome the inclusions of consideration for archaeology. The following minor suggestions are proposed, re contact details on page 9: • The Suffolk Historic Environment Record is a collection of information about the nature and location of archaeological sites in Suffolk. The online public version can be found on the Suffolk Heritage Explorer: https://heritage.suffolk.gov.uk/simple-search • Details of the Suffolk Archaeological Service can be found here: https://www.suffolk.gov.uk/index.php/culture-heritage-and-leisure/suffolk-archaeological-service/about-the-suffolk-archaeological-service/	Noted and agree. Will amend text.	Make suggested amendments.
#36	Georgia Teague	Suffolk CC	From a minerals and waste perspective, it is understood that the removal and relocation of peat referred to is ancillary to other types of built development. However, if this happened on a large scale, we believe that it would constitute minerals and waste development and could require planning permission from the County Council. A parallel already exists in respect of reservoir creation where if the sand and gravel is removed from the site to create the reservoir then it is minerals extraction. Follow up: I would suggest a cumulative area of 1 hectare or above would constitute a suitable threshold at or above which SCC would require a separate planning application. 100m x 100m = 10,000 sq. m (1 ha) Assume 2m depth = 20,000 cubic m Therefore I suggest 1 ha or 20,000 cubic m	A meeting was held with Norfolk CC and Suffolk CC Minerals and Waste teams to discuss this. It was agreed that for schemes of 1ha in area or 20,000 cubic metres in volume or more, that the BA will consult the relevant Minerals and Waste Team. It is acknoweledged that not many, if any schemes, of this scale will come forward.	Add wording about consulting Minerals and Waste Teams for schemes above a certain threshold.
#37	Georgia Teague	Suffolk CC	SCC is concerned that the references to landscape in the peat soils guide is somewhat limited. The guide (and policy) focuses on the ecological and climate change concern.	The guide refers to the qualities of the peat itself. Landscape is addressed through the landscape section of the Local Plan, by consulting our Landscape Architect Consultant as appropriate and by using our landscape guide.	No change to guide.
#38	Georgia Teague	Suffolk CC	SCC believes that, the potential impact on landscape character is somewhat underrated and left out/ of this document. Fens, fen meadows and reedbeds are landscapes that are potentially quite susceptible to change by development. It is hoped that the landscape and visual amenity concerns may be already addressed elsewhere.	The guide refers to the qualities of the peat itself. Landscape is addressed through the landscape section of the Local Plan, by consulting our Landscape Architect Consultant as appropriate and by using our landscape guide.	No change to guide.
#39	Georgia Teague	Suffolk CC	SCC would like to note that on page 10 (just before the box j.), the sentence is a little hard to read/understand, and the following amendment is suggested in order to provide ease of reading: "The usual planning process will be followed, in terms of including habitat surveys, and seeking biodiversity net gain through appropriate biodiversity enhancements. and, when the details are finalised, any requirement of biodiversity net gain."	Agree that some amendments to the text would be beneficial.	Amend text in line with comment.

#40	Georgia Teague	Suffolk CC	It is recommended that this guide should add a reference at Paragraph 6.3 “Biodiversity” (Page 9), something that refers the reader to Suffolk Biodiversity Information Service and Norfolk Biodiversity Information Service (as is the case with heritage). Further, although NERC Act 2006 has been referred to, similar duties towards the conservation of biodiversity are also set out in the NPPF.	Noted and will amend text.	Amend text in line with comment.
#41	Paul Harris	South Norfolk DC	The Council does not wish to offer any comments on this document.	Noted.	No change to guide.
#42	Paul Harris	South Norfolk DC	The Council does not wish to offer any comments on this document.	Noted.	No change to guide.
#43	Penny Turner	Norfolk Police	As the Designing Out Crime Officer, I shall be submitting no comment on behalf of Norfolk Police in this instance.	Noted.	No change to guide.
#44	Martin Dade	-	differences between un-disturbed peat in locality and areas of housing, where dredgings and dried peat has previously been deposited. Areas like Horning and Wroxham - we have not encountered un-disturbed peat in dredging works for many years, but there is likely to be dried peat dredgings on reinstated eroded ground, so the requirement for coring should be in comparative to application - which I assume the 300mm depth refers to. Locality - meaning in-situ, as created, ie reed beds, un-disturbed garden areas Dredging would be removing silted existing river/mooring areas - most moorings and river areas near properties have been extensively excavated of peat to depths of 3.6m previously, so this peat would have been placed on adjacent banks and allowed to dry out, thus the need to recognise dried peat in the policy.	Dredging focuses on removing accumulated sediment rather than unexcavated peat so there shouldn’t be a conflict. If an area is being excavated that has received peat arisings previously, the question would be whether unexcavated peat is in situ at lower levels and/or whether the previously deposited peat had been kept wet and so retains structure and optimal value. Past use of the site and potentially cores to determine amount and condition of peat would guide each application.	No change to guide.
#45	Tom Holt-Wilson	Norfolk Geodiversity Partnership	The Norfolk Geodiversity Partnership approves this document. It recognises the palaeo-environmental significance of peat deposits (Appendix A) and acknowledges that the NGP is an interested organisation (section 6.2).	Support noted.	No change to guide.
#46	Rachel Bowden	Natural England	Natural England has no comments to make regarding the consultation on these guides.	Noted.	No change to guide.
#47	Rachel Bowden	Natural England	Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice. Natural England and the Forestry Commission have also published standing advice on ancient woodland and veteran trees which you can use to assess any impacts on ancient woodland. The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development. We recommend referring to our SSSI Impact Risk Zones (available on Magic and as a downloadable dataset) prior to consultation with Natural England. Further guidance on when to consult Natural England on planning and development proposals is available on gov.uk at https://www.gov.uk/guidance/local-planning-authorities-get-environmental-advice	Noted. This seems to be generic advice. It does not seem to be seeking changes to the document.	No change to guide.
#48	Liam Robson	Environment Agency	We have no comments on the peat guide	Noted	No change to guide.
#49	Rob Wise	NFU East Anglia	Section 4.6 refers to the Authority producing it’s own peat mapping which is to be applauded and would be a more accurate and therefore better alternative to the BGS peat layer. Similarly other resources are available and being updated more regularly that the BGS layer, notably the Landis data set of Cranfield University. Develpers should have the opportunity to use this and it should be referenced in both Section 4.1 and Section 4.6.	Noted and agree. Other sources of information would be relevant and used as and when available. Will add reference to this to 4.1 and 4.6.	Bring 4.6 to join 4.1 and refer to the Cranfield dataset.
#50	Rob Wise	NFU East Anglia	Section 6.4.2 references the National Farmers Union (East Anglia) as a potential point of contact. We would prefer the following wording: “If you have been unable to contact adjacent farmers for possible re-use application to agricultural land, and the quantities involved are large enough to warrant field scale spreading, get in touch with the NFU to see if they can help locate a suitable recipient farm.	Noted and agree. Will amend text.	Will add this text.
#51	Hannah Cutter	Suffolk County Council Archaeological	Please refer to us as Suffolk County Council Archaeological Service	Noted and agree. Will amend text.	Will add this text.

#52	Hannah Cutter	Suffolk County Council Archaeological	Please include: SCCAS are happy to discuss the archaeological potential of any proposed developments and provide free advice on the archaeological requirements for projects. We recommend consultation with SCCAS before a planning application is submitted.	Noted and agree. Will amend text.	Will add this text but also include Norfolk' services in the text.
#53	Hannah Cutter	Suffolk County Council Archaeological	Link to this page https://www.suffolk.gov.uk/culture-heritage-and-leisure/suffolk-archaeological-service/archaeological-planning-and-countryside-advice/	Noted and agree. Will amend text.	Will add this link.
#54	Hannah Cutter	Suffolk County Council Archaeological	The Suffolk Heritage Explorer is for personal interest/research, it is not suitable for planning applications.	Noted and agree. Will amend text.	Will add this caveat.
#55	Hannah Cutter	Suffolk County Council Archaeological	The final bullet point linking to our page on how the SHER works/what it is for, does not require changing.	Noted.	No change to guide.
#56	Fleur Bradnoock	-	Thank you for the opportunity to read the draft Peat Guide which I have found of great interest. I was particularly happy to see that the Authority's preference is not to develop on, excavate or remove peat, rightly so, for all the reasons detailed and I hope that this aim will be achieved by the guide	Support noted.	No change to guide.

Guide to understanding and addressing the impact of new developments on peat soil

Adopted March 2021

Contents

1. Introduction

Historically peat was extracted for fuel. The diggings were eventually abandoned and left to flood creating the shallow stretches of water now known as the broads (lakes). Today peat is considered as a finite and precious resource. ~~In the Broads, development can take place in areas where peat might be developed on, excavated or removed.~~ In the Broads, development on occasion may be proposed that can affect peat because it is excavated or removed, or actually developed on.

Peat is formed from plant material that decays slowly in a waterlogged environment. Over thousands of years, peat becomes several metres thick. Because the main component is organic matter, peat is very spongy, highly compressible, and combustible. Here we use the definition used by soil scientists who define peat as organic soil with organic content of greater than 35% organic matter. Organic content is partially decomposed plant matter which has carbon stored within it.

Peat soils have many important qualities (see section 3). The Local Plan for the Broads includes a policy (see Appendix A) that aims to reduce the impact on these important qualities by reducing the amount of peat removed. It goes on to ensure that any peat excavated is disposed of in a way that takes into consideration and protects its properties and qualities.

This guide provides additional information to help applicants meet the requirements of the policy. The process for considering schemes that are located on peat is as follows and this guide talks through the stages in more detail.

Stage	Section of this report
A. Assess if the scheme/proposal is situated on peat	Section 4
B. Does the scheme need to go there? What other locations could be considered?	Section 5
C. Can you reduce the amount of peat affected? Consider the format, scale and layout of the proposal.	Section 5
D. Can you justify why the scheme should go ahead?	Section 5
E. How have you considered and addressed archaeology, biodiversity, research (paleo-environment data), water and carbon qualities of the peat?	Section 6
F. Can you dispose of peat on site so it does not emit the carbon locked in?	Section 6
G. Can left over peat be used in other schemes in the area?	Section 6
H. Can left over peat be put to a suitable re-use?	Section 6

It should be noted that the NPPF refers to peat in terms of *extraction*, rather than development on peat. Therefore, for any schemes relating to the *extraction* of peat, it is important to note paragraph 205d of the NPPF that says planning permission should not be granted for peat *extraction* from new or extended sites.

2. Consultation

~~This consultation document and consultation process have been developed to adhere to the Broads Authority's Statement of Community Involvement[1]. We have updated our Statement of Community Involvement. The main changes to how we intend to consult on this document are as follows:~~

[1] Current Statement of Community Involvement is here https://www.broads-authority.gov.uk/__data/assets/pdf_file/0024/209337/Final_adopted_SCI_formatted_July_2020.pdf

- If you wish to discuss the document, you can still call on 01603 610734 and ask to speak to Natalie Beal. You can also contact Natalie Beal to request a video conference appointment to talk about the document.

- No hard copies will be in libraries.

- No hard copies will be in Yare House[2].

- If you wish to have a hard copy, we can send this to you. This will initially be for free, but if we get many requests, we may have to consider charging for postage and printing. Please contact the number above to ask to speak to Natalie Beal to request a hard copy.

The second consultation on this document is for 8 weeks from 25 September to 20 November 2020. We will then read each of the comments received and respond. We may make changes if we agree with you. If we do not make changes we will set out why. The final Guide will be adopted at a future meeting of the Broads Authority. Please email us your comments: planningpolicy@broads-authority.gov.uk.

Information provided by you in response to this consultation, including personal data, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 2018 (DPA), and the Environmental Information Regulations 2004). Please see Appendix B for the Privacy Notice. We will make your name and organisation public alongside your comment.

Are you satisfied that this consultation has followed the Consultation Principles? If not, or you have any other observations about how we can improve the process, please contact us at planningpolicy@broads-authority.gov.uk.

The Peat Guide was consulted on in 2020. The consultation ran from 25 September to 20 November 2020. The comments that were received, the Broads Authority's response to the comments and the amendments which comments may have resulted in, can be found here: {*For the purposes of Planning Committee and Broads Authority, the comments are at an appendix attached to the report. The actual link will go in the report, when this Guide and the comments received are uploaded to the website*}.

[2] Whilst this Guide is not a local plan or SPD, we still consult in the same way as we would those documents. The Government recently amended regulations saying that until 31 December 2021, Local Planning Authorities do not need to make hard copies of planning documents available in head offices or other venues.

3. Why should we protect peat?

Peat is one of the main soil types in the Broads and an important asset with important qualities, providing many **ecosystem services**[3].

The soils formed by the Broads wetland vegetation store 38.8 million tonnes of carbon[4]. Peat soils release stored **carbon** if they are drained and allowed to dry out. The protection of peat soils is therefore critical to help address climate change.

Peat soils support internationally important fen, fen meadow, reedbed, wet woodland and lake **habitats**. For example, milk parsley, the food plant of the Swallowtail caterpillar, tends to grow only on peat soils in the Broads.

Historic England has identified the Broads as an area of 'exceptional waterlogged heritage'[5]. Because of the soil conditions in the Broads, there is great potential for **archaeology** to be well preserved, giving an insight into the past.

The peat has accumulated over time and incorporates a **record** of past climatic and environmental changes that can increase knowledge of the evolution of the landscape.

Peaty soils help prevent flooding by absorbing and holding **water** like a sponge as well as filtering and purifying water. But that does not mean that peat soils should be considered as a water treatment process.

4. Assessing if the site to be developed is on peat soil – Stage 1.

4.1. Sources of data. ~~The British Geological Society Peat Layer~~

The British Geological Society peat layer (which is accessible through our internal mapping system and here: http://mapapps.bgs.ac.uk/geologyofbritain3d/) is the starting point, but it is not accurate in all locations, particularly around the boundaries of the peat shown. We would use this mapping system to check if a site is located on peat soils. A map showing the British Geological Society peat layer is at Appendix B.

There are also other sets of data available, such as the Landis data set of Cranfield University. The Authority is in the process (at the time of writing) of commissioning work to produce more detailed peat mapping. This may be considered, when it is completed, in

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[3] The diverse benefits that we derive from the natural environment are sometimes referred to as ecosystem services. Examples of these services include the supply of food, water and timber (provisioning services); the regulation of air quality, climate and flood risk (regulating services); opportunities for recreation, tourism and education (cultural services); and essential underlying functions such as soil formation and nutrient cycling (supporting services). Payments for Ecosystem Services: A Best Practice Guide

[4] NCA Profile 80, Natural England and the Broads Authority's Carbon Reduction Strategy: www.broads-authority.gov.uk/__data/assets/pdf_file/0011/400052/Carbon-reduction-strategy.pdf

[5] Historic England has identified the Broads as an area of exceptional waterlogged heritage. Because of the soil conditions in the Broads, there is great potential for archaeology to be well preserved, giving an insight into the past.

assessing if a site may or may not be on or near to peat. But until that point, the British Geological Layer will be the starting point.

4.2. The need for sampling

If you (the applicant) disagree that your site is on peat soils, we will ask you to undertake soil core sampling. If your site is towards the edge of an area of peat (either inside or outside of the area) as shown on the BGS maps, we may ask you to obtain soil core samples[6].

It is important to note the following:

The BGS layer is based on a scale of 1:50 000 (1mm equates to 50m on the ground). The 'edge' of the peat layer should only be used as a guide at a local level. Therefore, if an application on the ground is within 50m of an area of peat based on the 1:50000 BGS superficial geology data the we may require peat sampling.

The 1:50 000 scale digital map data is generalised and the geological interpretation should be used only as a guide to the geology at a local level, not as a site-specific geological plan based on detailed site investigations. The cartographic accuracy of BGS data is 1 mm which equates to 50 m on the ground at 1:50 000 scale. Therefore, if an application on the ground is within 50m of an area of peat based on the 1:50000 BGS superficial geology data the Peat policy may apply.

Reference: User Guide for the BGS Geology: 50k dataset (V8) - Link on this page The BGS Geology 50k user guide

4.3. How to take samples

Where soil core samples are required, these samples would be to the depth of the proposed excavation. You should use a specialised soil corer or spade or excavator depending on the depth and area/volume of the scheme proposals. If the development is going to involve shallow excavation (0-30cm) or the proposals will cover peat, surface examination with a spade is sufficient. Development that will excavate to a greater depth (deeper than 30cm) will need a core sample. There may need to be multiple cores depending on the extent of the proposed scheme and the location. The depth and number of core samples will be agreed with the Authority in advance.

[6] Please note that both Norfolk and Suffolk Historic Environment Record Services have confirmed that they do not consider the taking of cores as a concern due to the relative size of the cores. The knowledge-gain obtained from the cores will in most cases outweigh any adverse impact.

Please note that at the time of writing, there are wider discussions nationally regarding the potential to standardise how peat is assessed. Such standard, as and when it is in place, will be of relevance when considering schemes located on peat.

4.4. Using suitable experienced Consultants or Contractors

You may wish to engage the help of a consultant/contractor who is expert/experienced in soils and soil cores. There are numerous consultants/contractors listed on the internet. We are aware that taking cores of peat will result in a cost to you the applicant. The number of cores required and depth, as discussed previously, will be proportionate and will be agreed with the Broads Authority.

Costs will vary for different consultants.

4.5. Reporting your findings.

A report setting out the method used, including photographs of the soil cores and an assessment of the soil stratigraphy (layers) is required for submission to the Broads Authority to accompany planning applications. A minimum assessment would need to include datum level of the top of the ground surface where the core was collected; general description of the core stratigraphy and depths where distinct layers start and finish; detailed characterisation of each distinct layer, e.g. soil classification type; organic matter and mineral content of the layers may be required to identify degraded or peat mixed with other materials within the profile.

Ultimately it will conclude if the soil to be affected is peat soils. Again, the report would be proportionate to the size and scale of the scheme.

Please note that the document will be public and will be shared with Norfolk and Suffolk Historic Environment Records Services and Norfolk and Suffolk Biodiversity Information Services for their records. It will also be passed on to Cranfield University who hold the national survey data.

~~4.6. Other sources of data~~

~~The Authority is in the process (at the time of writing) of commissioning work to produce more detailed peat mapping. This may be considered, when it is completed, in assessing if a site may or may not be on or near to peat. But until that point, the British Geological Layer will be the starting point, as discussed at 4.1.~~

5. Developing on or removing peat – Stage 2

5.1. Consider the location of your scheme

The Authority's preference is not to develop on, excavate or remove peat. As such, can your scheme go elsewhere?

a. Why does the development have to go where it is proposed? b. What **alternative locations** have you considered? Why have you discounted these alternative locations?

If there are no other suitable **locations** for the proposal that are not on peat soils, and you can evidence this and justify your conclusion, the next stage is to **reduce** the amount of peat that is developed.

5.2. Consider the layout and scale of your scheme

It may be that another part of your site is not peat soils. The **layout** of your development could be changed to avoid developing on or excavating peat soils. The **scale** of the development or part of the development on peat soils could be reduced.

c. How can you reduce the amount/volume of peat that is to be developed? Please provide details. If you cannot reduce the volume, please say why. d. How can you change the **layout** of development to reduce the amount of peat soils affected? Please provide details. If you cannot change the layout, please say why. e. How can you reduce the **scale** of development to reduce the amount of peat soils affected? Please provide details. If you cannot change the scale, please say why. f. If amending the layout/scale of the site is not feasible, practical or viable and you intend to still develop on peat soils, you need to provide a robust justification for doing so. g. What volume of peat (m^3) will be excavated? How is this different to your initial plans?

When planning your scheme, you must consider what will be done with the left over peat/material. You need to be aware that if you intend to move the peat off site, you may need an Environmental Permit.

6. Things to do if your development will be affecting peat soils – Stage 3.

If you have gone through the steps set out in the document and you can justify thoroughly why peat soils will be developed then you need to address the following.

6.1. Archaeology

Contact Norfolk ~~or Suffolk~~ Historic Environment Records Service~~s~~ and Suffolk County Council Archaeological Service to find out if there is any potential for archaeology. Both services are happy to discuss the archaeological potential of any proposed developments and provide free advice on the archaeological requirements for projects.

It should be noted that the depths that archaeology may be present varies. SCCAS advised that if works are minimal such as turf removal, the Records Service may not need consultation. However, if there is any uncertainty they suggest contacting them at the earliest opportunity for free pre-application advice.

Both services recommend consultation with them before a planning application is submitted.

The following links may be of use:

- Norfolk Heritage Explorer: This website offers a unique opportunity to access an abridged version of the Norfolk Historic Environment Record database online. http://www.heritage.norfolk.gov.uk/. Suffolk Heritage Explorer: https://heritage.suffolk.gov.uk/simple-search. Please note that these are for personal interest/research.
- Heritage gateway: https://www.heritagegateway.org.uk/gateway/chr/
- ~~Suffolk Historic Environment Record is a collection of information about the nature and location of archaeological sites in Suffolk: https://www.suffolk.gov.uk/culture-heritage-and-leisure/suffolk-archaeological-service/what-is-the-historic-environment-record/~~
- Suffolk Archaeological planning and countryside advice https://www.suffolk.gov.uk/culture-heritage-and-leisure/suffolk-archaeological-service/archaeological-planning-and-countryside-advice/
- • The Suffolk Historic Environment Record is a collection of information about the nature and location of archaeological sites in Suffolk. The online public version can be found on the Suffolk Heritage Explorer: https://heritage.suffolk.gov.uk/simple-search

- • Details of the Suffolk Archaeological Service can be found here: https://www.suffolk.gov.uk/index.php/culture-heritage-and-leisure/suffolk-archaeological-service/about-the-suffolk-archaeological-service/

h.	How have you considered and addressed archaeology on this site?
i.	Is there potential for archaeological finds on this site?

6.2. Research - Climatic records (paleo-environment) and geodiversity

The cores you extract (and associated report), the peat you excavate and/or the 'pit' that is the result of excavation might be of interest to several people/organisations. Such organisations include Universities, British Geological Survey, British Soil Society, Cranfield University, Norfolk and Suffolk Biodiversity Information Services, Norfolk and Suffolk Historic Environment Record Services and Norfolk Geodiversity Partnership.

We will share information (in line with GDPR) of schemes that we permit on peat with these organisations. They may contact you to arrange to visit the site when it is being excavated. We will also share any information provided by you (such as core reports) with organisations. The Authority does not consider this a burden on you. The sharing of information or allowing pits to be visited at a mutually convenient stage of the process are in the interest of helping with research and education. You will be able to arrange visits at a suitable time for you.

6.3. Biodiversity

One of the three main purposes of the Broads Authority is to conserve and enhance the natural beauty, wildlife and cultural heritage of the Broads.

The peat soils of the Broads support some of the most important habitats for wildlife conservation including fen, fen meadow, reedbed, wet woodland and the shallow lakes or 'Broads'. A quarter of the rarest species in the UK are found here.

These peaty habitats are recognised for their exceptional nature conservation importance, and hold conservation designations on national and international levels[1]. Outside of these designated areas peat habitats are still considered to be or have the potential to be restored to high biodiversity value, providing important habitat corridors for wildlife across the National Park and beyond.

The Natural Environment and Rural Communities (NERC) Act 2006 requires government departments to have regard to the purposes of conserving biodiversity. This may include enhancing, restoring or protecting ~~a population~~ priority species or habitats. In the Broads these ~~habitats~~ ~~above~~ are recognised under the NERC act as Section 41 / Biodiversity Action Plan (BAP) habitats and species, ~~These areas~~ and they should be protected and restored, with no loss to development. The NPPF also seeks to protect the most valued sites of biodiversity interest as well as seeking net gain.

The usual planning process will be followed, in terms of including habitat and species surveys, mitigating habitat and species loss, and seeking biodiversity net gain through appropriate biodiversity enhancements. ~~and, when the details are finalised, any requirement of biodiversity net gain.~~ Applicants may benefit from referring to Suffolk and Norfolk Biodiversity Information Services[7].

j. How have you considered the biodiversity enhancement options on your peat site?

6.4. What to do with the excavated peat

You need to identify and explain as part of your peat report, how the peat excavated from your scheme will be re-used or disposed of. Peat will need to be re-used or disposed of in a way that ensures it keeps its important qualities. There are two ways to do this. The first, and this is the preference, is to re-use the peat so it stays wet. The second, and this is least preferred, is beneficial re use of peat that may result in it drying out, but make use of its qualities. These are discussed in more detail in the next sections.

6.4.1. Re-using peat on your site

The peat needs to go somewhere it will be kept wet. It cannot be left piled up to dry out. If it dries out then it becomes a source of carbon dioxide and this is something we need to avoid.

In terms of keeping the peat wet, it will need to be somewhere so it is saturated for most of the year.

Are there any voids on your site and could the peat go there? Are there any areas of your site that have sunk that could receive your peat (although see the land raising policy DM17)?

i. These voids could be behind quay heading or underneath decking (subject to a suitable retainer) for example.

ii. The receiving void will need to ensure the peat is kept wet for the long-term.

iii. You will need to mark receiving areas on a plan that shows the anticipated volume of peat these receiving areas can take. Peat is very wet and the actual volume of excavated peat could realistically be greater than anticipated.

iv. You will need to talk to your contractor about the relocation of the peat. It is important to note that this is a new approach and contractors are used to drying out the peat so the volume of material is reduced, which must be prevented. They may also have suggestions on how and where to dispose of peat.

[7] http://www.nbis.org.uk/ and https://www.suffolkbis.org.uk/

v. You will need to prepare the receiving areas before you excavate the peat. This is because you will need to put the peat in these receiving areas before the peat dries out. The time period for this depends on the season. The Authority acknowledges that excess water may need to drain away so the material is manageable; we are advised that 14 days to allow excess water to drain is acceptable. We will need to understand and agree the timeframe for moving peat, once drained.

vi. You may need to place a tarpaulin over the peat to prevent it drying between excavation and backfilling or depositing the peat.

vii. We will require you to tell us when you will be excavating so we can come and check on the progress and the method.

k. Where do you intend to dispose of the excavated peat soils on site? Please show on a plan with anticipated volume of each receiving area.
l. How will these areas ensure the peat is kept wet?
m. When will the receiving areas be ready to receive peat soils? What is the time-period between excavation and backfilling/depositing? Have you arranged for the peat to be covered with tarpaulin for this period?

6.4.2. Disposing of peat - elsewhere

If there is nowhere on your site suitable then you may wish to talk to your neighbours to see if they have anywhere to dispose of your peat so it remains wet – again, under decking or backfilling for example.

In terms of keeping the peat wet, it will need to be somewhere so it is saturated for most of the year.

There may be other areas locally that could receive the peat and keep it wet – for example, schemes planned by the Environment Agency, Norfolk or Suffolk Wildlife Trust and the Broads Authority[8] as well as other local contractors. You will need to discuss this option with the Broads Authority.

It is acknowledged that moving the peat elsewhere will emit greenhouse gasses, but see section 6.8 about transporting peat and associated emissions.

In all instances, you will need to consider the need for Environmental Permits (see 6.5) and also respond to the bullet points above. The receiving site may require planning permission as well.

[8] When we receive applications for development on peat that involved excavating material, we will circulate the details of the scheme internally as the Operations team may be aware of schemes that need material.

If there is nowhere in your local area where peat could be disposed of in a way that keeps it wet then it is worth rethinking whether you should proceed with your development. The cost of transporting wet peat soil and obtaining a waste licence can be significant.

n. Have you contacted neighbouring landowners or Operational teams in the Environment Agency, Norfolk and Suffolk Wildlife Trust and Broads Authority to check what local opportunities may exist for receiving peat and keeping it wet?
o. How have you discussed your approach to dealing with the excavated peat with your contractor? Have they confirmed the approach is feasible?
p. Have you looked into the need for an Environmental Permit for moving the excavated peat offsite?

6.4.3. Re-use of peat

The Authority accepts that peat can be used in a way that uses its qualities. This will only be considered when disposal/use on site or elsewhere (that keeps the peat wet) is not possible. The rationale for requesting re-use of peat must be accepted by the Authority before it is developed further. Alternatively, if suitable disposal can be found for some of the excavated material but not all, the remaining amount could be used.

It is acknowledged that re-use will probably result in the CO2 being held in the peat being emitted which although is undesirable, the re-use will at least provide other advantages such as improving soil for local food growing and reducing food miles.

The main way to dispose of/re-use the peat is to incorporate it into agricultural land or local allotments. There is also the potential to dispose of some peat into soak dykes. Again, you will need to consider the Environmental Permitting section of this guide – 6.5.

In terms of re-use, you may want to speak to the following organisations to see if they or their associates are willing to receive and make use of the excavated material. They may be able to make a use out of the peat. These are in no particular order. Please also see the Environmental Permitting section of the guide.

- **Local allotment associations.** Contact the local Parish/Town Council for details of local allotment associations. They may be willing to receive some peat for the members to then use on their plots.

- **Norwich Farm Share's** vision is to support food systems that educate, connect and empower local communities to be healthier and more resilient, to be rooted to the land and to each other, and to experience a direct relationship with how our food is produced.

- **National Farmers' Union (East Anglia)**. ~~Probably for large quantities of peat, but get in touch with the NFU to discuss the potential for a farmer to make use of the peat.~~ If you have been unable to contact adjacent farmers for possible re-use application

to agricultural land, and the quantities involved are large enough to warrant field scale spreading, get in touch with the NFU to see if they can help locate a suitable recipient farm.

- **Wayland Prison, working with Greener Growth CIC**. They are recovering two unused poly-tunnels to create a commercial herb-growing project. From this they will be able to provide transferable skills to residents within the Prison and create a space that will help with residents' wellbeing.

- **Cringleford community food growing.** Small-scale growing vegetables with a small poly-tunnel and raised beds. Working with lots of volunteers and getting children involved in the project.

It will be for the applicant to contact the organisations above regarding the potential for re-use of peat. The receiver may need assurances of the physical and chemical quality of the material. In terms of transporting the peat, that will need to be something that the applicant discusses with the receiver as well as timing of delivery and volume they will be willing to receive.

q. Have you contacted any operators to see if they are willing and able to receive and use the excavated peat? r. Have you contacted local allotment organisations to see if they can make use of the peat? s. Have you looked into the need for an Environmental Permit for moving the excavated peat off site for re-use? t. What is the contingency plan for any peat left over after reducing the amount of peat excavated in for the first place, using the peat on site so it keeps wet, using the peat locally so it keeps wet and re-use of the peat?

6.5. Moving peat - Environmental Permitting

Excavated peat that you no longer require for use on the same premises will likely be considered waste. If it is intended to reuse the waste peat at another location please be minded that the reuse may be subject to regulation by the Environment Agency.
You can find more information about environmental permits and waste exemptions granted by the Environment Agency here https://www.gov.uk/topic/environmental-management/environmental-permits.

If, after reading the information about permits and waste exemptions you are still unsure as to whether a permit or other regulatory control is required contact the Environment Agency Customer Enquiries Team on 03708 506506 or send an email to enquiries@environment-agency.gov.uk

The information the Environment Agency requires to assist with identifying the appropriate regulation should include as a minimum, a description of the waste, in this case peat, the volume of material in tonnes, and a description of the intended use e.g. spreading on an agricultural field.

If you pass on your waste to a third party you should make sure that the carrier of the waste is registered as a waste carrier and that the carrier provides you with documentation identifying the movement; most commonly a waste transfer note. If you are in doubt as to the legitimacy of the waste carrier you can check their validity on the Environment Agency's public register here https://environment.data.gov.uk/public-register/view/search-waste-carriers-brokers or alternatively contact the Environment Agency Customer Enquiries team.

u. If you are moving peat soils from site, how have you ensured you are going to be in accordance with Environmental Permitting requirements?

6.6. Moving peat - Biosecurity

Biosecurity refers to a set of precautions that aim to prevent the introduction and spread of harmful organisms. These include non-native tree pests, such as insects, and disease-causing organisms, called pathogens, such as some bacteria and fungi. When moving material, such as peat soils and associated vegetation from site to site, an assessment of the risk to spreading disease and non-native species and their propagules (such as seeds and roots) needs to be considered.

To prevent the spread of invasive, non-native plants, you must not cause certain invasive and non-native plants to grow in the wild. This can include moving contaminated soil or plant cuttings. You can be fined or sent to prison for up to 2 years. Further details: https://www.gov.uk/guidance/prevent-the-spread-of-harmful-invasive-and-non-native-plants
https://www.gov.uk/government/publications/treatment-and-disposal-of-invasive-non-native-plants-rps-178.

The Broads Authority has also produced a guide/template that may be of assistance when considering biosecurity: https://www.broads-authority.gov.uk/__data/assets/pdf_file/0020/196211/Biosecurity-Guidance-Draft.pdf.

v. If you are moving peat soils from site, how have you addressed biosecurity? Have you filled out the biosecurity risk assessment template/guide?

6.7. Proposals that deposit material on peat/develop over peat

This guide has tended to address scenarios where peat is removed. It could be that, for example, a car park is developed on peat so the peat is covered by tarmac or concrete.

There are also instances in the Broads where excavated material has been disposed of on peat causing significant soil compaction and habitat damage.

In terms of developing over peat, there may be a need for some element of digging or piling and the peat policy and this guide will still apply. In general, however, other than the impact of removing the existing surface of the peat (which could be a habitat and therefore other policies/Acts come into force as set out in this guide) the other qualities of the peat are not adversely affected.

In terms of disposing of excavated material from elsewhere on peat, Policy DM18 of the adopted Local Plan relating to Excavated Material is of relevance.

So, schemes that do not necessarily excavate peat, but develop over peat may have a negative impact on peat. As applications are determined, this impact will be a key consideration.

6.8. Transporting peat - emissions

Please note that the amount of carbon dioxide that peat can emit if dried out is very much more than the motor vehicle emissions associated with loading and moving peat elsewhere, locally, even considering the return journey of the particular vehicle.

Peat, if dried out, will emit 174kg of CO_2 per cubic metre of peat. This is a UK wide average figure and a standard estimate developed by Richard Lindsay of University East London for the RSPB. The actual amount of CO_2 of peat at a given site will vary, as peat is a spectrum and the wetter and more mineral the peat, the less CO_2 in a cubic metre.

A mid-sized HGV (rigid, up to 17 tonnes) has emissions of 0.88kgCO_2/mile empty, 1.01kgCO_2/mile 50% loaded, and 1.13kgCO_2/mile 100% loaded.

Using excavated peat of 20 cubic metres as an example: The peat will emit 3.5 tonnes of CO_2 if left to dry out. Presuming the vehicle used to transport the peat off site is fully loaded and comes back empty (so double miles) (and excluding the fuel used to load and unload the vehicle), it is estimated that the peat can be moved up to 1,500 miles to result in less CO_2 emitted than if the peat is left to dry out.

We therefore consider moving peat to another area locally where it will be kept wet, subject to environmental permitting, is an option for disposing of excavated peat.

6.9. Flood risk

When considering how to dispose of peat, in line with this guide, the impact on flood risk will need to be considered. For example, when backfilling or placing the peat in sunken areas, how will that affect flood storage? The EA have advised that for a smaller scheme, such as a mooring cut, the impact on flood storage will be negligible. But for larger schemes, the flood risk impact of where you dispose of the peat will need to be calculated and mitigated.

w. How do your plans for disposing of peat affect flood risk? What calculations and mitigation, if needed, have you produced?

6.10. Excavating peat – County Matters

If schemes that result in the excavation of peat cover 1 hectare in area or 20,000 cubic metres in volume or more, the Broads Authority will consult with the Minerals and Waste teams at Norfolk County Council or Suffolk County Council (dependent on where the schemes is). Following consulting with the Minerals and Waste teams, it may be that the scheme becomes a County Matter which means that the County Council and the Broads Authority would jointly assess and determine separate applications for the extraction and subsequent use. It is acknowledged that schemes of this scale are rare in the Broads.

7. Key messages

- Peat has many important qualities and is a valuable resource.
- The Broads Authority aims to leave peat in situ.
- Schemes need to thoroughly justify why peat may be excavated.
- If a scheme needs to remove peat, it needs to be the minimal amount.
- The layout and scale of development and peat affected needs to be considered.
- If peat is excavated its properties need to be considered and protected.
- We will put organisations interested in peat (in terms of the properties, research and paleoenvironment) in touch with you.
- Any excavated peat needs to be placed in areas where it will remain wet.
- If this can't be achieved, you need to consider re-use of peat.
- You need to think about environmental permitting and biosecurity when moving soil off site.
- We urge all applicants to take advantage of our free pre-application advice.

8. Helpful links and where to go to get advice

NCA Profile: 80 The Broads (NE449), Natural England: publications.naturalengland.org.uk/publication/11549064

Positive Carbon Management of Peat Soils, Broads Authority: www.broads-authority.gov.uk/__data/assets/pdf_file/0010/416494/BA_PeatCarbonManagement.pdf

Peatlands and Climate Change, Worrall et al, Scientific Review, December 2010: www.iucn-uk-peatlandprogramme.org/sites/www.iucn-uk-peatlandprogramme.org/files/Review%20Peatlands%20and%20Climate%20Change,%20June%202011%20Final.pdf

Fen Plant Communities of Broadland. Results of a Comprehensive Survey 2005-2009 (Broads Authority and Natural England): www.broads-authority.gov.uk/__data/assets/pdf_file/0006/416391/Fen-plant-report-summary.pdf

Wetland and Waterlogged Heritage Survey NHPP Activity 3A5, Historic England, 2011 to 2015: historicengland.org.uk/research/research-results/activities/3a5

Broads Authority Biosecurity Guidance: https://www.broads-authority.gov.uk/__data/assets/pdf_file/0020/196211/Biosecurity-Guidance-Draft.pdf

Appendix A – Adopted Policy DM10 Peat Soils

See map: Appendix B: Location of peat soils

Sites of peat soils will be protected, enhanced and preserved. Where development is proposed on sites within the areas on the map, it may be necessary for an evaluation to be submitted to assess the impact of the proposal in relation to palaeoenvironments, archaeology, biodiversity provision and carbon content.

There will be a presumption in favour of preservation in-situ for peat, and development proposals that will result in unavoidable harm to, or loss of, peat will only be permitted if it is demonstrated that:

i. There is not a less harmful viable option;

ii. The amount of harm has been reduced to the minimum possible;

iii. Satisfactory provision is made for the evaluation, recording and interpretation of the peat before commencement of development; and

iv. The peat is disposed of in a way that will limit carbon loss to the atmosphere

Development that seeks to enhance biodiversity but may result in some peat removal will still need to demonstrate the criteria i to iv and that the biodiversity benefit will outweigh carbon loss.

Proposals to enhance peat and protect its qualities will be supported.

Reasoned justification

Peat is an abundant soil typology in the Broads and an important asset, providing many ecosystem services:

- **Climate change:** The soils formed by the Broads wetland vegetation store 38.8 million tonnes of carbon[9]. Peat soils release previously stored carbon when they are dry. UK peats therefore represent both a threat and an opportunity with respect to greenhouse gas emissions. Correct management and restoration could lead to enhanced storage of carbon and other greenhouse gases in these soils, while mismanagement or neglect could lead to these carbon sinks becoming net sources of greenhouse gases.

- **Biodiversity:** Peat soils support internationally important fen, fen meadow, wet woodland and lake habitats. 75% of the remaining species-rich peat fen in lowland Britain is found in the Broads. Milk parsley, the food plant of the Swallowtail

[9] NCA Profile 80, Natural England and the Broads Authority's Carbon Reduction Strategy: www.broads-authority.gov.uk/__data/assets/pdf_file/0011/400052/Carbon-reduction-strategy.pdf

caterpillar, grows only on peat soils. Fen orchids have their UK stronghold in the Broads so the peat soils are critical for the survival of this species. Other rare and important plant and invertebrate communities (collection of species) are supported by the peaty soils.

- **Archaeology:** Historic England has identified the Broads as an area of **exceptional waterlogged heritage.** Because of the soil conditions in the Broads, there is great potential for archaeology to be well preserved, giving an insight into the past. Archaeology is discussed in more detail in the Heritage section of this Plan.

- **Palaeoenvironments:** The peat has accumulated over time and thus incorporates a record of past climatic and environmental changes that can be reconstructed through, for example, the study of its stratigraphy and pollen content, leading to increased knowledge of the evolution of the landscape.

- **Water:** Peaty soils help prevent flooding by absorbing and holding water like a sponge as well as filtering and purifying water. Peat can absorb large quantities of nutrient and other pollutants, although peat soils can under certain conditions release these chemicals back into the surrounding water.

While there is a certain irony in protecting the peat soils in an area where the lakes originated from peat extraction, peat is a finite resource. Land management that could impact on the quality of the peat soil includes land drainage, introduction of polluted water, burying the peat under hard surfaces or gardens, compacting peat and peat removal to change the land use.

Lowland fen is a priority habitat under the UK Biodiversity Action Plan and the EU Habitats Directive because of the quality and diversity of species it supports. Peat is not a habitat that can be recreated elsewhere as the deep soils take many thousands of years to form.

On occasion, for nature conservation benefits, peat can be removed to create shallow turf ponds or scrapes (areas of temporary open water) on areas of fen or scrub habitat to maximise the biodiversity value and hold back succession to woodland habitat. The removal of peat can also be necessary for conservation management – for example, the most biodiverse areas of UK fen occur on areas where the turf has been stripped and vegetation subsequently grown back. This policy allows for such operations, provided they can justify the proposal against the criteria set out in the policy.

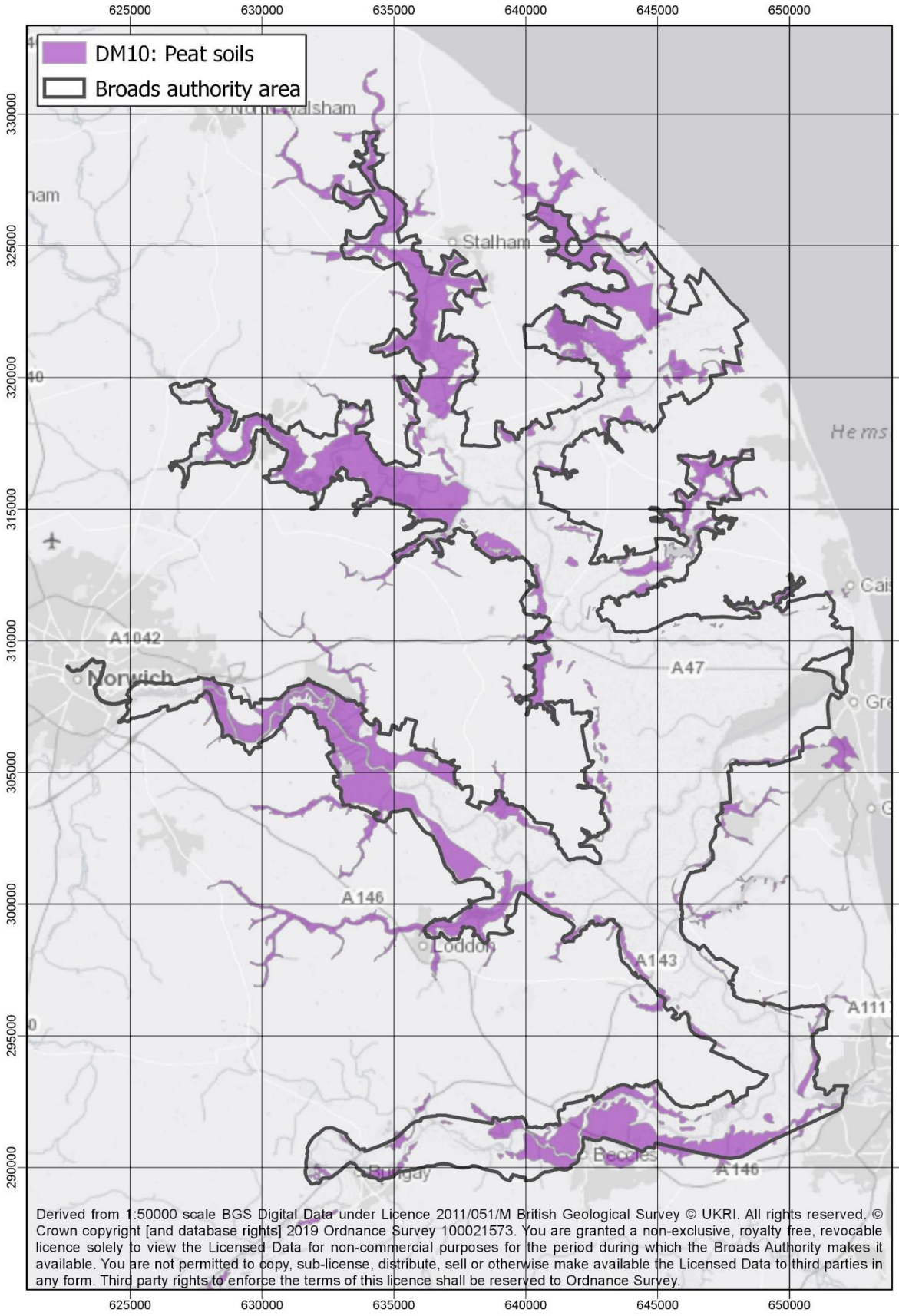
The NPPF and NPPG only mention peat soils in relation to its excavation as a mineral resource, rather than the issue in the Broads relating to impact due to groundworks from development and inappropriate land management.

The policy seeks protection of peat soils through changes in the location of development in the first instance and then designing proposals to minimise disturbance to the qualities of

the peat and the amount of peat removed. Development proposed on areas of peat would require justification for the need to site the development on peat, and subsequently a peat assessment that shows how efforts have been made to reduce adverse impacts on peat. Proposals that would result in removal of peat are required to assess the archaeological and paleoenvironmental potential of peat and make adequate recordings prior to removal.

To prevent the loss of carbon to the atmosphere that is sequestered in peat soils, disposal is of great importance. The Authority expects peat to be disposed of in a way that maintains the carbon capture properties. Peat needs to go somewhere where it can remain wet (and hence retain its function to lock up carbon and prevent it being released into the atmosphere) or potentially provide a seedbank (the potential for ancient peat to provide a viable seedbank may need to be evidenced) or be reused for local benefit (for example by boosting organic matter in degraded arable soils). When dry, peat changes its properties and oxidizes, so transfer to the receiving site would need to be immediate.

Appendix B – Map of peat



Appendix C – Peat report template

About the planning application/scheme

Planning Application Number:	
Address:	
Summary of application:	

About this report

Report produced by:	
Date of report:	

If you have completed on site peat assessments

Have you completed coring samples of the site?	
Provide details of how the coring was carried out and what the findings are. This could be a cross reference to the report.	

About your development proposal

a. Why does the development have to go where it is proposed?	
b. What **alternative locations** have you considered? Why have you discounted these alternative locations?	
c. How can you reduce the amount/volume of peat that is to be developed? Please provide details. If you cannot reduce the volume, please say why.	
d. How can you change the **layout** of development to reduce the amount of peat soils affected? Please provide details. If you cannot change the layout, please say why.	

e. How can you reduce the **scale** of development to reduce the amount of peat soils affected? Please provide details. If you cannot change the scale, please say why.	
f. If amending the layout/scale of the site is not feasible, practical or viable and you intend to still develop on peat soils, you need to provide a robust justification for doing so.	

About the peat that is to be excavated

g. What volume of peat (m^3) will be excavated? How is this different to your initial plans?	

Addressing the special qualities of peat

h. How have you considered and addressed archaeology on this site?	
i. Is there potential for archaeological finds on this site?	
j. How have you considered the biodiversity enhancement options on your peat site?	

Disposal of the excavated peat

k. Where do you intend to dispose of the excavated peat soils on site? Please show on a plan with anticipated volume of each receiving area.	
l. How will these areas ensure the peat is kept wet?	
m. When will the receiving areas be ready to receive peat soils? What is the time-period between excavation and backfilling/depositing? Have you	

arranged for the peat to be covered with tarpaulin for this period?	
n. Have you contacted any operators to see if they are willing and able to receive and use the excavated peat?	
o. Have you contacted local allotment organisations to see if they can make use of the peat?	
p. Have you looked into the need for an Environmental Permit for moving the excavated peat off site for re-use?	
q. What is the contingency plan for any peat left over after reducing the amount of peat excavated in for the first place, using the peat on site so it keeps wet, using the peat locally so it keeps wet and re-use of the peat?	
r. Have you contacted neighbouring landowners or Operational teams in the Environment Agency, Norfolk and Suffolk Wildlife Trust and Broads Authority to check what local opportunities may exist for receiving peat and keeping it wet?	
s. How have you discussed your approach to dealing with the excavated peat with your contractor? Have they confirmed the approach is feasible?	
t. Have you looked into the need for an Environmental Permit for moving the excavated peat offsite?	
u. If you are moving peat soils from site, how have you ensured you are going to be in accordance with	

Environmental Permitting requirements?	
v. If you are moving peat soils from site, how have you addressed biosecurity? Have you filled out the biosecurity risk assessment template/guide?	
w. How do your plans for disposing of peat affect flood risk? What calculations and mitigation, if needed, have you produced?	

Appendix E – Privacy notice

Personal data

The following is to explain your rights and give you the information you are entitled to under the Data Protection Act 2018. Our Data Protection Policy can be found here: http://www.broads-authority.gov.uk/__data/assets/pdf_file/0003/1111485/Data-Protection-Policy-2018.pdf.

The Broads Authority will process your personal data in accordance with the law and in the majority of circumstances this will mean that your personal data will be made publicly available as part of the process. It will not however be sold or transferred to third parties other than for the purposes of the consultation.

1. The identity of the data controller and contact details of our Data Protection Officer
The Broads Authority is the data controller. The Data Protection Officer can be contacted at dpo@broads-authority.gov.uk or (01603) 610734.

2. Why we are collecting your personal data
Your personal data is being collected as an essential part of the consultation process, so that we can contact you regarding your response and for statistical purposes. We may also use it to contact you about related matters. We will also contact you about later stages of the Local Plan process.

3. Our legal basis for processing your personal data
The Data Protection Act 2018 states that, as a Local Planning Authority, the Broads Authority may process personal data as necessary for the effective performance of a task carried out in the public interest, i.e. a consultation.

4. With whom we will be sharing your personal data
Your personal data will not be shared with any organisation outside of MHCLG. Only your name and organisation will be made public alongside your response to this consultation.

Your personal data will not be transferred outside the EU.

5. For how long we will keep your personal data, or criteria used to determine the retention period.
Your personal data will be held for 16 years from the closure of the consultation in accordance with our Data and Information Retention Policy. A copy can be found here http://www.broads-authority.gov.uk/about-us/privacy.

6. Your rights, e.g. access, rectification, erasure
The data we are collecting is your personal data, and you have considerable say over what happens to it. You have the right:

a) to see what data we have about you

b) to ask us to stop using your data, but keep it on record

c) to ask to have all or some of your data deleted or corrected

d) to lodge a complaint with the independent Information Commissioner (ICO) if you think we are not handling your data fairly or in accordance with the law. You can contact the ICO at https://ico.org.uk/, or telephone 0303 123 1113.

7. Your personal data will not be used for any automated decision making.