

Broads Authority

25 September 2020

Agenda item number 14

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

Report by Planning Policy Officer

Summary

The Local Plan for the Broads includes a policy that seeks the reduction in the amount of peat that is excavated. The aim of the Peat Guide is to elaborate on the policy and help with its implementation.

Recommendation

The draft Peat Guide be endorsed for public consultation.

1. Introduction

- 1.1. The Local Plan for the Broads includes a policy that seeks the reduction in the amount of peat that is excavated. If peat is excavated, it requires that its special characteristics are assessed, recorded and considered when disposing of it. The draft Peat Guide seeks to elaborate on the policy and help with its implementation.
- 1.2. The draft Guide has been discussed at the September Planning Committee and comments are reported in section 4.

2. About peat

- 2.1. Peat is a finite resource and has many special qualities. It is one of the main soil types in the Broads and an important asset, providing many ecosystem services¹.

¹ 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](#)

- 2.2. The soils formed by the Broads wetland vegetation store 38.8 million tonnes of carbon². 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.
- 2.3. 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.
- 2.4. 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.
- 2.5. 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.
- 2.6. Peaty soils help prevent flooding by absorbing and holding water like a sponge as well as filtering and purifying water.

3. About the guide

- 3.1. The Peat Guide is about understanding and addressing the impacts of new developments on peat soils. It relates to policy DM10 in the Local Plan for the Broads. This is effectively a 'reduce, re-use, recycle' policy in relation to the excavation of peat.
- 3.2. The Guide goes through different stages that aim to make sure the minimal amount of peat is excavated, its special qualities are considered and addressed, and it is disposed of in a way that does not turn it from a carbon sink to a carbon source. The three stages are: Assessing if the site to be developed is on peat soil; Developing on or removing peat; and Things to do if your development will be affecting peat soils.

4. Planning Committee – September 2020

- 4.1. The Peat Guide was discussed at the September Planning Committee. The key points made are as follows:
 - 4.1.1. The title may be confusing. Could it refer to excavating peat? **The policy and guide seek to reduce the amount of peat excavated in the first place. So it is not just about excavation. As for the title, perhaps a better title may come apparent during consultation.**
 - 4.1.2. The guide does not talk about offsetting. **Off-setting may be being looked at by the Authority as a wider initiative, but it is not meant to be addressed in the Guide. One of the reasons for the Guide is to reduce the amount of peat that is excavated, and**

² 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

that if peat is excavated, for the special qualities of peat to be addressed appropriately.

- 4.1.3. One Member provided some background to peat in the wider Anglian area, expressing concern about its loss.
- 4.2. The Planning Committee endorsed the Guide and recommended that it be consulted on.

5. About the consultation

- 5.1. The consultation will run for 8 weeks, likely to be from 25 September to 20 November. We will advertise the consultation in the Eastern Daily Press and on social media, and contact people on our Local Plan consultation database. Due to Covid-19 restrictions, we will not make a copy of the document available for inspection at our head office or other public venues; however, we will send a paper copy free to anyone on request. People will also be able to call the Planning Policy Officer to discuss the document.

Author: Natalie Beal

Date of report: 11 September 2020

Appendix 1 – Draft Peat Guide for consultation

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

**Draft for second consultation
Xxx 20202 to xxx 20202**

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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.

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.

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

Stage	Section of this report
H. Can left over peat be put to a suitable re-use?	Section 6

2. Consultation

This consultation document and consultation process have been developed to adhere to the Broads Authority's Statement of Community Involvement¹. We have updated our Statement of Community Involvement. The main changes to how we intend to consult on this document are as follows:

- 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 House².
- 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 **x weeks from xxxx to xxxx**. 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.

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

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.

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.

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 carbon⁴. 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'. 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.

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

4.1. 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](#).

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

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 samples⁵.

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.

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.

⁵ 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.

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.

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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 (m³) 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 Services to find out if there is any potential for archaeology. 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/>
- Heritage gateway: <https://www.heritagegateway.org.uk/gateway/chr/>
- Suffolk Heritage Explorer: <https://heritage.suffolk.gov.uk/simple-search>
- 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/>

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| <ul style="list-style-type: none">h. How have you considered and addressed archaeology on this site?i. Is there potential for archaeological finds on this site? |
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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 levels¹. 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 or a habitat. In the Broads the habitats above are recognised under the NERC act as Section 41 / Biodiversity Action Plan (BAP) habitats. These areas should be protected and restored, with no loss to development.

The usual planning process will be followed in terms of habitat surveys, seeking biodiversity enhancements and, when the details are finalised, any requirement of biodiversity net gain.

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.

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.
- 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. 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.
- **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.
- **Crangleford 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.

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| <ul style="list-style-type: none">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? |
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6.4.3. 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.

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 Authority⁶ 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.

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.

- 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?

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

⁶ 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.

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>.

- v. If you are moving peat soils from site, how have you addressed biosecurity?

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 CO₂ 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 CO₂ of peat at a given site will vary, as peat is a spectrum and the wetter and more mineral the peat, the less CO₂ in a cubic metre.

A mid-sized HGV (rigid, up to 17 tonnes) has emissions of 0.88kgCO₂/mile empty, 1.01kgCO₂/mile 50% loaded, and 1.13kgCO₂/mile 100% loaded.

Using excavated peat of 20 cubic metres as an example: The peat will emit 3.5 tonnes of CO₂ 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 CO₂ 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.

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

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 carbon⁷. 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

⁷ 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.

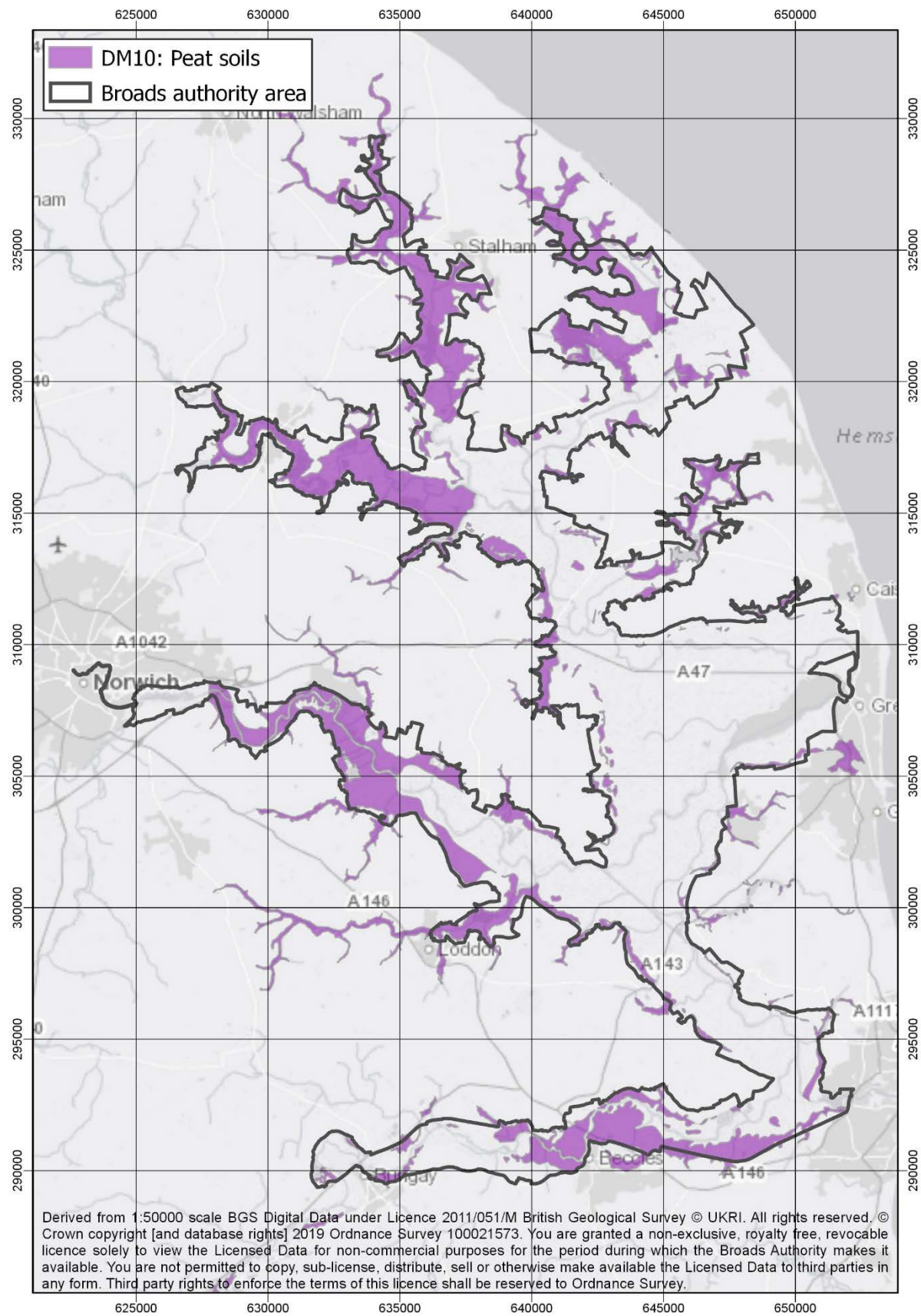
The NPPF and NPPG only mention peat soils in relation to its excavation as a mineral resource, rather than the issue in the Broads relating to impact due to groundworks from development and inappropriate land management.

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?	
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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?	

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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.

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