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Your ref: EN070007



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Dear Sirs

NSIP Reference Name / Code: HyNet Carbon Dioxide Pipeline / EN070007

User Code: HYCO-SP005

Natural England updated advice regarding soils and best and most versatile agricultural land

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England has previously provided advice regarding soils and best and most versatile agricultural land and raised several issues within our written representations response dated 17 April 2023.

Natural England has since reviewed the updated documentation regarding soils submitted by the applicant and so provide our updated advice within Annex A below.

For any further advice on this consultation please contact me on the details below and copy to consultations@naturalengland.org.uk.

Yours faithfully

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Annex A Updated advice regarding Soils and Best and Most Versatile Land

The following advice is based upon Natural England's review of the following documents:

- D.6.2.11. Chapter 11: Land and Soils (Rev B)
- Outline Construction Environment Management Plan (OCEMP)
 - Appendix 5: Outline Materials Management Plan (D.7.32.)
 - Appendix 1: Outline Soil Management Plan (D.6.5.4.1.)
 - Appendix 2: Outline Peat Management Plan (D.6.5.4.2.)

We understand that, from the updated application documents, of the 339.9 ha of BMV land which will be affected by the proposals during construction, 19.245 ha of this will be lost for the lifetime of the development, reflecting the updated land take figures in Table 11.7 'Hectarage of permanently sealed agricultural land' (19.245 ha).

The land take presented in Table 11.12 'Construction Stage assessment of significant effects' (1.37 ha BMV)(Chapter 11 – Land and Soils D.6.2.11) still remains inconsistent with Table 11.7.

Outline Construction Environment Management Plan (OCEMP)

Appendix 1: Outline Soil Management Plan (D.6.5.4.1.)

- Natural England welcome the commitment to undertake further soil resource surveys on land not surveyed due to access issues and where non agricultural soils are identified, with the information feeding into the detailed SMP (Para 2.2.1 and 2.2.4).
- Natural England welcome the commitment to develop the Soil Resources Plans in line with the Defra Construction Code (Para 4.1.2).
- The Outline SMP now sets out the clear aim for BMV agricultural land to be returned to its original quality (Section 5.4. and Section 6), with the monitoring of all soil handling activities (Paragraph 1.3.1).
- Paragraph 2.2.6. has been updated to state that the detailed SMP will distinguish between topsoil, subsoil (upper and lower subsoil, where appropriate), and the basal material.
- It is acknowledged that the proposed locations of the soil stockpiles will be determined following design finalisation. Sufficient space capable of storing the excavated soil resource should be confirmed. (Paragraph 4.5.2).
- Paragraph 4.2.3 has been updated to set out that the plastic limit should be determined through the use of the Wetness test as presented in Supplementary Note 4 [IQ Soil Guidance](#).
- Natural England welcome the inclusion that any required decompaction or remediation activities will be undertaken when the soils are in a suitably dry condition.
- A soil resource plan could usefully be presented for the topsoil, upper subsoil and lower subsoil to inform soil handling.
- Soil handling discussed in the Outline LEMP (Paragraph 3.1.3), should make reference to the Outline SMP and the Defra Construction Code of Practice to ensure consistency across the DCO.

Appendix 2: Outline Peat Management Plan (D.6.5.4.2.)

- Natural England welcomes the update to the outline Peat Management Plan (PMP) and the commitment to produce a detailed PMP as part of the detailed CEMP. However, development on peat should be avoided as far as practicable.
- The potential need for a dewatering strategy is now considered in para 4.1.7, however the suitability of the identified peat as a substrate in which to lay the pipeline or create a construction platform requires clarification.

- Any peat which is excavated will experience carbon losses, via Carbon Dioxide (CO₂) due to the exposure to aerobic conditions^[1], these losses cannot be prevented. To minimise these CO₂ losses, the exposure of the peat to the air should be minimised and the moisture conditions maintained to keep carbon losses to a minimum, i.e. avoid or minimise disturbance.
- A key mitigation measure to minimise carbon losses, is to keep the peat in a saturated state. This makes transporting the material in a suitable condition difficult. Furthermore, any excavated peat should be suitably re-used as soon as possible after excavation.

^[1] [wst-g-052-developments-on-peat-and-off-site-uses-of-waste-peat.pdf \(sepa.org.uk\)](#)