



Solent CO<sub>2</sub> Pipeline Project  
1180 Eskdale Road  
Winnersh  
Wokingham  
RG41 5TU

19 September 2024

## **Solent CO<sub>2</sub> Pipeline Project Pipeline Corridor Consultation**

Thank you for giving the New Forest National Park Authority the opportunity to provide feedback on the [Solent CO<sub>2</sub> Pipeline Project](#) which seeks to establish Carbon Capture and Storage technology from the Fawley site in the New Forest. The aim is to capture CO<sub>2</sub> that would otherwise be released into the atmosphere and transport it via a pipeline to an underground storage location.

The National Park Authority is the planning authority for the designated New Forest National Park area and is therefore a statutory consultee on the project. Given the scale of the proposals – the majority of which are likely to be considered under the Nationally Significant Infrastructure Project (NSIP) consenting regime – the Authority will be preparing a Local Impact Report at the appropriate point setting out what we consider to be the key matters in relation to the Development Consent Order and impacts on the nationally designated landscape of the New Forest National Park.





This response covers the main matters of relevance to the New Forest National Park – namely the protection afforded to the National Park through primary legislation and national policy; the role the scheme could play in carbon reduction; and the need to consider impacts on the designated landscape and nature conservation interests in the New Forest. This initial feedback is designed to assist in the refinement of options as the project progresses.

### **Summary of the New Forest National Park Authority's response**

- National planning policy confirms that National Parks have the highest status of protection in relation to landscape and scenic beauty; and that major development should only be supported in exceptional circumstances, subject to the NPPF's major development tests being addressed. We therefore strongly recommend that Exxon Mobil publish a report directly addressing the potential impacts of the proposed project on the New Forest National Park.

#### **New Forest National Park Authority**

Lymington Town Hall, Avenue Road, Lymington, Hampshire, SO41 9ZG  
01590 646659 [steve.avery@newforestnpa.gov.uk](mailto:steve.avery@newforestnpa.gov.uk)

Look for Newforestnpa      
[www.newforestnpa.gov.uk](http://www.newforestnpa.gov.uk)

CHAIRMAN DAVID BENICE CHIEF EXECUTIVE ALISON BARNES

- We recognise that carbon capture and storage is supported by the Government as playing a role in the UK's transition to net zero. However, we are concerned that the technology for capturing carbon emissions - rather than reducing them at source - acts as a disincentive for companies to de-carbonise and will prolong the use of fossil fuels (particularly if carbon emissions are being imported into the Fawley site). While it is understood the emissions to be captured by this proposal will not be directly responsible for mitigating or reducing the emissions of the New Forest National Park, any development and ongoing operational activity should take the net zero target of the National Park into consideration.
- The identified Mainland pipeline corridor route option in the New Forest is rich in protected habitats and species. The Authority expects significant weight to be ascribed to the mitigation hierarchy and avoidance of impacts on species and their habitats achieved by scheme design. The delivery of BNG should be above the 10% statutory minimum.
- We expect the New Forest National Park Landscape Character Assessment to inform Exxon Mobil's consideration of potential pipeline routes and the Landscape Visual Impact Assessment that is required.

#### **(i) Protection afforded to the New Forest National Park**

The consultation proposals identify three potential pipeline corridors that are favoured at this stage in the process - one of these is in the New Forest and the other two are on the Isle of Wight. All these options would involve major development within nationally designated landscapes and therefore we consider it helpful to summarise the key legal and planning policy tests that would need to be met for such development to ultimately be supported by the Government through the NSIP process. Our response focuses specifically on the planning policy framework for the New Forest National Park and we understand the Isle of Wight National Landscape will also be responding to the current consultation.

The statutory National Park purposes were first established through the *National Parks & Access to the Countryside Act 1949*. The legal framework for National Parks was subsequently updated through the *Environment Act 1995* and the two statutory National Park purposes are:

- to conserve and enhance the natural beauty, wildlife and cultural heritage of the area; and
- to promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.

It is important to emphasise that these purposes relate to the place – the New Forest National Park – rather than an individual organisation (such as the Authority). In the pursuit of these two purposes, national park authorities also have a duty to foster the social and economic wellbeing of the local communities within the National Park. These two legal purposes are key to decision-making within the National Park.

National planning policy confirms that National Parks have the highest status of protection in relation to landscape and scenic beauty (paragraph 182, [NPPF](#), December 2023). The Framework states that 'great weight' should be given to conserving and enhancing landscape and scenic beauty in National Parks; as well as the conservation and enhancement of their wildlife and cultural heritage. The new Government's proposed reforms to national planning policy (July 2024) do not amend any of the NPPF wording specific to National Parks.

The scale of the proposed Solent CO<sub>2</sub> pipeline – likely to be a Nationally Significant Infrastructure Project (NSIP) - means it would constitute 'major development' within the New Forest National Park. The potential Mainland pipeline route option through the National Park is over 20 kilometres long and our view is that the proposals therefore engage paragraph 183 of the NPPF (December 2023) which states,

"When considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.

Consideration of such applications should include an assessment of:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated."

These major development 'tests' are well established in national policy, dating back decades. We therefore strongly recommend Exxon Mobil publish a report clearly setting out their consideration of the various pipeline options against the major development tests. These tests are central to the protection afforded to National Parks (and other nationally designated landscapes) and highlight the need for applicants to robustly assess the scope for developing outside the designated areas. All three of the main pipeline options presented in the consultation involve major development within nationally protected landscapes and so this requirement must be addressed as the project proceeds.

The coverage given to the consideration of alternatives to major development within National Parks and National Landscapes) is limited in the published information. Section 5 of the CO<sub>2</sub> pipeline [consultation brochure](#) summarises the 13 potential pipeline corridors considered to this point. It is helpful to see this information and it is assumed that there is further information behind the summary positions set out in the consultation brochure.

With the majority of the project due to be considered through the NSIP process, the proposals will be considered by a panel of Examiners and ultimately determined by the relevant Secretary of State. This is relevant, as the Government is a 'relevant authority' under Section 11A of the *National Parks & Access to the Countryside Act 1949*. This sets out a legal duty to 'seek to

further' the statutory National Park purposes in making decisions that could affect them. This legal duty came into effect in December 2023, stating:

**“In exercising or performing any functions in relation to, or so as to affect, land in any National Park in England, a relevant authority other than a devolved Welsh authority must seek to further the purposes** specified in section 5(1) and if it appears that there is a conflict between those purposes, must attach greater weight to the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area comprised in the National Park.” (our emphasis)

This represents a strengthening of the previous legal 'duty of regard' placed on relevant authority towards the statutory National Park purposes. Defra have published [guidance](#) on the previous duty of regard which is still considered to be of relevance. Paragraph 9 states, “...relevant authorities are expected to be able to demonstrate that they have fulfilled these duties. Where their decisions may affect National Parks, AONBs or the Broads, they should be able to clearly show how they have considered the purposes of these areas in their decision making.” The guidance goes on to state that this might be done in several ways, including, “...undertaking and making publicly available an assessment of the impact on National Parks, the Broads or AONBs of any policy, plan, programme or project which is likely to affect land within these areas.” This reinforces the requirements of the NPPF in relation to major development and the National Park Authority's strong recommendation that Exxon Mobil publish a report that directly addresses the potential impacts of the proposed project on the nationally designated landscapes (National Parks and National Landscapes).

## **(ii) The role the proposals could play in carbon reduction**

The UK Government has set a goal of achieving net zero emissions by 2050. This is also reflected in the New Forest National Park Partnership Plan 2022 – 27, which sets a net zero carbon emissions target by 2050, achieved through significant cuts in land-based emissions and the conservation and restoration of natural ecosystems, to both reduce emissions production and sequester emissions from the atmosphere. It is unclear from the consultation material what the projected lifespan of the Solent CO<sub>2</sub> pipeline is and whether the proposals factor in the planned future reductions in emissions to meet the net zero targets.

We acknowledge that carbon capture and storage is supported by the Government as playing a role in the UK's transition to net zero. The technology is based on capturing carbon emissions, rather than reducing them at source, and the proposals at Fawley also involve importing carbon emissions. This prompts concerns that carbon capture and storage technology will act as a disincentive for companies to de-carbonise and will prolong the use and reliance on fossil fuels. The focus should instead be on investment and research into how to reduce CO<sub>2</sub> at source to move towards net zero. While it is understood that the residual emissions to be captured by this proposal will not be directly responsible for mitigating or reducing the emissions of the National Park area, it is nevertheless an opportunity to ensure that any development and ongoing operational activity takes the net zero target of the National Park into consideration. This may involve the transport links required to build and

maintain infrastructure and material use to ensure that local emissions are not increased by a scheme which is designed to reduce emissions from elsewhere.

As the proposals are developed further, impacts on the carbon sequestering and storage potential of existing land-use and natural capital assets within and around the development area (terrestrial and marine) should also be taken into full account, with opportunities to increase these identified and taken.

### **(iii) Potential impacts on nature conservation designations**

As part of the Development Consent Order (DCO) application process, Exxon Mobil will need to identify the potential environmental impacts and produce an Environmental Statement and Habitats Regulations Assessment (HRA).

Part of the Mainland corridor option in the New Forest crosses sites designated as internationally important wetlands under the Ramsar Convention (as well as SSSI). We strongly encourage you to fully engage the New Forest National Park Authority and Natural England in this HRA process. The identified Mainland pipeline corridor option through the New Forest is rich in protected habitats and species, as well as those of importance for biodiversity (Section 41 Species), and those of local importance to the New Forest. If this route option is progressed further it will require timely survey work ahead of routing and engineering decisions. Exxon Mobil should identify and commit to a mechanism to enable effective liaison with the local planning authorities and local stakeholders to scope and agree the methods of such work, ensuring the costs of such expertise is covered - e.g. an ecology liaison and advisory group.

The National Park Authority expects significant weight to be ascribed to the mitigation hierarchy and avoidance of impacts on species and their habitats achieved by scheme design and method as a matter of preference, before resorting to mitigation and compensation. In the event of mitigation and compensation being required, this should be provided local to impact wherever possible - within the National Park - and should ensure there are no other significant impacts on land-use (e.g. land for species translocation should not adversely impact back-up grazing).

The importance of National Park designation in primary legislation, allied to the weight afforded to the conservation of wildlife and landscape through national policy, supports the use of Horizontal Direction Drilling to avoid impacts on habitats including species rich grasslands, hedgerows, wetlands, priority woodlands, ancient woodlands and wherever possible other priority habitats.

In relation to Biodiversity Net Gain (BNG), the Government has committed to NSIPs delivering BNG from November 2025. Given this – and the timeline for the Solent CO<sub>2</sub> pipeline project Development Consent Order - we advise that early engagement with the National Park Authority should be undertaken to scope approaches to BNG. Given the potential location of significant elements of the pipeline scheme within a nationally protected landscape, allied to the potential longer-term impacts on the National Park, it is the Authority's view that the delivery of BNG should be above the 10% statutory minimum and be secured in perpetuity, with suitable measures for monitoring and reporting.

Finally, the freshwaters of the New Forest are some of the most sensitive and important in the UK. The National Park Authority works in partnership to host a catchment partnership of local communities, businesses, landowners and managers, NGOs, public bodies and water users. We understand that such audiences have significant concerns regarding impacts of the potential pipeline scheme on the estuaries, rivers and smaller waterbodies in the New Forest and would wish to see route selection process avoid impacts to such habitats.

#### **(iv) Potential landscape impacts on the New Forest National Park**

As set out in our response under 'Protection afforded to the New Forest National Park', the first statutory Park purposes is to 'conserve and enhance the natural beauty, wildlife and cultural heritage of the National Parks.' At this early stage in the consultation process, the mapping exercise for the potential Mainland corridor route across the New Forest has not yet focused on landscape character or sensitivity. The Lepe corridor is relevant to all 3 preferred route options and an assessment should be made of the impact on landscape character of the pipeline installation. If the Mainland corridor is further advanced as a preferred option then the same assessment would be expected to be carried out on that route.

The mapping provided as part of the consultation information illustrates nature conservation designations, scheduled monuments, listed buildings and Registered Parks & Gardens within and beyond the boundaries of the corridor. It would be useful to add the National Park boundary to the mapping and illustrate which Landscape Character Areas and Landscape Types are affected, and how. The [New Forest National Park Landscape Character Assessment](#) is a statutory document and forms part of the suite of documents that guide all development within the National Park. As a key principle, the National Authority would expect the Landscape Character Assessment to inform Exxon Mobil's consideration of potential pipeline corridor routes and the Landscape Visual Impact Assessment (LVIA) that would be required.

We recognise that this is the initial public engagement on the proposals and that the first statutory consultation is due to take place in 2025. At this early stage a preferred pipeline corridor route has not been identified and a range of alternatives are being assessed. In terms of general principles, should the preferred pipeline route ultimately be the Mainland corridor through the New Forest the following key points will need to inform the scheme development.

- The installation of the pipeline will have underground elements and above ground elements, including compounds and various other infrastructure. Clarification would be required on the location and nature of permanent above ground infrastructure, which is described in the information published as including Piggings Stations, Corrosion Protection Cabinets, valve compounds (including either side of the rail line) and pipeline markers.
- At the appropriate point in the process, information will be required on the nature of this above ground infrastructure, including details of size, fencing,

external lighting, security measures, communications equipment and also means of access (if permanent new roads/tracks are needed across the landscape for maintenance access from nearby public highways).

- The methods that would be used to screen above ground infrastructure in the landscape, (e.g. tree, shrub and hedge planting); and the protocol to replace hedges and hedgerow trees that would have to be removed where open-cut installation is employed. In addition, clarification on whether trees, shrubs and hedgerows could be planted directly over a buried pipeline or if an exclusion zone over the pipeline and either side is required.
- Details on how excavated soil and sub soil from pipeline laying would be re-laid on disturbed areas and how excess material would be dealt with (taken away to a licenced tip or spread on site, potentially raising the finished soil level from pre-existing levels).
- Clarification on the criteria used to decide on a trenchless crossing, avoiding open-cut installation. For example, what triggers either Horizontal Direction Drilling or the micro-tunnelling method.

I hope these comments from the New Forest National Park Authority are helpful as Exxon Mobil refine their proposals. Should there be any points in this response that you would like further clarification on please get back to me.

Yours faithfully



Steve Avery  
Executive Director (Strategy & Planning)