



Norfolk County Council

Norfolk County Council
Minerals and Waste Local Plan
2021-2038

Statement of Common Ground between
Natural England and Norfolk County Council

October 2023



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Abbreviations

NM&WLP – Norfolk Minerals and Waste Local Plan

NPPF – National Planning Policy Framework

NPPG – National Planning Practice Guidance

NSPF – Norfolk Strategic Planning Framework

SoCG – Statement of Common Ground

WPA – Waste Planning Authority

1. Introduction

Section 110 of the Localism Act (2011) established a duty to cooperate in relation to Local Plans and sustainable development, or use of the land. The duty to cooperate requires cooperation during the preparation of development plan documents and other local development documents between relevant bodies. Paragraph 27 of the NPPF sets out the requirement to produce one or more Statement(s) of Common Ground to form part of the evidence required to demonstrate compliance with the duty to cooperate. Such a document should be a written record of the collaboration and progress made between authorities, detailing where agreement has been reached and where there are outstanding issues.

Since the launch of the Local Plan Review in 2017, Norfolk County Council, as the Minerals and Waste Planning Authority for Norfolk, engaged with statutory bodies in accordance with the requirements of the Duty to Cooperate. Strategic issues identified through this process, together with the outcomes of ongoing engagement with the relevant consultation bodies, are highlighted and summarised in the Duty to Co-operate Statement (June 2023).

At the Regulation 19 Pre-submission Local Plan Consultation stage, a draft Statement of Common Ground was published, which identifies the strategic cross-boundary issues associated with the Plan and shows where effective cooperation is (and if appropriate where it is not) being made on any issues. The statement is continuing to be updated as the Plan progresses to submission, providing a narrative of where and how cooperation is being sought.

A Statement of Common Ground does not necessarily seek to achieve agreement on all strategic cross-boundary issues, however it is a way of showing that the council have identified all relevant strategic cross-boundary matters, and that agreement has been sought with others and that such relevant matters have been identified. It is how authorities can demonstrate that their plans are based on effective and ongoing cooperation; and they have sought to produce strategies that as far as possible are based on agreements with other authorities.

Purpose of this Document

This document is a bespoke Statement of Common Ground between Natural England and Norfolk County Council only. The issues and matters raised by Natural England have been set out in this document, with an explanation and proposed resolution from Norfolk County Council for the outstanding objections set out for the parties to sign/ agree; and highlight those areas where agreement has not been possible. It is intended to provide clarity to the inspector on the resolution of remaining issues between the two parties.

National Planning Policy and legislation

The National Planning Policy Framework (NPPF, 2023) and Localism Act 2011 requires all Local Planning Authorities (including Minerals and Waste Planning Authorities) to prepare a Statement of Common Ground alongside the production of their Local Plans.

For a Local Plan to be found 'sound', it must be:

- a) Positively prepared;
- b) Justified;
- c) Effective; and
- d) Consistent with national policy

For a Plan to be effective it must be:

“...deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground...” (NPPF Paragraph 35c)

The National Planning Practice Guidance (NPPG) defines a statement of common ground as:

“...a written record of the progress made by strategic policy-making authorities during the process of planning for strategic cross-boundary matters. It documents where effective co-operation is and is not happening throughout the plan-making process, and is a way of demonstrating at examination that plans are deliverable over the plan period, and based on effective joint working across local authority boundaries...” (NPPG Paragraph: 010 Reference ID: 61-010-20190315 Revision date: 15 03 2019)

Current [adopted Norfolk minerals and waste planning policy documents \(2010-2026\)](#)

The Norfolk Core Strategy and Minerals and Waste Development Management Policies Development Plan Document (DPD) (the ‘Core Strategy’) was adopted by Norfolk County Council in 2011. It contains policies to be used in the determination of planning applications for minerals extraction and associated development and waste management facilities in Norfolk. The current adopted Norfolk minerals and waste planning policy documents also include the Minerals Site Specific Allocations DPD and the Waste Site Specific Allocations DPD.

A new Norfolk Minerals and Waste Local Plan (NM&WLP) is being produced to consolidate the three existing plans into one plan, to ensure that the policies within the plan remain up-to-date and to extend the plan period from 2026 to 2038.

Norfolk County Council Minerals and Waste Development Scheme

The Minerals and Waste Development Scheme sets out the timetable for producing and reviewing minerals and waste planning policy documents, including those forming part of the Norfolk Minerals and Waste Local Plan. The Regulation 19 publication document was open for a period of representations between 9am on 28 September until 5pm on 19 December 2022. Submission of the Local Plan to the Planning Inspectorate is planned for autumn 2023.

Norfolk Strategic Planning Framework

In 2015, Norfolk’s planning authorities agreed to formally cooperate on a range of strategic cross-boundary planning issues through the preparation of the [Norfolk Strategic Planning Framework](#) (NSPF). The aim of this framework is to agree shared objectives and strategic priorities, demonstrate compliance with duty to cooperate and consistency with the revised NPPF. The latest version (January 2021) was endorsed by all stakeholder authorities in 2021.

Section 9.10 of the NSPF summarises the minerals and waste resources in Norfolk. Agreement 29 within the NSPF sets out the Norfolk strategic statement of common ground between all signatories to the agreement, set out on page 2, in relation to minerals and waste.

Natural England and Norfolk County Council are both signatories of the NSPF. Agreement 29 is set out below and recognises there is a need for a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that Norfolk (and the country) needs, whilst ensuring that minerals development and waste management facilities will be located, designed and operated without unacceptable adverse impacts on the amenity of local communities, the natural, built and historic environment, the landscape and townscape of Norfolk.

Agreement 29:

It is agreed that:

- 1) It is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. The Norfolk Minerals and Waste Local Plan will therefore enable Norfolk to continue to be self-sufficient in the production of sand and gravel, whilst making an important contribution to the national production of silica sand.
- 2) A steady and adequate supply of minerals to support sustainable economic growth will be planned for through allocating sufficient sites and/or areas in the Norfolk Minerals and Waste Local Plan to meet the forecast need for sand and gravel, carstone, and silica sand.
- 3) Since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation. Resources of sand and gravel, carstone and silica sand within defined Mineral Safeguarding Areas will be safeguarded from needless sterilisation by non-mineral development. Infrastructure for the handling, processing and transportation of minerals will also be safeguarded from incompatible development. Defined waste management facilities and water recycling centres will be safeguarded from incompatible development.
- 4) The Norfolk Minerals and Waste Local Plan policies will enable the reuse, recycling and recovery of waste in Norfolk to increase, thereby reducing the quantity and proportion of waste arising in Norfolk that requires disposal, in accordance with the Waste Hierarchy.
- 5) The Norfolk Minerals and Waste Local Plan will enable Norfolk to be net self-sufficient in waste management, where practicable and to enable sufficient waste management infrastructure to be provided in order amount of waste expected to a for Norfolk to meet the existing and forecast rise over the Plan period.
- 6) The Norfolk Minerals and Waste Local Plan will direct new waste management facilities to be located in proximity to Norfolk's urban areas and main towns. Priority for the location of new waste management facilities will be given to the reuse of previously developed land, sites identified for employment uses, and redundant agricultural and forestry buildings and their curtilages.
- 7) The Norfolk Minerals and Waste Local Plan will contain policies to ensure that minerals development and waste management facilities will be located, designed and operated without unacceptable adverse impacts on the amenity of local communities, the natural, built and historic environment, the landscape and townscape of Norfolk.

2. Strategic Geography

The geographical area covered by this statement comprises the administrative area of Norfolk County Council. This is the plan area covered by the emerging Minerals and Waste Local Plan. The plan area is bordered to the South-West by the minerals and waste planning authorities of Cambridgeshire and Peterborough to the North-West by Lincolnshire and to the south by Suffolk.

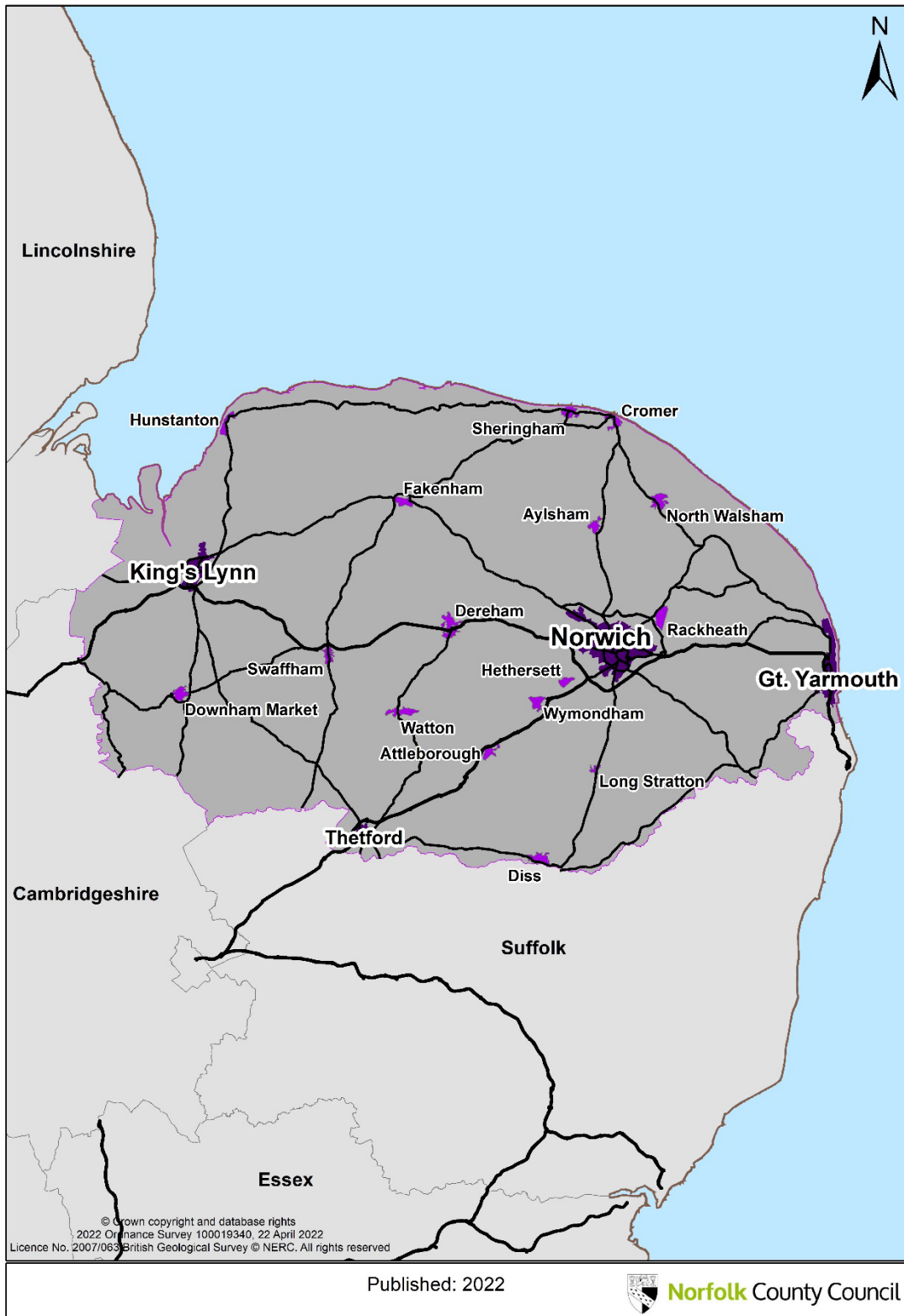


Figure 1: Strategic Geography covered by this statement.

3. List of Parties Involved

For the purposes of this document only, this Statement of Common Ground is between Norfolk County Council, the council directly responsible for preparing the Norfolk Minerals and Waste Local Plan, and Natural England, a specific consultation body, as defined in the Town and Country Planning (Local Planning) (England) Regulations 2012.

4. Governance Arrangements

This statement has been prepared by Norfolk County Council and agreed with Natural England. The statement will be published on the Norfolk County Council website in the Examination Library once the Publication version of the Local Plan has been submitted to the Planning Inspectorate for independent examination.

It should be noted that the signatories to this document have done so on the basis of the principles set out in this Statement, and by signing it does not prejudice the ability of any such signatory making detailed representations (in support or objection) to the content of the emerging Local Plan.

5. Timetable for Agreement, Review and Update

This Statement of Common Ground is being published prior to the submission of the Norfolk Minerals and Waste Local Plan for examination and will be reviewed and updated if required during the examination process.

6. Matters Discussed and Resolutions Presented

The information below sets out the representations made by Natural England in response to the Regulation 19 stage of the Minerals and Waste Local Plan, the NCC planning officer response, and any remaining unresolved issues.

1) Chapter 4. Vision

Respondent: **Natural England** (Emma Hurrell) [Person ID: 21912]

Representation [Rep ID: 99423]: (Comment)

Natural England commend the consideration of our comments during the initial consultation on the NMWLP in 2018, which has resulted in the removal of MIN 71 and MIN 204 as they are considered unsuitable due to the potential for adverse effects on designated sites.

Nature Recovery Network (NRN) and Local Nature Recovery Strategies (LNRSs)

Natural England commends the NMWLP for acknowledging the potential that restoration and after-use of mineral workings has for the benefit of enhancing landscape, geodiversity and biodiversity. We welcome the reference to contributing, “to identified strategic green infrastructure corridors and known ecological networks,” made in Policy MP7. We would advise that reference to the Nature Recovery Network [<https://www.gov.uk/government/publications/naturerecovery-network/nature-recovery-network>] is also included in the Plan vision (pg. 19). The NRN is a commitment in the government’s 25 Year Environment Plan and enacted by the Environment Act 2021. Natural England is working with partners on NRN and the development of LNRSs [<https://consult.defra.gov.uk/land-use/local-nature-recovery-strategies/>]. The NRN is used to refer to a single, growing national network of improved joined-up, wildlife rich places which will benefit people and wildlife. LNRSs will be the key mechanism for planning and mapping local delivery of the NRN. LNRSs will form a new system of spatial strategies for nature that will be mandated by the Environment Act. They will cover the whole of England and will be developed by Responsible Authorities (RAs) appointed by the Secretary of State, usually at a county scale. Each strategy will:

- Map the most valuable existing habitat for nature
- Map specific proposals for creating or improving habitat for nature and wider environment goals
- Agree priorities for nature’s recovery

LNRSs have also been designed to help local planning authorities deliver existing policy on conserving and enhancing biodiversity and to reflect this in the land use plans for their area.

Biodiversity Net Gain (BNG)

In line with paragraph 174(d) of the NPPF, reference to providing BNG is made throughout the NMWLP, which Natural England commends. BNG will be an important tool in securing investment for nature recovery through the planning system, helping deliver the government’s commitment to create a national NRN. However, we advise strengthening this wording by stating the minimum BNG uplift required to be delivered. With regards the upcoming mandatory requirement for a minimum of 10% BNG, we advise that you consider BNG delivery above this level, for example at 15% or 20% BNG. Strategic level viability assessments in Kent have concluded that this shift will not impact viability in most cases irrespective of onsite or offsite BNG delivery. This is because after the initial cost of securing the minimum 10% BNG, the cost of increase to 15 or 20% is much less and generally negligible. Natural England’s Biodiversity Metric 3.1 may be used to calculate biodiversity losses and gains for terrestrial and intertidal habitats and can be used to inform any development project.

It is the government’s intention that mandatory BNG will provide a financial incentive for development to support the delivery of LNRSs through an uplift in the calculation of biodiversity units created at sites identified by the strategy through the Biodiversity Metric ‘strategic significance’ scoring.

Suggested change: We would advise that reference to the Nature Recovery Network [<https://www.gov.uk/government/publications/nature-recovery-network/nature-recovery-network>] is also included in the Plan vision (pg. 19). we advise strengthening this wording by stating the minimum BNG uplift required to be delivered. With regards the upcoming mandatory requirement for a minimum of 10% BNG, we advise that you consider BNG delivery above this level, for example at 15% or 20% BNG.

NCC Planning Officer response: Norfolk County Council has not carried out any viability assessments to date on BNG so unfortunately, we do not currently have any evidence to support an increase in BNG above the mandatory 10% at waste management developments and therefore we are not able to include a higher BNG

requirement in the NM&WLP. The ‘Viability Assessment of Biodiversity Net Gain in Kent’ referred to in this representation was regarding 7 housing development types and 3 commercial development types (2 industrial and one office). The commercial results were based on build cost and rentable value of the development and found that in Kent industrial development would be viable in some cases and marginally unviable in others. There was no viability assessment in the Kent study that would be applicable to mineral development. The land values used were obviously specific to Kent and the same study in Norfolk may come to different conclusions. A modification will be proposed to the seventh paragraph in the Minerals and Waste Local Plan Vision to 2038, so that the last sentence of that paragraph will state “Opportunities to enhance such features will be supported. All developments will provide a minimum measurable 10% biodiversity net gain and wherever possible contribute to the delivery of the national Nature Recovery Network objectives”.

Natural England comments to NCC response: The Environment Act (Nov 2021) mandates net gain in the planning process, commencing from January 2024. This will start making it a requirement for all appropriate developments in England to deliver a minimum 10% net gain in biodiversity. Natural England supports the modification in the seventh paragraph to include ‘minimum measurable 10% biodiversity net gain’ and the reference to Nature Recovery. Please note that the metric 3.1 referred to above will be replaced by 4.0

Remaining unresolved issues: None

2) Minerals Strategic Objectives

Respondent: **Natural England** (Emma Hurrell) [Person ID: 21912]

Representation [Rep ID: 99424]: (Comment)

Natural England welcome the Plan’s emphasis on ensuring Biodiversity Net Gain (BNG) is achieved, enhancing the green infrastructure network, and taking a positive approach to mitigate and adapt to climate change. There is also a clear emphasis on ensuring high quality restoration and after-use of sites to protect Best and Most Versatile (BMV) Agricultural Land and to enhance Norfolk’s biodiversity and protect its landscapes. However, we advise that there is scope for the Plan to be more ambitious in its delivery of some of these policies and objectives. Natural England commends the NMWLP for acknowledging the potential that restoration and after-use of mineral workings has for the benefit of enhancing landscape, geodiversity and biodiversity. We would advise that reference to the Nature Recovery Network [<https://www.gov.uk/government/publications/nature-recovery-network/nature-recovery-network>] is also included within Minerals Strategic Objective MS09 (pg. 21). The NRN is a commitment in the government’s 25 Year Environment Plan and enacted by the Environment Act 2021. Natural England is working with partners on NRN and the development of LNRs [<https://consult.defra.gov.uk/land-use/local-nature-recovery-strategies/>]. The NRN is used to refer to a single, growing national network of improved joined-up, wildlife rich places which will benefit people and wildlife. LNRs will be the key mechanism for planning and mapping local delivery of the NRN. LNRs will form a new system of spatial strategies for nature that will be mandated by the Environment Act. They will cover the whole of England and will be developed by Responsible Authorities (RAs) appointed by the Secretary of State, usually at a county scale. Each strategy will:

- Map the most valuable existing habitat for nature
- Map specific proposals for creating or improving habitat for nature and wider environment goals
- Agree priorities for nature’s recovery

LNRs have also been designed to help local planning authorities deliver existing policy on conserving and enhancing biodiversity and to reflect this in the land use plans for their area.

Biodiversity Net Gain (BNG)

In line with paragraph 174(d) of the NPPF, reference to providing BNG is made throughout the NMWLP, which Natural England commends. BNG will be an important tool in securing investment for nature recovery

through the planning system, helping deliver the government’s commitment to create a national NRN. However, we advise strengthening this wording by stating the minimum BNG uplift required to be delivered. With regards the upcoming mandatory requirement for a minimum of 10% BNG, we advise that you consider BNG delivery above this level, for example at 15% or 20% BNG. Strategic level viability assessments in Kent have concluded that this shift will not impact viability in most cases irrespective of onsite or offsite BNG delivery. This is because after the initial cost of securing the minimum 10% BNG, the cost of increase to 15 or 20% is much less and generally negligible. Natural England’s Biodiversity Metric 3.1 may be used to calculate biodiversity losses and gains for terrestrial and intertidal habitats and can be used to inform any development project. It is the government’s intention that mandatory BNG will provide a financial incentive for development to support the delivery of LNRs through an uplift in the calculation of biodiversity units created at sites identified by the strategy through the Biodiversity Metric ‘strategic significance’ scoring.

Suggested change: We would advise that reference to the Nature Recovery Network [<https://www.gov.uk/government/publications/naturerecovery-network/nature-recovery-network>] is also included within Minerals Strategic Objective MS09 (pg. 21). We advise strengthening this wording by stating the minimum BNG uplift required to be delivered. With regards the upcoming mandatory requirement for a minimum of 10% BNG, we advise that you consider BNG delivery above this level, for example at 15% or 20% BNG.

NCC Planning Officer response: Norfolk County Council has not carried out any viability assessments to date on BNG so unfortunately, we do not currently have any evidence to support an increase in BNG above the mandatory 10% at mineral developments and therefore we are not able to include a higher BNG requirement in the NM&WLP. The ‘Viability Assessment of Biodiversity Net Gain in Kent’ referred to in this representation was regarding 7 housing development types and 3 commercial development types (2 industrial and one office). The commercial results were based on build cost and rentable value of the development and found that in Kent industrial development would be viable in some cases and marginally unviable in others. There was no viability assessment in the Kent study that would be applicable to mineral development. The land values used were obviously specific to Kent and the same study in Norfolk may come to different conclusions. A modification will be proposed to the last sentence of MS09 to state “The restoration and aftercare will protect and enhance the environment, including landscape improvements, contributing to the delivery of the national Nature Recovery Network objectives and the provision of a minimum measurable 10% biodiversity net gain”.

Natural England comments to NCC response: Natural England is satisfied with the modification to MS09.

Remaining unresolved issues: None

3) Waste Management Strategic Objectives

Respondent: **Natural England** (Emma Hurrell) [Person ID: 21912]

Representation [Rep ID: 99426]: (Comment)

Natural England welcome the Plan’s emphasis on ensuring Biodiversity Net Gain (BNG) is achieved, enhancing the green infrastructure network, and taking a positive approach to mitigate and adapt to climate change. There is also a clear emphasis on ensuring high quality restoration and after-use of sites to protect Best and Most Versatile (BMV) Agricultural Land and to enhance Norfolk’s biodiversity and protect its landscapes. However, we advise that there is scope for the Plan to be more ambitious in its delivery of some of these policies and objectives. Nature Recovery Network (NRN) and Local Nature Recovery Strategies (LNRs) Natural England commends the NM&WLP for acknowledging the potential that restoration and after-use of mineral workings has for the benefit of enhancing landscape, geodiversity and biodiversity. We would advise that reference to the Nature Recovery Network is also included within Waste Management Strategic Objective WS07 (pg. 20). The NRN is a commitment in the government’s 25 Year Environment Plan and enacted by the Environment Act 2021. Natural England is working with partners on NRN and the development of LNRs. The NRN is used to refer to a single, growing national network of improved joined-up,

wildlife rich places which will benefit people and wildlife. LNRs will be the key mechanism for planning and mapping local delivery of the NRN. LNRs will form a new system of spatial strategies for nature that will be mandated by the Environment Act. They will cover the whole of England and will be developed by Responsible Authorities (RAs) appointed by the Secretary of State, usually at a county scale. Each strategy will:

- Map the most valuable existing habitat for nature
- Map specific proposals for creating or improving habitat for nature and wider environment goals
- Agree priorities for nature's recovery

LNRs have also been designed to help local planning authorities deliver existing policy on conserving and enhancing biodiversity and to reflect this in the land use plans for their area. Biodiversity Net Gain (BNG) In line with paragraph 174(d) of the NPPF, reference to providing BNG is made throughout the NMWLP, which Natural England commends. BNG will be an important tool in securing investment for nature recovery through the planning system, helping deliver the government's commitment to create a national NRN. However, we advise strengthening this wording by stating the minimum BNG uplift required to be delivered. With regards the upcoming mandatory requirement for a minimum of 10% BNG, we advise that you consider BNG delivery above this level, for example at 15% or 20% BNG. Strategic level viability assessments in Kent have concluded that this shift will not impact viability in most cases irrespective of onsite or offsite BNG delivery. This is because after the initial cost of securing the minimum 10% BNG, the cost of increase to 15 or 20% is much less and generally negligible. Natural England's Biodiversity Metric 3.1 may be used to calculate biodiversity losses and gains for terrestrial and intertidal habitats and can be used to inform any development project. It is the government's intention that mandatory BNG will provide a financial incentive for development to support the delivery of LNRs through an uplift in the calculation of biodiversity units created at sites identified by the strategy through the Biodiversity Metric 'strategic significance' scoring.

Suggested change: We would advise that reference to the Nature Recovery Network is also included within Waste Management Strategic Objective WS07 (pg. 20). We advise strengthening the wording by stating the minimum BNG uplift required to be delivered. With regards the upcoming mandatory requirement for a minimum of 10% BNG, we advise that you consider BNG delivery above this level, for example at 15% or 20% BNG.

NCC Planning Officer response: Norfolk County Council has not carried out any viability assessments to date on BNG so unfortunately, we do not currently have any evidence to support an increase in BNG above the mandatory 10% at waste management developments and therefore we are not able to include a higher BNG requirement in the NM&WLP. The 'Viability Assessment of Biodiversity Net Gain in Kent' referred to in this representation was regarding 7 housing development types and 3 commercial development types (2 industrial and one office). The commercial results were based on build cost and rentable value of the development and found that in Kent industrial development would be viable in some cases and marginally unviable in others. There is the possibility that the industrial development category could apply to some types of waste management developments (those suitable to be located on employment land). The land values used were obviously specific to Kent and the same study in Norfolk may come to different conclusions.

A modification will be proposed to the last sentence of WS07 to state: "All developments will provide a minimum measurable 10% biodiversity net gain and temporary developments will contribute to the delivery of the national Nature Recovery Network objectives on restoration".

Natural England comments to NCC response: Natural England is satisfied with the modification to WS07

Remaining unresolved issues: None

4) Policy MW1. Development Management Criteria

Respondent: **Natural England** (Emma Hurrell) [Person ID: 21912]

Representation [Rep ID: 99425]: (Comment)

Natural England welcome the Plan's emphasis on ensuring Biodiversity Net Gain (BNG) is achieved, enhancing the green infrastructure network, and taking a positive approach to mitigate and adapt to climate change. There is also a clear emphasis on ensuring high quality restoration and after-use of sites to protect Best and Most Versatile (BMV) Agricultural Land and to enhance Norfolk's biodiversity and protect its landscapes. However, we advise that there is scope for the Plan to be more ambitious in its delivery of some of these policies and objectives.

Nature Recovery Network (NRN) and Local Nature Recovery Strategies (LNRs)

Natural England commends the NMWLP for acknowledging the potential that restoration and after-use of mineral workings has for the benefit of enhancing landscape, geodiversity and biodiversity. We welcome the reference to contributing, "to identified strategic green infrastructure corridors and known ecological networks," made in Policy MP7. We would advise that reference to the Nature Recovery Network [<https://www.gov.uk/government/publications/naturerecovery-network/nature-recovery-network>] is also included within strategic Policy MW1 (Development Management Criteria) (pg. 27). The NRN is a commitment in the government's 25 Year Environment Plan and enacted by the Environment Act 2021.

Natural England is working with partners on NRN and the development of LNRs

[<https://consult.defra.gov.uk/land-use/local-nature-recovery-strategies/>]. The NRN is used to refer to a single, growing national network of improved joined-up, wildlife rich places which will benefit people and wildlife. LNRs will be the key mechanism for planning and mapping local delivery of the NRN. LNRs will form a new system of spatial strategies for nature that will be mandated by the Environment Act. They will cover the whole of England and will be developed by Responsible Authorities (RAs) appointed by the Secretary of State, usually at a county scale. Each strategy will:

- Map the most valuable existing habitat for nature
- Map specific proposals for creating or improving habitat for nature and wider environment goals
- Agree priorities for nature's recovery

LNRs have also been designed to help local planning authorities deliver existing policy on conserving and enhancing biodiversity and to reflect this in the land use plans for their area.

Biodiversity Net Gain (BNG)

In line with paragraph 174(d) of the NPPF, reference to providing BNG is made throughout the NMWLP, which Natural England commends. BNG will be an important tool in securing investment for nature recovery through the planning system, helping deliver the government's commitment to create a national NRN. However, we advise strengthening this wording by stating the minimum BNG uplift required to be delivered. With regards the upcoming mandatory requirement for a minimum of 10% BNG, we advise that you consider BNG delivery above this level, for example at 15% or 20% BNG. Strategic level viability assessments in Kent have concluded that this shift will not impact viability in most cases irrespective of onsite or offsite BNG delivery. This is because after the initial cost of securing the minimum 10% BNG, the cost of increase to 15 or 20% is much less and generally negligible. Natural England's Biodiversity Metric 3.1 may be used to calculate biodiversity losses and gains for terrestrial and intertidal habitats and can be used to inform any development project. It is the government's intention that mandatory BNG will provide a financial incentive for development to support the delivery of LNRs through an uplift in the calculation of biodiversity units created at sites identified by the strategy through the Biodiversity Metric 'strategic significance' scoring.

Suggested change: We would advise that reference to the Nature Recovery Network [<https://www.gov.uk/government/publications/naturerecovery-network/nature-recovery-network>] is also included within strategic Policy MW1 (Development Management Criteria) (pg. 27). We advise strengthening this wording on BNG by stating the minimum BNG uplift required to be delivered. With regards the upcoming

mandatory requirement for a minimum of 10% BNG, we advise that you consider BNG delivery above this level, for example at 15% or 20% BNG.

NCC Planning Officer response: Norfolk County Council has not carried out any viability assessments to date on BNG so unfortunately, we do not currently have any evidence to support an increase in BNG above the mandatory 10% at minerals or waste management developments and therefore we are not able to include a higher BNG requirement in the NM&WLP. The 'Viability Assessment of Biodiversity Net Gain in Kent' referred to in this representation was regarding 7 housing development types and 3 commercial development types (2 industrial and one office). The commercial results were based on build cost and rentable value of the development and found that in Kent industrial development would be viable in some cases and marginally unviable in others. There was no viability assessment in the Kent study that would be applicable to mineral development. The land values used were obviously specific to Kent and the same study in Norfolk may come to different conclusions.

Whilst the provision of a minimum measurable 10% biodiversity net gain will shortly be a legal requirement (as enacted through the Environment Act 2021), and therefore there is no need to repeat it in planning policy, we will propose a modification to include this requirement in Policy MW1 for consistency and to refer to the Nature Recovery Network as requested, by amending the second bullet point to state: "providing geodiversity gains, providing a minimum measurable 10% biodiversity net gain and contributing to the delivery of the national Nature Recovery Network objectives".

Natural England comments to NCC response: Natural England is satisfied with the modification to MW1

Remaining unresolved issues: None

5) Policy MW4. The Brecks Protected Habitats and Species

Respondent: **Natural England** (Emma Hurrell) [Person ID: 21912]

Representation [Rep ID: 99422]: (Comment)

Natural England welcome the inclusion of policy MW4, specific to the Brecks' protected habitats and species. The Brecks is an area rich in biodiversity and is of particular value for a number of ground-nesting bird species including Stone Curlew *Burhinus oedicephalus*. Natural England are currently in the process of revising our guidance on assessing development effects on Breckland SPA stone curlew populations, which could influence the detail of policy MW4. We would advise the removal of the following paragraph, "A buffer zone has also been defined (indicated in orange hatching on Map 2) that extends 1,500 metres around areas that have a functional link to the SPA, because they support Stone Curlew outside, but in close proximity to the SPA boundary, within which new built development would be likely to significantly affect the SPA population." Whilst at the draft stage of development, Natural England would be happy to discuss the proposed new guidance with Norfolk County Council so that it can be used to inform this policy.

Suggested change: Natural England are currently in the process of revising our guidance on assessing development effects on Breckland SPA stone curlew populations, which could influence the detail of policy MW4. We would advise the removal of the following paragraph, "A buffer zone has also been defined (indicated in orange hatching on Map 2) that extends 1,500 metres around areas that have a functional link to the SPA, because they support Stone Curlew outside, but in close proximity to the SPA boundary, within which new built development would be likely to significantly affect the SPA population."

NCC Planning Officer response: Noted. Modifications will be proposed to Map 2, paragraph 9.3 and the policy as advised in the suggested change. The proposed text modifications are as follows:

Paragraph 9.1. Covering 39,434 ha of heathland, forest and arable farmland, The Brecks is of European value to birdlife. Designated in 2006 as a Special Protection Area (SPA) [**INSERT: (and known as Breckland SPA)**] under the European Council's Directive on the Conservation of Wild Birds, The Brecks [**DELETE: habitat**] is important for a range of ground-nesting birds, including the Stone Curlew, Woodlark and Nightjar. The East of England supports 65% of the UK's breeding pairs of Stone Curlew where most breeding is located within

The Brecks. The rich biodiversity of The Brecks is also recognised through other statutory conservation designations including four Special Areas of Conservation (SACs), numerous SSSI and National Nature Reserves (NNR). **[DELETE: SSSIs and NNRs make up 40% of the total area].**

Paragraph 9.2. Evidence used to support the adoption of the Breckland Core Strategy in 2009 included research to inform the Habitats Regulations Assessment (HRA) of the Breckland Core Strategy which examined the effects of housing and roads on the distribution of the Stone Curlew in The Brecks. The adopted mitigation policy required that any new built development which may impact on the SPA must be subject to Appropriate Assessment. New built development is not permitted within 1,500m of the edge of the SPA (shown as a 'Protection Zone' on Map 2) unless it can be demonstrated by an appropriate assessment that the development would not adversely affect the integrity of the SPA. **[DELETE: Such circumstances may include the use of existing buildings and development where completely masked from the SPA by existing development.]**

Paragraph 9.3. **[DELETE: Stone Curlews are also found outside the SPA; these birds are clearly part of the SPA population and functionally linked. Accordingly, a mitigation zone indicated areas that have been identified where there are concentrations of Stone Curlew (most recently using data from 2011-2015). There are also areas within 3km of the SPA, where Stone Curlews could be associated with the SPA, but there is a lack of survey data. The yellow squares on Map 2, indicate precautionary areas where there is a lack of data, but future surveys could identify regular use by nesting Stone Curlew, functionally linking these areas to the SPA.]**

Paragraph 9.4. **[DELETE: Within these areas, built development may be brought forward, providing a project level Habitats Regulations Assessment can demonstrate adverse effects have been prevented, for example, where alternative land outside the SPA can be secured to adequately mitigate for the potential effects.]**

Paragraph 9.5. In 2013 a "Further Assessments of the Relationship between Buildings and Stone Curlew Distribution" study was carried out by Footprint Ecology on behalf of Breckland Council to update previous work on the effect of buildings and roads on Stone Curlews in The Brecks. Including new analysis and using additional survey data, this study report focused on the effects of buildings on the distribution of breeding Stone Curlew in The Brecks. The report provides strong support for the continuation of a 1,500m zone around the areas capable of supporting Stone Curlews. **[DELETE: Within this zone additional built development is likely to have a significant effect on the SPA].**

[INSERT: Stone curlews are also found outside of the SPA. Stone Curlew are a protected species listed in Schedule 1 of the Wildlife and Countryside Act 1981 so any direct or indirect impacts (such as disturbance up to 1,500m away) to non-SPA stone curlew will still need to be assessed and if necessary mitigated / compensated for outside of the Habitats Regulations process.]

Paragraph 9.6. The 2013 research also suggests that the planting of woodland/screening as a mitigation measure is unlikely to be effective and that the effect of nest density is strongest as a result of the amount of buildings. One of the key aims of the research was to differentiate the effects of nest density due to different building classes. **[INSERT: The research indicates that the effect of buildings is from residential rather than other building types. However, due to the sample size and number of buildings identified, there needs to be an element of caution applied to the results. As such, proposed non-residential building development in the 1,500m buffer zone should be carefully considered. Any project level HRA undertaken should ensure it can demonstrate adverse effects can be ruled out].** **[DELETE: Due to the sample size and number of buildings identified there needs to be an element of caution applied to the results, however, the research indicates that there was no evidence of a negative impact of agricultural or commercial buildings. As such, the analysis suggests that project level HRA for non-residential development in the SPA buffer zones may be able to demonstrate that adverse effects can be ruled out.]**

Policy MW4:

The Council will require suitable information to be provided to enable it to undertake a Habitats Regulations Assessment of all proposals for development that are likely to have a significant effect on the Breckland Special Protection Area (SPA), which is **[DELETE: classified]** **[INSERT: designated]** for its populations of Stone Curlew, Woodlark and Nightjar, and/or Breckland Special Area of Conservation (SAC) which is designated for

its heathland habitat **[INSERT: amongst other features]**. Development will only be permitted where sufficient information is submitted to demonstrate that the proposal will not adversely affect the integrity of the SPA or SAC. Development will only be permitted where sufficient information is submitted to demonstrate that the proposal will not adversely affect the integrity of the SPA or SAC.

Stone Curlew

A buffer zone has been defined (indicated in red hatching on Map 2) that extends 1,500m from the edge of those parts of the SPA that support or are capable of supporting Stone Curlew, where new built development **[DELETE: would] [INSERT: may]** be likely to significantly affect the SPA population.

[DELETE: “A buffer zone has been defined (indicated in orange hatching on Map 2) that extends 1,500 metres around areas that have a functional link to the SPA, because they support Stone Curlew outside, but in close proximity to the SPA boundary, within which new built development would be likely to significantly affect the SPA population.”]

Built development (including plant and processing sites) within the SPA boundary, **[DELETE: or located less than 1,500m away from the SPA boundary or identified areas that have a functional link (see map 2)]** will not normally be permitted, unless a project level HRA is able to demonstrate that adverse effects cannot be ruled out.

Where a proposed building is outside the SPA but within 1,500m of the SPA boundary or **[INSERT: (see Map 2) or areas considered functionally linked]** **[DELETE: or identified areas that have a functional link, including those precautionary areas where there is currently a lack of data (see Map 2)]**, there may be circumstances where a project level Habitats Regulations Assessment is able to demonstrate that the proposal will not adversely effect the integrity of the SPA.”

Circumstances where the proposal is able to conclusively demonstrate that it will not result in an adverse effect on the Breckland SPA may include where the proposal is:

- More than 1,500m away from the potential stone curlew nesting sites inside the SPA **[DELETE: (these are those parts of the SPA that are also designated as Breckland Farmland SSSI)]** **[INSERT: however, these proposals will still need to assess direct and indirect impacts to stone curlew as a protected species under the Wildlife and Countryside Act 1981];**
- **[DELETE: A new building that will be completely masked from the SPA by existing built development;]**
- A proposed re-development of an existing building that would not alter its footprint or increase its potential impact.

No changes to the remainder of the policy regarding woodlark and nightjar.

Natural England comments to NCC response: Natural England are satisfied with the proposed text modifications.

Remaining unresolved issues: None

6) Policy MP7. Progressive working, restoration and after-use

Respondent: **Natural England** (Emma Hurrell) [Person ID: 21912]

Representation [Rep ID: 99421]: (Comment)

Natural England welcome the Plan’s emphasis on ensuring Biodiversity Net Gain (BNG) is achieved, enhancing the green infrastructure network, and taking a positive approach to mitigate and adapt to climate change. There is also a clear emphasis on ensuring high quality restoration and after-use of sites to protect Best and Most Versatile (BMV) Agricultural Land and to enhance Norfolk’s biodiversity and protect its landscapes. However, we advise that there is scope for the Plan to be more ambitious in its delivery of some of these policies and objectives.

Nature Recovery Network (NRN) and Local Nature Recovery Strategies (LNRSs)

Natural England commends the NMWLP for acknowledging the potential that restoration and after-use of mineral workings has for the benefit of enhancing landscape, geodiversity and biodiversity. We welcome the reference to contributing, “to identified strategic green infrastructure corridors and known ecological networks,” made in Policy MP7. We would advise that reference to the Nature Recovery Network [<https://www.gov.uk/government/publications/naturerecovery-network/nature-recovery-network>] is also included within this policy. The NRN is a commitment in the government’s 25 Year Environment Plan and enacted by the Environment Act 2021. Natural England is working with partners on NRN and the development of LNRs. The NRN is used to refer to a single, growing national network of improved joined-up, wildlife rich places which will benefit people and wildlife. LNRs [<https://consult.defra.gov.uk/landuse/local-nature-recovery-strategies/>] will be the key mechanism for planning and mapping local delivery of the NRN. LNRs will form a new system of spatial strategies for nature that will be mandated by the Environment Act. They will cover the whole of England and will be developed by Responsible Authorities (Ras) appointed by the Secretary of State, usually at a county scale. Each strategy will:

- Map the most valuable existing habitat for nature
- Map specific proposals for creating or improving habitat for nature and wider environment goals
- Agree priorities for nature’s recovery

LNRs have also been designed to help local planning authorities deliver existing policy on conserving and enhancing biodiversity and to reflect this in the land use plans for their area. LNRs have also been designed to help local planning authorities deliver existing policy on conserving and enhancing biodiversity and to reflect this in the land use plans for their area.

Biodiversity Net Gain (BNG)

In line with paragraph 174(d) of the NPPF, reference to providing BNG is made throughout the NMWLP, which Natural England commends. BNG will be an important tool in securing investment for nature recovery through the planning system, helping deliver the government’s commitment to create a national NRN. However, we advise strengthening this wording by stating the minimum BNG uplift required to be delivered. With regards the upcoming mandatory requirement for a minimum of 10% BNG, we advise that you consider BNG delivery above this level, for example at 15% or 20% BNG. Strategic level viability assessments in Kent have concluded that this shift will not impact viability in most cases irrespective of onsite or offsite BNG delivery. This is because after the initial cost of securing the minimum 10% BNG, the cost of increase to 15 or 20% is much less and generally negligible. Natural England’s Biodiversity Metric 3.1 may be used to calculate biodiversity losses and gains for terrestrial and intertidal habitats and can be used to inform any development project. It is the government’s intention that mandatory BNG will provide a financial incentive for development to support the delivery of LNRs through an uplift in the calculation of biodiversity units created at sites identified by the strategy through the Biodiversity Metric ‘strategic significance’ scoring.

Suggested change: We would advise that reference to the Nature Recovery Network [<https://www.gov.uk/government/publications/naturerecovery-network/nature-recovery-network>] is also included within this policy. We advise strengthening the wording on BNG by stating the minimum BNG uplift required to be delivered. With regards the upcoming mandatory requirement for a minimum of 10% BNG, we advise that you consider BNG delivery above this level, for example at 15% or 20% BNG.

NCC Planning Officer response: Norfolk County Council has not carried out any viability assessments to date on BNG so unfortunately, we do not currently have any evidence to support an increase in BNG above the mandatory 10% at waste management developments and therefore we are not able to include a higher BNG requirement in the NM&WLP. The ‘Viability Assessment of Biodiversity Net Gain in Kent’ referred to in this representation was regarding 7 housing development types and 3 commercial development types (2 industrial and one office). The commercial results were based on build cost and rentable value of the development and found that in Kent industrial development would be viable in some cases and marginally unviable in others. There was no viability assessment in the Kent study that would be applicable to mineral development. The land values used were obviously specific to Kent and the same study in Norfolk may come to different conclusions.

Although this will shortly become a legal requirement and it is not necessary to repeat the legal requirement in policy, for consistency a modification will be proposed to the seventh bullet point to state “The scheme provides for a minimum measurable 10% biodiversity net gain....”. A modification will be proposed to the second bullet point to state: “contributes positively to identified strategic green infrastructure corridors, the Local Nature Recovery Strategy and the Nature Recovery Network.”

Natural England comments to NCC response: Natural England is satisfied with the amendment to policy MP7.

Remaining unresolved issues: None

7) Policy MIN 12 Chapel Lane, Beetley

Respondent: **Natural England** (Emma Hurrell) [Person ID: 21912]

Representation [Rep ID: 99427]: (Comment)

We note that for MIN12 it is currently stated that the site is “proposed to be restored at a lower level and returned to arable agriculture. Restoration would include wide field margins, new hedgerows and some woodland”. These allocations are stated as being of Grade 3 agricultural land quality and so it is unclear as to whether or not this is BMV land (i.e. sub-grade 3a). If not, then it could be beneficial in terms of nature recovery in this area to explore whether the restoration of these sites could further complement/expand on the nature recovery ambitions of the nearby Wendling Beck Environment Project [<https://www.wendlingbeck.org/>] to deliver more habitat creation in this area which is bigger, better and joined up in line with the Lawton principles [Making Space for Nature: (nationalarchives.gov.uk) [https://webarchive.nationalarchives.gov.uk/ukgwa/20130402170324mp_/http://archive.defra.gov.uk/environment/biodiversity/documents/201009spacefor-nature.pdf].

NCC Planning Officer response: Noted. A soil survey would be required to be submitted at the planning application stage to determine whether the land is Grade 3a or 3b. Restoration proposals must demonstrate that ‘the scheme provides for a biodiversity net gain, primarily through the creation or enhancement of priority habitats and linkages to local ecological networks and green infrastructure corridors’ in accordance with Policy MP7.

Natural England comments to NCC response: No further comment

Remaining unresolved issues: None

8) Policy MIN 51/13/08 Beetley

Respondent: **Natural England** (Emma Hurrell) [Person ID: 21912]

Representation [Rep ID: 99428]: (Comment)

We note that for MIN08, MIN13 and MIN 51 it is currently stated that: “The site is proposed to be restored at a lower level and the majority returned to arable agricultural. Due to the expected depth of extraction, it is recognised that restoration to arable is likely to require the use of imported inert material to provide a suitable profile. Lagoons to be retained as ponds with planting to create wet woodland habitat. Hedgerow interspersed with oaks is to be planted along the northern boundary alongside Rawhall Lane. A proportion of the site will be restored to woodland and associated grassland habitat” These allocations are stated as being of Grade 3 agricultural land quality and so it is unclear as to whether or not this is BMV land (i.e. sub-grade 3a). If not, then it could be beneficial in terms of nature recovery in this area to explore whether the restoration of these sites could further complement/expand on the nature recovery ambitions of the nearby Wendling Beck Environment Project [<https://www.wendlingbeck.org/>] to deliver more habitat creation in this area which is bigger, better and joined up in line with the Lawton principles [Making Space for Nature: (nationalarchives.gov.uk)

[https://webarchive.nationalarchives.gov.uk/ukgwa/20130402170324mp_/http://archive.defra.gov.uk/environment/biodiversity/documents/201009spacefor-nature.pdf].

NCC Planning Officer response: Noted. A soil survey would be required to be submitted at the planning application stage to determine whether the land is Grade 3a or 3b. A soil survey was carried out for planning application FUL/2022/0021 in 2020. The soil survey found that 7ha of the site are grade 2, 16 hectares are grade 3a and 16 hectares are grade 3b. Restoration proposals must demonstrate that ‘the scheme provides for a biodiversity net gain, primarily through the creation or enhancement of priority habitats and linkages to local ecological networks and green infrastructure corridors’ in accordance with Policy MP7.

Natural England comments to NCC response: No further comment

Remaining unresolved issues: None

9) Policy MIN 202 Attlebridge

Respondent: **Natural England** (Emma Hurrell) [Person ID: 21912]

Representation [Rep ID: 99430]: (Comment)

Natural England notes that MIN 202 is adjacent to Mileplain Plantation, a Plantation on Ancient Woodland Site (PAWS) and welcomes the requirement for an Arboricultural Impact Assessment in the Specific Site Allocation Policy MIN 202. We would recommend reference to standing advice

[<https://www.gov.uk/guidance/protected-species-how-to-review-planning-applications>] for ancient woodland and ancient and veteran trees, which has been produced by Natural England and the Forestry Commission for further guidance when making decisions that affect ancient woodland, ancient trees or veteran trees.

NCC Planning Officer response: Noted. In addition to the requirement within the allocation policy MIN 202 (c) for an Arboricultural Impact Assessment at the planning application stage, the supporting text paragraph M202.12 contains additional information on the importance placed on ancient woodlands nationally. The determination of any future planning application would take into account the irreplaceable nature of ancient woodlands with reference to the standing advice.

Natural England comments to NCC response: No further comment

Remaining unresolved issues: None

10) Policy MIN 115 North Walsham

Respondent: **Natural England** (Emma Hurrell) [Person ID: 21912]

Representation [Rep ID: 99429]: (Comment)

Paragraph c. of Specific Site Allocation Policy Min 115, states that there is a requirement for, “an acceptable full biodiversity survey and report, including bat and badger surveys.” It is unclear why protected species surveys have been requested specifically for this site. It should be emphasised that protected species surveys will be required at any of the allocated sites where it is likely that a protected species is present. We would recommend reference to our standing advice [<https://www.gov.uk/guidance/protected-species-how-to-review-planning-applications>] of protected species.

NCC Planning Officer response: Noted. The Minerals and Waste Development Management Criteria Policy MW1 requires all proposals for minerals and/or waste development to demonstrate that there will be no unacceptable impacts on the natural environment. The supporting text in paragraph 6.22 states the circumstances when a Biodiversity Survey and Report will be required to support planning applications, including for protected species. The requirement for protected species surveys is contained in the existing policy for site MIN115 in the adopted Minerals Site Specific Allocations Development Plan Document and has been carried forward into the new policy in the NM&WLP. Specific mention of protected species surveys had

been made in the original site allocation policy requirements for site MIN 115 because we had received consultation responses that indicated that protected species are found in proximity to the site.

Natural England comments to NCC response: No further comment

Remaining unresolved issues: None

11) Habitats Regulations Assessment

Respondent: **Natural England** (Emma Hurrell) [Person ID: 21912]

Representation [Rep ID: 99436]: (Comment)

Natural England would like to reiterate our comments made in response to the initial consultation on the NMWLP in 2018 (letter dated 13 August 2018, Our ref: 251305) regarding our advice to consider the judgement from the Court of Justice of the European Union, case C-323/17 People Over Wind v Coillte Teoranta ('People Over Wind'). We note that our advice has been acknowledged and has guided the reassessment of sites MIN 96, MIN 25, MIN69, MIN 207, MIN 202 and MIN 65.

With reference to the HRA screening process for Likely Significant Effects, it is noted that for several policies (including WP2: Spatial Strategy for waste management facilities; MP1: Provision for minerals extraction; and MP2: Spatial strategy for mineral extraction) the phrase, "these impacts could be mitigated through the design and operation of the sites." Has been used frequently. Please note, to reflect the ruling of 'People Over Wind', mitigation through design and operation of a site can only be included at screening stage if the design and operation measures are considered integral to the project and have not specifically been included in the plan policies to mitigate impacts to a designated site. We would advise that the wording in the HRA is revised to make this clear.

Natural England agrees with the statement made in paragraph 6.19 of the NMWLP, which states, "Planning permission for minerals or waste management development affecting an international site (SPAs, SACs or Ramsar sites) will only be granted where the conclusions of a project-level Habitats Regulations Assessment (HRA), where one is required, demonstrate that the proposal will have no adverse impacts on the integrity of any site, either alone or in combination with other plans or projects."

Please note that the Norfolk County Council Planning Officer's comments made in Table 1.3 of the HRA in response to Natural England's comments stating, "We do not consider that there are any sites now concluded suitable to allocate in the Preferred Options document where a project level HRA would be required," implies that a project level HRA would not be required for any of the allocated sites. Natural England advise that the HRA comments are revised to reflect the position made in paragraph 6.19 of the NMWLP that a project level HRA will be carried out when one is required.

It has also been noted that the wrong policy has been referenced in the HRA screening for mineral specific policies. When screening MP2: Spatial strategy for mineral extraction (page 22) it states, "Proposed sites located in proximity to the Breckland SPA will also need to comply with Policy MW5." It is understood that this should be Policy MW4.

NCC Planning Officer response: Noted. An addendum to the HRA has been produced to correct the document in relation to the issues raised in this response.

Natural England comments to NCC response: Natural England are satisfied with the proposed text modifications.

Remaining unresolved issues: None

12) Sustainability Appraisal Report

Respondent: **Natural England** (Emma Hurrell) [Person ID: 21912]

Representation [Rep ID: 99437]: (Support)

Sustainability Appraisal Report

Natural England welcome the inclusion of 'type and area of new habitats created and enhanced post restoration of allocated mineral extraction sites' as a new indicator to support the monitoring of the objective SA6: To protect and enhance Norfolk's biodiversity and geodiversity (NMWLP Draft Sustainability Appraisal Report –Part B, dated March 2022, Table 8.1 Monitoring indicators).

NCC Planning Officer response: Support noted.

Natural England comments to NCC response: No comment

Remaining unresolved issues: None.

Respondent: **Natural England** (Emma Hurrell) [Person ID: 21912]

Representation [Rep ID: 99435]: (Comment)

Natural England commend the consideration of our comments during the initial consultation on the NMWLP in 2018, which has resulted in the removal of MIN 71 and MIN 204 as they are considered unsuitable due to the potential for adverse effects on designated sites.

NCC Planning Officer response: Noted.

Natural England comments to NCC response: No comment

Remaining unresolved issues: None.

7. Signatures and Summary of Resolutions to agree/disagree

Resolutions

The table below summarises the up-to-date progress on matters discussed and resolutions as of 08 November 2023.

Matter	Policy/Paragraph Reference – summary of issue	Rep ID	Resolved/Unresolved	Date agreed
1	Chapter 4. Vision - Nature Recovery Networks and BNG	99423	Resolved	01.11.2023
2	Minerals Strategic Objectives - Nature Recovery Networks and BNG	99424	Resolved	01.11.2023
3	Waste Management Strategic Objectives - Nature Recovery Networks and BNG	99426	Resolved	01.11.2023
4	Policy MW1. Development Management Criteria - Nature Recovery Networks and BNG	99425	Resolved	01.11.2023
5	Policy MW4. The Brecks Protected Habitats and Species – Advise deletion of 1.5km buffer zone around functionally linked land due to revised NE guidance	99422	Resolved	01.11.2023
6	Policy MP7. Progressive working, restoration and after-use - Nature Recovery Networks and BNG	99421	Resolved	01.11.2023
7	Policy MIN 12 Chapel Lane, Beetley – opportunity for restoration of sites to complement Wendling Beck Environment Project through habitat creation	99427	N/A – no change requested	01.11.2023
8	Policy MIN 51/13/08 Beetley – opportunity for restoration to complement Wendling Beck Environment Project through habitat creation	99428	N/A – no change requested	01.11.2023
9	Policy MIN 202 Attlebridge – Reference standing advice for ancient woodland and ancient and veteran trees	99430	N/A – no change requested	01.11.2023
10	Policy MIN 115 North Walsham – protected species surveys	99429	N/A - no change requested	01.11.2023
11	Habitats Regulations Assessment – Amend: wording to reflect ‘People Over Wind’ ruling on mitigation; wording in Table 1.3 to reflect that a project level HRA will be carried out when required.	99436	Resolved	08.11.2023
12	Sustainability Appraisal Report – additional monitoring indicator and removal of MIN 71 and MIN 204	99435 99437	N/A - no change requested	01.11.2023

Signatures

- Caroline Jeffery, Principal Planner (Minerals and Waste Policy), Norfolk County Council

REDACTED SIGNATURE

Dated 08/11/2023

- Gemma Clark, Lead Advisor, Sustainable Development Norfolk and Suffolk, Natural England

Gemma Clark

Dated 08/11/2023