

Policy Evidence Report

Policy 15: Biodiversity and Geodiversity

**Hertfordshire Minerals and Waste
Local Plan 2040**

Hertfordshire County Council



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1. Introduction

- 1.1. Hertfordshire County Council is reviewing its adopted Minerals Local Plan, Waste Local Plan and supporting documents. These comprise the following documents (with adoption date):
- Minerals Local Plan Review (March 2007)
 - Minerals Consultation Areas SPD (November 2007)
 - Waste Core Strategy and Development Management Policies DPD (November 2012)
 - Waste Site Allocations DPD (July 2014)
 - Employment Land Areas of Search SPD (November 2015)
- 1.2. The documents listed above are to be replaced by a single Minerals and Waste Local Plan (MWLP) covering the period to 2040. The new MWLP sets the overall spatial framework and development management policies for sustainable minerals and waste management development in Hertfordshire.
- 1.3. This Policy Evidence Report provides a context and justification for the creation of Policy 15: Biodiversity and Geodiversity in the emerging Minerals and Waste Local Plan. It also contains the reasoning for any changes made to the policy between the Draft Plan publication and the Proposed Submission Plan publication.

2. National Policy Context

- 2.1. The National Planning Policy Framework (NPPF 2023) and National Planning Practice Guidance (PPG) provide the basis of national planning policy.
- 2.2. The following points within the NPPF relate to Policy 15:
- Paragraph 180 states that *'planning policies and decisions should contribute to and enhance the natural and local environment by:*
 - *a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
 - *b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; ...*
 - *d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; ... '.*
 - Paragraph 181 – *'Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least*

environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.'

- Paragraph 185 – *'To protect and enhance biodiversity and geodiversity, plans should: a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.'*
- Paragraph 186 explains the principles that local planning authorities should apply in the determination of planning applications:
 - *'a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; ...*
 - *c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and*
 - *d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.'*
- Paragraph 216 – *'Planning policies should: ... f) set out criteria or requirements to ensure that permitted and proposed operations do not have unacceptable adverse impacts on the natural and historic environment or human health, taking into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality ...'*
- Paragraph 217 - In considering proposals for mineral extraction, minerals planning authorities should: ... *'b) ensure that there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety, and take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality...'*

2.3. The PPG includes a number of relevant sections:

- *'The planning system controls the development and use of land in the public interest and, ... this includes ensuring that new development is appropriate for its*

location – taking account of the effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution.’

Minerals, Paragraph: 012 Reference ID: 27-012-20140306

- *‘The principal issues that mineral planning authorities should address, bearing in mind that not all issues will be relevant at every site to the same degree, include: ... internationally, nationally or locally designated wildlife sites, protected habitats and species, and ecological networks; impacts on nationally protected landscapes (National Parks, the Broads and Areas of Outstanding Natural Beauty); nationally protected geological and geo-morphological sites and features ... ’.*

Minerals, Paragraph: 013 Reference ID: 27-013-20140306

- *‘Minerals operators should look to agree a programme of work with the mineral planning authority which takes into account, as far as is practicable, the potential impacts on the local community and local environment (including wildlife), the proximity to occupied properties, and legitimate operational considerations over the expected duration of operations.’*

Minerals, Paragraph: 015 Reference ID: 27-015-20140306

- *‘There are many possible uses of land once minerals extraction is complete and restoration and aftercare of land is complete. These include: creation of new habitats and biodiversity; use for agriculture; forestry ... ’.*

Minerals, Paragraph: 045 Reference ID: 27-045-20140306

- *‘Planning authorities and neighbourhood planning bodies can work collaboratively with other partners, including Local Nature Partnerships, to develop and deliver a strategic approach to protecting and improving the natural environment based on local priorities and evidence. Equally, they need to consider the opportunities that individual development proposals may provide to conserve and enhance biodiversity and geodiversity, and contribute to habitat connectivity in the wider area (including as part of the Nature Recovery Network).*

In this context, it is useful to consider:

- *the latest government policies that are relevant, including the commitments in the 25 Year Environment Plan;*
- *the contents of existing up-to-date plans and strategies for biodiversity and nature recovery;*
- *the potential effects of a development on the habitats or species on the Natural Environment and Rural Communities Act 2006 section 41 list;*
- *whether an ecological survey is appropriate;*
- *opportunities to restore or enhance local ecological networks, including those that contribute to the wider Nature Recovery Network;*
- *how to secure net gains for biodiversity as part of green infrastructure provision; and*

- *opportunities to work strategically in order to streamline development decisions: for example, by establishing a ‘zone of influence’ around protected sites.’*

Natural Environment, Paragraph: 010 Reference ID: 8-010-20190721

- *‘Information on biodiversity and geodiversity impacts and opportunities needs to inform all stages of development (including site selection and design, pre-application consultation and the application itself). An ecological survey will be necessary in advance of a planning application if the type and location of development could have a significant impact on biodiversity and existing information is lacking or inadequate ... As with other supporting information, local planning authorities should require ecological surveys only where clearly justified. Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity ...’.*

Natural Environment, Paragraph: 018 Reference ID: 8-018-20190721

- *‘The National Planning Policy Framework encourages net gains for biodiversity to be sought through planning policies and decisions. Biodiversity net gain delivers measurable improvements for biodiversity by creating or enhancing habitats in association with development. Biodiversity net gain can be achieved on-site, off-site or through a combination of on-site and off-site measures. It may help local authorities to meet their duty under Section 40 of the Natural Environment and Rural Communities Act 2006.’*

Natural Environment, Paragraph: 022 Reference ID: 8-022-20190721

- *‘Local planning authorities need to consider both the direct and indirect impacts on ancient woodland and ancient or veteran trees when assessing development proposals and the scope for avoiding or mitigating adverse impacts ...’.*

Natural Environment, Paragraph: 033 Reference ID: 8-033-20190721

- *‘Local planning authorities can ensure that waste is handled in a manner which protects human health and the environment through testing the suitability of proposed sites, both in developing their Local Plans and in considering individual planning applications ...’ by ‘... ensuring land raising or landfill sites are restored to beneficial after-uses (eg agriculture, biodiversity, forestry, amenity) at the earliest opportunity and to high environmental standards.’*

Waste, Paragraph: 005 Reference ID: 28-005-20141016

2.4. The locational criteria set out in Appendix B of the National Planning Policy for Waste (NPPW) states under ‘d. nature conservation ... Considerations will include any adverse effect on a site of international importance for nature conservation (Special Protection Areas, Special Areas of Conservation and RAMSAR Sites), a site with a nationally recognised designation (Sites of Special Scientific Interest, National Nature Reserves), Nature Improvement Areas and ecological networks and protected species.’

2.5. In addition, the Natural Environment and Rural Communities Act 2006 (40(1)) states that a ‘public authority must, in exercising its functions, have regard, so far as is

consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.'

- 2.6. Furthermore, the NPPF refers to the Government Circular: Biodiversity and Geological Conservation – Statutory Obligations and Their Impact Within the Planning System (2005). Although it is an older document, the Circular provides useful information on the role of planning in the conservation of biodiversity and geodiversity.

3. Local Context

- 3.1. Natural England has identified a series of National Character Areas (NCAs) which form distinct geographical areas across England in terms of their landscape, wildlife and historic characteristics. Hertfordshire contains four main NCAs: the Chilterns, Northern Thames Basin, South Suffolk and North Essex Claylands, and East Anglian Chalk, as well as small sections of the Bedfordshire Claylands and Thames Valley in the North West and South west of Hertfordshire. These reflect the distinctive landscapes and habitats across the county, from the chalk scarp grasslands and chalk streams of the Chilterns to the hornbeam woodlands and remnant heaths of the London clay and gravels.
- 3.2. On behalf of the Hertfordshire Environmental forum, the Herts and Middlesex Wildlife Trust (HMWT) prepared a Local Biodiversity Action Plan (BAP) for the county in 1998 which was revised in 2006. This sets out a series of Habitat and Species Actions Plans reflecting national and local priorities. Whilst these remain technical documents, the BAP process was formally superseded by the Local Nature Partnership (LNP) in 2012. This has replaced the High Biodiversity Areas with the Ecological Network Mapping to identify priority habitats and areas for potential ecological restoration. The LNP has published a series of high-level guiding principles and also provides planning guidance and embraces other conservation initiatives.
- 3.3. In July 2023 the Hertfordshire Climate Change and Sustainability Partnership published a Strategic Action Plan for Biodiversity. This builds on the earlier work mentioned above, and includes a series of actions and targets along with timeframes for delivery. Some targets relate to protecting and enhancing biodiversity through the planning system.
- 3.4. Sites of Special Scientific Interest (SSSI) are an important part of delivering these objectives. Within Hertfordshire, there are 43 SSSIs which provide statutory protection and management to these nationally important ecological and geological sites. A number of these also contribute to the internationally important designations of the Chilterns Beechwoods Special Area of Conservation, Wormley Hoddesdon Park Woods Special Area of Conservation (and National Nature Reserve), and the Lee Valley Special Protection Area and Ramsar (International wetland) site. There are also

36 Nature Reserves, mainly managed by HMWT, 44 Local Nature Reserves and (currently) 1,812 non-statutory Local Wildlife Sites and Regionally Important Geological / Geomorphological Sites recognised for their significant contribution to the biodiversity within Hertfordshire.

4. Minerals & Waste Local Plan Policy

4.1. The Draft Minerals and Waste Local Plan was published for a Regulation 18 public consultation from 22 July to 31 October 2022. During the consultation period, members of the public, industry and other bodies were invited to comment on the policies within the Plan. This report shows the draft policy as published within the Draft Plan document, along with the main issues raised and the council's response to them.

Minerals and Waste Local Plan Draft Plan 2022

4.2. The Regulation 18 Draft Plan document included Policy 15: Biodiversity and Geodiversity. The policy read as follows:

Policy 15: Biodiversity and Geodiversity

Sites which benefit from designation at an International and European Level, including Ramsar sites, SPAs and SACs*, will be afforded the highest level of protection. Development proposals that are likely to have an adverse effect on the integrity of such sites will not be permitted unless exceptional circumstances can be clearly demonstrated. Such circumstances will only exist if:

- a) there is an overriding need in the public interest;
- b) no alternative locations are available for the development; and
- c) appropriate offsetting is provided.

Development proposals which are on, are adjacent to, or which may otherwise have negative impact upon sites which have been designated at a National Level, including Site of Special Scientific Interest (SSSIs) and National Nature Reserves (NNRs), will only be supported where it is clearly demonstrated that the benefits of the proposals outweigh any harms.

Development proposals affecting sites of Local Importance, including Local Wildlife Sites, Local Nature Reserves and Local Geological Sites, and their contribution to the wider ecological and geodiversity network, will only be supported where the benefits outweigh the harm, whilst maintaining the overall network.

All proposals for minerals and waste management development must clearly demonstrate that throughout the lifetime of the development (including restoration where applicable):

- d) the impact on biodiversity through loss of or damage to habitats and/or species is minimised;
- e) there is a measurable gain in biodiversity consistent with Government guidance[†];
- f) how enhanced biodiversity and geodiversity can contribute to wider ecological networks and local green/blue infrastructure through the introduction of appropriate measures;
- g) any loss of trees is, as a minimum, offset by replacement trees on-site or at a suitable nearby location, and opportunities for establishing additional trees have been sought;
- h) there is no loss or deterioration of irreplaceable habitats including ancient woodland, veteran trees and ancient hedgerows; and
- i) the requirements of protected species (including European Protected Species) can be fully and satisfactorily demonstrated to be met at all stages of development, which will include appropriate habitat compensation and enhancement.

All proposals for new, and extensions to existing minerals and waste management development, must submit an ecological survey of the site, prepared by a suitably qualified professional, prior to development taking place, and where appropriate, a scheme for monitoring biodiversity during and after the development (including throughout the duration of any aftercare or long-term management programme).

*including proposed Ramsar sites, potential SPAs and possible SACs.

[†]the gain must be on-site where practicable and must include a calculation using the latest published Biodiversity Metric.

4.3. During the Regulation 18 consultation, 14 representations were made in relation to this policy. The main issues of these are summarised below:

- a) Restoration of mineral sites offers the opportunity to deliver working landscapes of improved biodiversity value at a landscape scale. The plan should highlight this opportunity as a matter of course and seek to establish, through restoration, habitats that have declined or been lost across much of Hertfordshire in the past 80 years.
- b) There needs to be more emphasis on the importance of local chalk streams and the management of water use and discharge within their catchments. Whilst they are briefly referred to in the supporting text, that is insufficient to give them a suitable level of protection.
- c) The Sustainable Herts strategy has a target to improve nature by 20% across the county by 2050, so it is appropriate for the Plan to set a 20% target for BNG, especially in relation to the Chilterns AONB.
- d) The following amendment to the policy is suggested: ‘... will only be supported where the benefits outweigh the harm, whilst maintaining **the ecological coherence** of the overall network.’

- e) The following amendment is suggested to criterion i): ‘the requirements of protected species (including European Protected Species) can be fully and satisfactorily demonstrated to be met at all stages of development, which will include ~~appropriate habitat compensation and enhancement~~ **necessary avoidance, mitigation and compensation, and appropriate enhancement measures**’.
- f) ‘Invasive species’ should be added to the list of potential impacts identified in paragraph 5.117
- g) ‘Where possible’ confuses the mitigation hierarchy as this can be interpreted in different ways; instead, there should be a clear presumption in favour of avoidance. Following on from this, and in addition to the need to justify mitigation measures, where harmful impacts on ecological features have not been avoided, this should be accompanied by the need for the thorough justification of why this was not ‘possible’. The current wording places far too great a reliance on mitigation. This is not how the mitigation hierarchy should work.
- h) The text should make clear that the mitigation hierarchy must be followed otherwise there is a risk that future proposals could conflict with established best practice guidance.
- i) The text should explain the reference to the County’s ‘Sustainable Hertfordshire Strategy’ and its aim to deliver a 20% net gain. Is this a requirement of the Plan or not? At present, the meaning of the text is unclear and requires clarification.
- j) The second para relates to impact on assets of a national significance suggesting the proposals that have a negative impact on sites will only be supported where the proposals demonstrate a benefit that outweighs any harm. The consideration of negative impact needs to have a limit set by introducing the term significant negative impact. The same applies to the third paragraph where the term “affecting” could be replaced by “having a significantly adverse effect on”.
- k) There is no reference to Ancient Woodland and other irreplaceable habitats in this policy.
- l) When discussing ecological impacts, it may be useful for the paragraph to differentiate between direct and indirect impacts. This will make content clearer and more consistent with best practice guidance in the preparation of ECIA’s.
- m) ‘Development proposals affecting sites of Local Importance, including Local Wildlife Sites, Local Nature Reserves and Local Geological Sites, and their contribution to the wider ecological and geodiversity network, will only be supported where the benefits outweigh the harm, whilst maintaining the overall network.’ We would like this to be stronger and ‘improve the overall network’, you could also add ‘*and recreating the damaged site habitats elsewhere locally*’.
- n) We would like to see reference to NERC Act priority species and habitats and their importance to the biodiversity network.
- o) ‘All proposals for new, and extensions to existing minerals and waste management development, must submit an ecological survey of the site, prepared by a suitably qualified professional, prior to development taking place,

and where appropriate, a scheme for monitoring biodiversity during and after the development (including throughout the duration of any aftercare or long-term management programme).’ This paragraph needs to ensure that a scheme for mitigation and compensation is produced and at least 10% BNG is achieved.

- p) The Local Nature Recovery Strategy should be referenced by the plan. The goals of the LNRS need to be held in higher regard by this minerals plan than the restoration of agricultural land and maximising landfilling opportunities.
- q) Whilst designated sites are noted by the plan as needing protection, there is a bigger picture here. Safeguarding of local wildlife rich habitats and wider ecological networks also need to be protected, such as priority habitats and species (or Habitats of Principal Importance). These are not listed in the plan but must be; habitats of note here include ponds as there are several present on the proposed extraction sites. Often wildlife corridors form stepping stones or buffer areas which can be as important in the long term as protected sites themselves, which otherwise would be ‘biodiversity islands’, with questionable longevity.
- r) This policy is unsound as it fails to distinguish between the hierarchy of different designations from international, national, and local as required by para. 181 of the NPPF.
- s) The Plan recognises the need to protect ancient woodland, but the interactive map showing the Mineral Development Sites has some MDS's that include ancient woodland e.g. Panshanger MDS06. That area includes the woodland named Chisel Shelf, the west end of which is a PAWS site.
- t) Consideration needs to be given to sites that lie outside of Lee Valley SPA (and other SACs relevant to the Plan) which contribute to the value of the site. The following text is proposed to be added to paragraph 5.117:
Where a development site has wetland habitats, (as in the case of the Lee Valley SPA/Ramsar site located within the Lee Valley Regional Park) the ecological assessment should be carried out in conjunction with the Lee Valley Regional Park Authority to determine whether the site may be used by key bird species noted in the SPA or Ramsar citations’
- u) The following amendments are proposed to the policy:
 - ‘Development proposals that are likely to have an adverse effect on the integrity of such sites **and functionally linked habitats** will not be permitted unless exceptional circumstances can be clearly demonstrated. Such circumstances will only exist if:
 - a) there is an overriding need in the public interest;
 - b) no alternative locations are available for the development; and
 - c) appropriate **mitigation, in the first instance**, and then offsetting is provided
- v) The requirement for an ecological survey to be submitted ‘prior to development taking place’ should be amended to ensure the ecological survey is submitted with the application so ecological matters can be considered as early as possible.

- w) We note that this policy states that *“development proposals which are on, are adjacent to, or which may otherwise have negative impact upon sites which have been designated at a National Level, including Site of Special Scientific Interest (SSSIs) and National Nature Reserves (NNRs), will only be supported where it is clearly demonstrated that the benefits of the proposals outweigh any harms.”* The council is encouraged to consider proposals which seek to maintain and enhance statutory conservation sites.
- x) The plan’s approach to biodiversity net gain (BNG) should be compliant with the mitigation hierarchy, as outlined in paragraph 181 of the NPPF. Policies and decisions should first consider options to avoid adverse impacts on biodiversity from occurring. When avoidance is not possible impacts should be mitigated and finally, if there is no alternative, compensation provided for any remaining impacts. Biodiversity net gain should be additional to any habitat creation required to mitigate or compensate for impacts.
- y) The required percentage uplift for biodiversity net gain should be clarified to ensure consistency and certainty of delivery. Natural England encourages developers and local planning authorities to seek a minimum of 10% net gain. However, we would welcome the inclusion of a more ambitious BNG target, which will help to support the objective outlined within the Sustainable Hertfordshire Action Plan to *“improve biodiversity on our land by 20% by 2030”*. Any target should be achievable, and evidence based. Habitats should be secured for at least 30 years and appropriate monitoring/management should be undertaken during that period.
- z) The policy states development must demonstrate that *“the impact on biodiversity through loss of or damage to habitats and/or species is minimised.”* Whilst we recognise that minerals often involve disruption and disturbance, we advise that proposals should still seek to maintain biodiversity. Protective measures should be implemented in the active phase, as well as mitigation and enhancement measures where required.

4.4. The council’s response to the main issues is as follows:

- a) The Council accepts this point could be emphasised further in the plan and will amend the supporting text to Policy 15 accordingly.
- b) It is considered that the protection of the quality of water resources is included within Policy 21: Water Management. The Policies Map will be amended to include a chalk Mineral Safeguarding Layer.
- c) The Environment Act mandates a 10% biodiversity gain. If the Plan were to raise the requirement to 20%, the figure would need to be justified and supported by appropriate evidence.
- d) The council agrees with this suggestion and the policy will be amended accordingly
- e) The suggested change will be included.
- f) The suggested change will be included.

- g) The relevant paragraph of the supporting text will be updated. This is also covered by paragraph 192 of the NPPF.
- h) This is covered by paragraph 192 of the NPPF so there is no need to repeat national policy here.
- i) This is not a requirement of the Plan. Every policy is linked to the relevant ambition/target of the Sustainable Hertfordshire Strategy. This does not mean that the policy/plan seeks to meet these specific targets, but rather will help the county to achieve them.
- j) The phrase 'significant negative impact' is not supported/prescribed by national policy in the context of considering impacts on biodiversity sites designated at a national level. The paragraph will be updated to better reflect the requirements of Paragraph 186 b) of the National Planning Policy Framework.
Broxbourne Woods is Hertfordshire's only National Nature Reserve and is also recognised as a Special Area of Conservation and SSSI. Therefore, this site will be given the highest level of protection that is afforded to European sites.
- k) This is specifically mentioned in criterion h) of the Policy.
- l) The following wording will be added to the supporting text: '*Impacts should be characterised, through consideration of their magnitude and/or extent, the route through which they occur (whether direct, indirect, secondary or cumulative) and their duration and reversibility*'. A footnote to appropriate guidance will also be added.
- m) Policy wording will be amended to reflect this, see response to issue d).
- n) Reference to the Act has been included within the Plan. It was included within the Draft Pan in a footnote but will be moved into the supporting text. The following sentence will also be added to the supporting text: '*Priority habitats and species are of principal importance for the purpose of conserving biodiversity*'.
- o) The paragraph of the policy will be updated to ensure that a scheme for mitigation and compensation is produced as part of the ecological survey.
A net gain of 10% in biodiversity is now a legal requirement, as prescribed by The Environment Act, therefore there is no need to state this within the policy.
- p) Reference to the council's Local Nature Recovery Strategy will be added to the Policy. At the time of writing, the Local Nature Recovery Strategy does not exist but will be in place by 2025.
- q) The supporting policy text gives reference to priority habitats and species and refers to Section 41 of the Natural Environment and Rural Communities Act 2006. It would not be appropriate to individually list all priority habitats and species within the supporting text due to the extensive length of such a list. However, the European protected species have been listed and noted as having the highest level of protection. The introductory text to Policy 15 has will now include an expanded overview of Hertfordshire's habitats and includes reference to ponds and the unique biodiversity they can support.
- r) The hierarchy of different designations is distinguished in the supporting text. The policy is explicitly structured according to this hierarchy.

- s) The boundaries of the MDS are consistent with the areas associated with the planning applications for these sites. Some of them may include land, such as ancient woodland, which was not part of the extraction area. Inclusion of such land does not place that land at risk of future extraction, and therefore it is appropriate to show the correct extend of the permitted MDS.
- t) The suggested change will be included.
- u) The suggested changes will be included.
- v) The suggested change will be included.
- w) The second part of the policy, which includes criteria d) to i) specifically covers this.
- x) Additional wording concerning the requirements of the mitigation hierarchy will be added to the Policy and supporting text.
- y) The Environment Act requires a minimum 10% net gain. Higher targets would need to be based on robust evidence. Wording will be added to the supporting text to encourage mineral restoration proposals to deliver above the mandatory 10% minimum.
- z) Criterion d) will be amended to reflect this.

5. Alternative Reasonable Options

- 5.1. The following reasonable alternative options have been considered (and fully assessed in the Sustainability Appraisal Report):
- Option 1 – Include a detailed criteria-based policy, consistent with national policy
 - Option 2 – A similar policy to Option 1, with less restrictive criteria
 - Option 3 – A policy similar to Option 1 but which sets out the hierarchy of sites and affords different levels of protection to each (preferred policy)

6. Conclusion

- 6.1. This Policy Evidence Report demonstrates the justification for the inclusion of this policy in the emerging Minerals and Waste Local Plan Proposed Submission Plan. It summarises the national policy context and local context, along with the main issues raised through previous consultation and how the council has addressed those issues.
- 6.2. Any representations received on this policy at the Regulation 19 consultation stage will be submitted alongside the Local Plan to the Secretary of State as part of the examination process.
- 6.3. This Policy Evidence Report was written to support the Proposed Submission Plan (Regulation 19) consultation. This report forms part of the Regulation 22 statement, as set out by the Town and Country Planning (Local Planning) (England) Regulations 2012.