



**Peter
Bennie**

**APPLICATION TO VARY APPROVED
RESTORATION DETAILS**

HARLESTONE QUARRY

JULY 2020



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HARL-01c – Harlestone Restoration

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1 Introduction and Background to Proposal

1.1 Purpose of this Report

1.1.1 This document is the Planning Statement, prepared on behalf of Peter Bennie Ltd (The Applicant), which accompanies a planning application under Section 73 of the Town and Country Planning Act to vary condition 28 of planning permission reference 15/00095/MINVOC at Harlestone Quarry, Northamptonshire.

1.1.2 Condition 28 limits restoration of the site to forestry and the Applicant is seeking to vary the restoration objectives to agricultural grassland.

1.1.3 This Statement accompanies the planning application, outlines the proposals, and considers the potential for environmental impacts as a result of the development in accordance with the relevant Planning Policy objectives. The Application is accompanied by a restoration strategy and aftercare scheme (appendix 1)

1.2 The Applicant

1.2.1 The Bennie Group business was founded in the 1930s and has evolved into a Group of companies operating in the orthopaedic footwear, construction and MH equipment industries. Peter Bennie Ltd is a major part of The Bennie Group and is based at Burton Latimer south of Kettering.

1.2.2 The business is renowned for quality of service and products, technical expertise and knowledge. This expertise is not only in the production process but also in health, safety and environmental management which is a critical factor for its own operations and those of major clients. The extraction of minerals and the restoration of quarries with inert materials for landfill are common for the Company and they have a strong track record in successful restoration.

1.3 Planning and Site History

1.3.1 The land surrounding Harlestone Quarry has seen mineral working dating back to the early 1800's. Stone from Harlestone Quarry can be seen in local vernacular both within the villages of Upper and Lower Harlestone as well as within wider Northampton.

1.3.2 The original quarry area (now the plant site, site access and stocking areas) was granted planning permission in 1981. This consent included the extraction of sandstone and the importation of inert materials for restoration.

1.3.3 In January 2002 permission was granted to extend the quarry in a southerly direction as far as the Round Oak Plantation (DA/2001/1255). This area is known as Phase 1. This area has

now been restored and is subject to ongoing aftercare. Planning permission was also granted for an inert waste recycling facility to produce recycled aggregate (DA/2001/1254) for local construction projects. Fines remaining from this process have been used in restoration.

- 1.3.4 In 2005, permission was granted (DA/2005/0876) to extend the quarry in a northerly direction (adjacent to the A428). This area is referred to as Phase 2. Mineral extraction has been completed in this area and the importation of inert material for restoration is ongoing. This area has permission to be restored to forestry. Amendments to this restoration scheme are proposed as part of this Application.
- 1.3.5 There have been variations to the approved scheme details including alterations to phasing and screening bund heights. Most recently has been a permission to extend the end date of working until 31st December 2021 (DA/2016/0027). The extant planning permission for working and restoration of the site is controlled by permission reference 15/00095/MINVOC.
- 1.3.6 The adopted Northamptonshire Minerals and Waste Local Plan (July 2017) supports continued working at Harlestone Quarry allocating an extension area (due west of Phase 2) for both building stone and general aggregate/crushed rock supply.

2 Site Location and Setting

- 2.1.1 The site is located to the south east of Harlestone village, Northamptonshire. The centre of Harlestone is approximately 1 km to the north west of the site and the centre of Northampton lies 4 km to the southeast. Access to the site is from the A428 that forms the boundary to the east of the existing quarry and material infill site.
- 2.1.2 The land beyond the plant site to the north and south east are former quarry workings which have predominantly been restored to consented levels.
- 2.1.3 To the south of the quarry is a Wyevale Garden Centre. Beyond which is New Sandy Lane, a northern distributor road around Northampton. Areas of residential development are being completed within the confines of the ring road and the existing built up area. In addition, there are proposals being put forward (an allocation within the emerging West Northamptonshire Joint Core Strategy Part 1 (N4) and an undetermined outline planning application) for the construction of a large Sustainable Urban Extension to the north of New Sandy Lane. There are long term plans identified within the Infrastructure Delivery Plans for the County for New Sandy Lane to join the 'Northampton North Western Relief Road'.
- 2.1.4 Land to the north is also naturally regenerated woodland with evidence of previous mineral extraction having taken place. The land to the north sits approximately 6 metres below ground level of the restored areas of the site. The closest residential receptor (the Quarries) is located to the north.
- 2.1.5 Land to the west is in agricultural use. The allocation for further mineral extraction identified in the Northamptonshire Minerals and Waste Local Plan is the field immediately west of current operations segregated by the existing soil screening bund.
- 2.1.6 Processing, stocking and recycling areas are located within the original quarry area (Phase 1) along with the site office, welfare facilities and the wheelwash.
- 2.1.7 The closest sensitive residential receptors are The Quarries and The Lodge situated to the north of the site. These properties are accessed by Dave Brickwood Way also to the north of the site. Land immediately south of the properties has been left to naturally regenerate post historic mineral extraction. There are also residential properties located along the A428 Rugby/Harlestone Road.
- 2.1.8 The existing quarry is located wholly within EA Flood Zone 1 (land assessed as having a less than 1 in 1,000 annual probability of flooding – land at lowest risk of river/sea flooding).

3 The Development Proposals

3.1.1 This Planning Application seeks to vary condition 28 of planning consent reference 15/00095/MINVOC. Condition 28 states:

The permission site shall be planted for forestry purposes in accordance with a scheme to be submitted and approved in writing by the Minerals Planning Authority within 12 months of the date of this permission.

3.1.2 This application seeks to vary that condition by allowing for restoration to agricultural grassland as opposed to forestry planting. Condition 27 of permission reference 15/00095/MINVOC establishes approved restoration levels. These are not to be affected by any variation sought through this application. The sole change is from forestry planting to agriculture/grassland.

3.1.3 Restoration only affects land subject to infilling. The existing access road, plant site, processing area and welfare facilities will remain to facilitate a potential extension to the west of the site in accordance with the allocation as identified within the Northamptonshire Minerals and Waste Local Plan. It is understood that an application is in progress for this area. Should a Planning Application not come forward, the plant site area etc can be restored in accordance with the approved details. This Application does not seek to vary approved restoration levels or details in this area.

Existing situation

3.1.4 Most of the existing permitted working areas (to the east and south east bound by the A428) have been restored back to high level. There are areas of woodland planting to the south (Phase 1 a and Phase 1b) which have been fully restored and are now in a period of aftercare. Land to the east (phase 2) is being progressively restored with only soil placement remaining.

3.1.5 There is an existing topsoil and subsoil storage mound located along the site's eastern boundary. This is being used in the final restoration of the existing quarry.

Proposed Restoration of Phase 2

3.1.6 Restoration will be carried out as per Harlestone Restoration to Grassland Plan – drawing number HARL-01c dated June 2020.

3.1.7 The restoration will include:

- 7.3 ha of agricultural land.
- 1 ha of scrub to the perimeter, a mozaic habitat of grassland / scrub, transitional zone between the existing mature woodland and the newly restored agricultural land.

- Retention of all existing hedgerows.

3.1.8 The planting schedule is set out below:

Botanical Name	Common Name	Size	Scrub Planting	Tree Shelter
<i>Alnus cordata</i>	Alder	45-60cm	50	60cm spiral
<i>Acer campestre</i>	Field Maple	45-60cm	50	shrub shelter
<i>Corylus avellana</i>	Hazel	45-60cm	150	shrub shelter
<i>Malus sylvestris</i>	Crab Apple	45-60cm	75	60cm spiral
<i>Crataegus monogyna</i>	Hawthorn	45-60cm	200	60cm spiral
<i>Cornus sanguinea</i>	Dogwood	45-60cm	50	shrub shelter
<i>Viburnum opulus</i>	Guelder Rose	45-60cm	50	shrub shelter
Open Ground	60% of area			
TOTAL			625	

3.1.9 This application is accompanied by a restoration and aftercare scheme (Appendix 1).

4 Planning Policy

4.1 Introduction

4.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that determination by the relevant MPA, in this instance, Northamptonshire County Council (NCC), must be made in accordance with the Development Plan unless material considerations indicate otherwise.

4.1.2 In reaching a decision on this application the first consideration is therefore whether the proposals accord with the Development Plan. Having done this, it is then necessary to have regard to all other material considerations, which include all relevant policy considerations contained in the emerging Development Plan as well as National Planning Policy and guidance.

4.1.3 This firstly details policies within the Northamptonshire MLP. It will then set out policies within the West Northamptonshire Joint Core Strategy, saved policies of the Daventry Local Plan and the NPPF. Harlestone Quarry is under the administrative boundary of Daventry District Council.

4.2 The Development Plan

Northamptonshire Minerals and Waste Local Plan 2011-2031

4.2.1 The Minerals and Waste Local Plan was adopted on 1 July 2017 and sets out principles of development throughout Northamptonshire County Council. The Local Plan is applicable to all proposals for minerals and waste related development. The following is a summary of main policies of relevance pertaining to the sites restoration.

Policy 18 Addressing the impact of proposed minerals and waste development

4.2.2 Proposals for minerals and waste development must demonstrate that the following matters have been considered and addressed:

- protecting Northamptonshire's natural resources and key environmental designations (including heritage assets),
- avoiding and / or minimising potentially adverse impacts to an acceptable level, specifically addressing air emissions (including dust), odour, bioaerosols, noise and vibration, slope stability, vermin and pests, birdstrike, litter, land use conflict and cumulative impact,
- impacts on flood risk as well as the flow and quantity of surface and groundwater,

- ensuring built development is of a design and layout that has regard to its visual appearance in the context of the defining characteristics of the local area,
- ensuring access is sustainable, safe and environmentally acceptable, and
- ensuring that local amenity is protected.

4.2.3 Where applicable a site-specific management plan should be developed to ensure the implementation and maintenance of mitigation measures throughout construction, operation, decommissioning and restoration works.

Policy 21: Landscape character

4.2.4 Minerals and waste development should seek to reflect Northamptonshire's landscape character. Development should mitigate potentially adverse impacts on the local character and distinctiveness of Northamptonshire's landscape where necessary during the development, operational life, restoration, aftercare and after-use. Opportunities for enhancement should be maximised through restoration, aftercare and after-use.

Policy 24: Restoration and after-use

4.2.5 All minerals and waste related development of a temporary nature must ensure that the site is progressively restored to an acceptable condition and stable landform.

Policy 25: Implementation

4.2.6 The implementation of minerals and waste development will be controlled and managed through the use of the following measures:

- planning conditions,
- planning obligations and / or legal agreements to ensure that requirements are met (but only where the use of planning conditions alone is not adequate), and / or to provide benefits to compensate the local community affected by the development (where appropriate),
- requirements by the owner and / or operator to monitor minerals extracted and waste managed, including information on catchments, and to provide summaries of this information to the Minerals and Waste Planning Authority,
- monitoring of permitted operations by the planning authority to ensure compliance with planning conditions,
- establishment of a Local Liaison Group (where appropriate), and

- service of prohibition orders at minerals sites where winning and working has not been carried out for at least two years and where, in the planning authority's opinion, working is unlikely to be resumed.

The West Northamptonshire Joint Core Strategy Local Plan (Part 1)

- 4.2.7 The West Northamptonshire Joint Core Strategy Local Plan (Part 1) was adopted on 15 December 2014. The Joint Core Strategy designates the site as green wedge. There is also a large Sustainable Urban Extension proposed to the south of the proposed extension area, north of Sandy Lane.
- 4.2.8 The West Northamptonshire Joint Core Strategy Local Plan (Part 1) sets out a strategy for the area of Daventry District, Northampton Borough and South Northamptonshire Councils for the plan period up to 2029.

Policy SA- Presumption in favour of sustainable development

- 4.2.9 When considering development proposals the relevant council will take a positive approach that reflects the presumption in favour of sustainable development contained in the national planning policy framework.
- 4.2.10 It will always work proactively with applicants jointly to find solutions which mean that proposals for sustainable development will be approved and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with the policies in this local plan (and, where relevant, with policies in other local plans and neighbourhood plans) will be approved without delay, unless material considerations indicate.

Policy S10- Sustainable Development Principles

- 4.2.11 Development will (inter alia):
- achieve the highest standards of sustainable design incorporating safety and security considerations and a strong sense of place;
 - maximise water efficiency and promote sustainable drainage;
 - protect, conserve and enhance the natural and built environment and heritage assets and their settings;
 - promote the creation of green infrastructure networks, enhance biodiversity and reduce the fragmentation of habitats; and

- minimise pollution from noise, air and run off.

Policy BN2- Biodiversity

4.2.12 Development that will maintain and enhance existing designations and assets or deliver a net gain in biodiversity will be supported. Development that has the potential to harm sites of ecological importance will be subject to an ecological assessment and required to demonstrate:

- the methods used to conserve biodiversity in its design and construction and operation;
- how habitat conservation, enhancement and creation can be achieved through linking habitats;
- how designated sites, protected species and priority habitats will be safeguarded.

Policy BN7- Flood Risk

4.2.13 Development proposals will comply with flood risk assessment and management requirements set out in the national planning policy framework and planning practice guidance and the West Northamptonshire strategic flood risk assessments to address current and future flood risks with appropriate climate change allowances.

4.2.14 All new development, including regeneration proposals, will need to demonstrate that there is no increased risk of flooding to existing properties, and proposed development is (or can be) safe and shall seek to improve existing flood risk management.

4.2.15 All proposals for development of 1 hectare or above in flood zone 1 and for development in 2, 3a or 3b must be accompanied by a flood risk assessment that sets out the mitigation measures for the site and agreed with the relevant authority.

4.2.16 A flood risk assessment must also accompany proposals where it may be subject to other sources, and forms, of flooding or where other bodies have indicated that there may be drainage problems.

Daventry District Local Plan (1997)

Policy GN1

4.2.17 Policy GN1 states that the granting of planning permission for development will be guided by the need to, inter alia, safeguard natural resources, protect and enhance the natural environment, and make proper use of under-utilised land.

Policy GN2

4.2.18 Policy GN2 states that planning permission will normally be granted for development provided it meets the criteria within the policy which includes, inter alia, having satisfactory access, not having an adverse impact on: the road network, sites of nature conservation, geological or archaeological importance, special landscape areas and best and most versatile agricultural land.

Policy EN1

4.2.19 Policy EN1 refers to Special Landscape Areas designated on the Proposals Map, which is relevant as the proposed extension area at Harlestone Quarry is washed over by this designation. The policy seeks to ensure development recognizes and is in compliance with identified landscape characteristics.

Policy EN10

4.2.20 Policy EN10 refers to Green Wedges, which is also a designation that washes over the Harlestone Quarry site. It states that planning permission will not be granted for development here unless it would not:

- Be discordant with the predominantly open/green nature of a green wedge by reason of appearance or use; or
- Reduce the physical separation between settlements; or
- Compromise agricultural or forestry operations, recreation use or wildlife value in a green wedge; or
- Impair public access to a green wedge.

4.2.21 It is however worth noting that the subtext of the policy states, “It should be noted that valid minerals planning consents exist on sites within the green wedge,” which indicates that mineral development, due to its temporary nature, is observed as compatible development.

Policy EN25

4.2.22 Policy EN25 states that planning permission will be dependent on the submission of a comprehensive landscaping scheme that provides for the protection and incorporation of existing trees, hedges and other features of the site together with proposals for new planting. Proposals must also have regard to the further provisions listed within the policy.

4.3 Other Policy Considerations

National Planning Policy Framework (NPPF) (2019)

- 4.3.1 The National Planning Policy Framework sets out the Government's planning policies for England in which the policies set out are material considerations to be taken into account in dealing with applications.
- 4.3.2 Paragraph 7 of the NPPF states that, 'The purpose of the planning system is to contribute to the achievement of sustainable development.'
- 4.3.3 Paragraph 8 states that 'there are three dimensions to sustainable development: economic, social and environmental.
- 4.3.4 Paragraph 10 states that 'to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system'.
- 4.3.5 A presumption in favour of sustainable development is at the heart of the NPPF and 'should be seen as a golden thread running through both plan-making and decision-taking' (paragraph 11). For decision taking this means (inter alia):-
- approving development proposals that accord with the development plan without delay; and
- 4.3.6 Within the overarching roles that the Planning System ought to play, twelve core land-use planning principles are set out which should underpin both plan-making and decision taking (Paragraph 17).
- 4.3.7 The NPPF includes various sub headings (paragraphs 18-149) which contribute to the definition of sustainable development, those of relevance to this development are summarised below.
- 4.3.8 Achieving well-designed places (paragraph 124-132) –is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Development proposals should optimise the potential of a site to accommodate development (including incorporation of green and other public space as part of developments), respond to local character and history, create safe and accessible environments and be visually attractive as a result of good architecture and appropriate landscaping.

4.3.9 Paragraph 205 explains that when determining planning applications, great weight should be given to the benefits of mineral extraction, including to the economy. In considering proposals for mineral extraction, minerals planning authorities should (inter alia):

- 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;
- provide for restoration and aftercare at the earliest opportunity, to be carried out to high environmental standards, through the application of appropriate conditions. Bonds or other financial guarantees to underpin planning conditions should only be sought in exceptional circumstances.

5 Need

- 5.1.1 The application has been made following discussions with the landowner regarding long term management of the site. It is their preference that the site is restored to economic use as agricultural farmland reflective of adjoining land and its historic use. The area already benefits from extensive areas of existing woodland and the proposed restoration scheme incorporates elements of ecological enhancement including reinstated field boundaries, scrub planting and perimeter woodland planting.
- 5.1.2 At the time of the submission of the first Phase 2 restoration plan (and the drafting of the 2017 restoration plan), a grant was available for woodland establishment and maintenance. This is no longer the case. In the absence of a grant to assist in the establishment of woodland and considering the prevalence of large mature woodlands in the immediate locality, the Phase 2 restoration plan has been revised as proposed.

6 Main Environmental Considerations

6.1.1 In reviewing the adopted and emerging planning policies relevant to the proposed development, the following considerations are considered of relevance and are examined in more detail in the remainder of this Statement:

- Potential landscape and visual impact
- Potential for impact on nature conservation and ecology
- Potential impact upon water resources
- Potential impact upon soils, land quality and agriculture

6.2 Landscape and Visual Considerations

6.2.1 The Development Plan contains policies and text concerning the protection and enhancement of landscape.

6.2.2 The site is located in the following landscape character areas:

- National Character Area Profile: 95 Northamptonshire Uplands

This is an area of gently rolling, limestone hills and valleys capped by ironstone-bearing sandstone and clay Lias, with many long, low ridgelines. Rivers flow out in all directions, including several major rivers. There are strong unifying landscape features, most importantly the extensive areas of open field systems with ridge and furrow and the earthworks of deserted and shrunken settlements which occur throughout. Other features include the high, wide, A-shaped hedgerows bounding the largely rectilinear fields with their frequent mature ash and oak trees; the many country houses and their associated extensive areas of historic and nationally important designed parkland landscapes; the distinctive ironstone, cob and brick nucleated settlements with their large stone churches, often with prominent steeples; the narrow lanes with very wide grassy verges; and the small, scattered but prominent broadleaved woods and coverts. There are also wide, long-distance views from the edges and across the ridgetops throughout the area.

- Northamptonshire Landscape Character Type 4 Rolling Ironstone Valley Slopes

This comprises broad valley slopes with ironstone geology expressed in local vernacular buildings and rich red soils providing a strong sense of connection with the underlying geology. It is a rolling landform with extensive views, numerous water bodies, arable farmland predominantly on elevated land, a well treed landscape. Hedgerows are

generally low and well clipped. Some show evidence of decline, mature and semi-mature oak and ash hedgerow trees dominant. The underlying complex succession of ironstone rich and Jurassic geology creates a more diverse and rich landscape. The landscape guidelines include conservation of the distinctive pattern of large arable fields created by hedge boundaries and enhance hedgerows that encourage diversity.

- Northampton Character Area 4a Harlestone Heath and the Bramptons

The overriding land use is arable farming on higher ground to the north bordered by low clipped hedgerows with occasional gaps and limited hedgerow trees. However, there is variation to this pattern particularly near to treelined watercourses next to pasture. At the southern edge, there is a large wooded plantation comprising mixed woodland with some evergreen visible in prominent positions. Extending north of the plantation and railway along the edge of the city are two golf courses which are well integrated into the landscape. To the north west there is another area of mixed woodland south of hamlet known as Lower Harlestone. North west of the hamlet there are some smaller blocks of woodland in which Northampton Golf Club has been integrated. Next to the western edge of the character area is the Althorp Park estate forming some of the highest ground in the area. The wooded boundary to the estate on relatively high ground adds to the sense of enclosure in the locality.

6.2.3 Harlestone Quarry is located within a designated 'Green Wedge' (as allocated within the West Northamptonshire Joint Core Strategy) area to the north-west of Northampton. The village of Lower Harlestone to the north of the site is a designated Conservation Area. The land immediately to the north of the site is a designated Special Landscape Area.

6.2.4 The proposed development seeks restoration to economic and productive agricultural land. The restoration to agricultural grassland is complimentary to the overall landscape character of the local area – specifically wide open fields subdivided by hedgerows supplemented by pockets of woodland planting. It is considered that the overall restoration concept will be sympathetic to the surrounding landscape character.

6.3 Nature Conservation and Ecology

6.3.1 Development Plan policy seeks to protect features of ecological importance and provide opportunities for ecological enhancement in accordance with habitat priorities. The site is historically agricultural farmland and currently has no ecological benefit as it is in the process of restoration upon cessation of mineral operations. Whilst woodland planting would also have ecological benefits, there are substantial areas of localised woodland areas. As a result,

restoration as a return to agricultural land supported by perimeter woodland planting, scrub planting and hedgerow reinstatement provides opportunity for ecological enhancement.

6.4 The Impact on Water Resources and Flood Risk

6.4.1 The Planning Application seeks a change in restoration from woodland planting to agricultural grassland. The site was historically agricultural land and is being restored to pre quarrying levels where water was managed satisfactorily using the existing perimeter field drains. It is not considered that a variation in the restoration scheme will alter the satisfactory management of surface water nor increase the risk of flooding.

6.5 Soils and Agricultural Land Classification

6.5.1 The thrust of Development Plan policy is consistent with the advice in the NPPF to protect the best and most versatile agricultural land and conserve our natural resources, including soil quality. The policies also seek to secure acceptable restoration and after-care schemes upon cessation of operations.

6.5.2 The site has adopted good soil management and handling strategies and soils stored in the existing screening bunds is currently being utilised in site restoration. Soil placement at Harlestone Quarry will aim to replicate as closely as possible the natural soil profile. This is made up of a thin layer of stony topsoil, which will be stored and placed separately to the subsoils.

6.5.3 Trafficking on the subsoil layer and the topsoil layer will be avoided. Soils will be spread with a low ground pressure dozer to reduce compaction to a minimum.

6.5.4 Following soil placement deep ripping will be carried out where required, using a tracked excavator fitted with a probe, ripping to a depth of 1.5 meters. Sub-soiling, cultivation, stone-picking, and drilling as required will follow.

6.5.5 Following these soil management strategies (more detail contained within the after care and management scheme) it is considered that the proposed revisions to the restoration are supportive of agricultural restoration and comply with development plan policy.

7 Conclusions

- 7.1.1 This application seeks to vary condition 28 of permission reference 15/00095/MINVOC to allow a variation to the approved restoration scheme from forestry to agricultural grassland.
- 7.1.2 The proposal aims to maximise the productive agricultural area of the site while providing ecological enhancement with the creation of rough grassland areas with perimeter scrub and woodland planting and new native hedgerows.
- 7.1.3 The enclosed restoration and aftercare strategy over 5 years will ensure that the land is maintained to a high standard as it undergoes a natural regeneration.
- 7.1.4 It is considered that the minor amendments to the principle of restoration accords with the Development Plan policy considerations.