



Appendix F.2 Legislation and Policy Context

Appendix F.2 - Legislation and Policy Context

1 Designated and Notified Sites

A variety of sites are designated in the UK for their nature conservation importance and interest. The general aim of these designations is to conserve and protect ecological resources in addition to raising awareness and understanding. Other notified but non-statutory sites are afforded some protection through local plans and policy guidance, issued by local county planning authorities.

The types of designated sites in the UK relevant to this application are outlined in table 1 below:

Table 1 Statutory and Non-Statutory Designations

Designation	Brief description
Ramsar Site	Ramsar sites are designated as wetlands of international importance under the Ramsar Convention, 1971. Ramsar sites are included in the Natura 2000 network, and protected as European protected sites under the Habitats and Species Regulations 2010. All Ramsar sites are also designated as sites of special scientific interest (SSSIs) and are therefore protected in the UK under the Wildlife and Countryside Act 1981.
Special Protection Areas (SPAs)	SPAs are designated under the European Commission (EC) Birds Directive as habitats of special importance for vulnerable, rare or migratory bird species. The Birds Directive, adopted by the UK in 1979, provides for the protection of all species of naturally occurring wild birds in the European territory of Member States. The provisions of the Birds Directive are transposed into English law by the Conservation of Habitats and Species Regulations 2010. In addition, all SPAs are designated as SSSIs and are therefore also protected under the Wildlife and Countryside Act 1981.
Sites of Special Scientific Interest (SSSIs)	SSSIs are nationally important sites for wildlife, geological and geomorphologic features in England. They are designated and protected under the National Parks and Access to the Countryside Act 1949 and the Wildlife and Countryside Act 1981, as amended. They receive additional protection under the Countryside and Rights of Way Act 2000 and the Natural Environment and Rural Communities Act 2006.
Local Wildlife Sites (LWS)	These non-statutory sites are sites designated by a Local Authority as being of nature conservation value at a County or Borough level. Criteria for selection take in to account threats and declines in certain species, national priorities and local distinctiveness.
Potential Local Wildlife Site (PWS)	These are sites that are either known or thought to be of higher biodiversity value than the average countryside but have not been confirmed to be of Local Wildlife Site (LWS) standard.
Pocket Park	These sites are selected by the County Council to develop easy public access to the countryside.

2 Legally Protected Species

A summary of legislation that pertains to species in the UK is provided in Table 2 below.

Table 2 Key Protection Afforded to Species

Legislation	Brief description
Conservation of Habitats and Species Regulations, 2010 (HabRegs 2010)	The Conservation of Habitats and Species Regulations 2010 transposes the EC Habitats Directive into English law. Schedules 2 (animals) and 5 (plants) of the Conservation of Habitats and Species Regulations 2010 list species which are protected under Annex IV of the Habitats Directive (European protected species), and are afforded strict protection.
The Birds Directive	Particularly rare and/or vulnerable bird species are listed under Annex I of the EC Birds Directive. These, as well as all migratory bird species, are afforded special protection in all EU member states where they occur. Special protection measures include the designation of SPAs in the most suitable areas of habitat. The Birds Directive is transposed in to UK law by a variety of legislation including the Wildlife and Countryside Act 1981 (as amended) and HabRegs 2010.
Wildlife and Countryside Act, 1981, as Amended (WCA 1981)	Bird species listed in Schedule 1, animal species listed in Schedule 5 and plant species listed in Schedule 8 of the WCA 1981, as amended, are protected. The Countryside and Rights of Way Act 2000 (CRoW) and Natural Environment and Rural Communities Act 2006 (NERC) have strengthened the original wildlife protection measures under the WCA.
Protection of Badgers Act (PBA 1992)	The Protection of Badgers Act 1992 has largely arisen for animal welfare reasons (as opposed to conservation reasons) to protect this species against the practice of Badger digging. The Badger is too common to be included in Schedule 5 of the WCA 1981.
Natural Environment and Rural Communities Act (NERC 2006)	The Natural Environment and Rural Communities (NERC) Act 2006 places an obligation on public bodies, including local authorities, to have regard to biological diversity in carrying out their functions and to produce lists of species which should be their primary concern. The section 41 list contains species which are of principal importance for conserving biodiversity in England. The conservation of these species must be treated as a material consideration in the planning process.

2.1 Badgers

Badgers (*Meles meles*) are protected under the 1992 Protection of Badgers Act, which protects not only the animal but also its sett. In 2000 the Countryside and Rights of Way (CRoW) Act gave further enforcement to sett protection.

This makes it an offence, amongst other things, to damage or disturb a sett, to obstruct access to a sett or to disturb a badger when occupying a sett. Potentially unlawful activities can be made legal if they are covered by a licence, issued by Natural England.

Badgers are not rare or uncommon, and issues of protection are not imposed for ecological reasons, but are related to animal welfare issues.

Previously, Natural England had issued advice in relation to distance from Badger holes that certain activities can be undertaken, e.g. working with heavy machinery within 30 m of any entrance, light machinery within 20 m and light work, (including hand working/scrub clearance) within 10 m are all potentially disturbing and may require a disturbance licence. Recently, it has been acknowledged that these activities are not necessarily disturbing in all situations and revised guidance is that some degree of interpretation by an experienced consultant is permissible.

It is still the case that work close to badger setts is normally only permitted between July and November, and that work to interfere with a sett needs a specialist site specific licence. Feeding areas and access to them should also be maintained. In current guidance notes from Natural England, setts shown by detailed observations not to be occupied may be carefully closed without any special licence.

2.2 Bats

All bat species belonging to the Vespertilionidae and Rhinolophidae families are European protected species, and are afforded protection in the UK under the Conservation of Habitats and Species Regulations 2010. In addition, these species are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). Taken together, these pieces of legislation make it an offence to:

- intentionally, deliberately or recklessly capture, take, kill or injure bats
- damage or destroy a resting place or breeding place for bats.
- deliberately disturb bats, in particular any disturbance which is likely to:
 - impair their ability to survive, to breed or reproduce, or to rear or nurture their young, or
 - impair their ability to hibernate (or migrate in the case of migratory species); or
 - affect significantly the local distribution or abundance of any bat species
- intentionally or recklessly obstruct access to any structure or place used for shelter or protection by a bat
- intentionally or recklessly disturb a bat while it is occupying a structure or place which it uses for shelter or protection.

2.3 Water Voles

Water vole (*Arvicola amphibious*) are protected under Schedule 5 of the Wildlife and Countryside Act. Under this Act it is an offence to:

- intentionally kill, injure or take water voles
- intentionally or recklessly damage or obstruct access to a water vole burrow
- intentionally or recklessly disturb a water vole while it is occupying a burrow.

Water voles are also listed under Section 41 (England) of the NERC Act 2006. Under the Act, public bodies have a duty to have regard to conserving biodiversity as part of policy or decision making. Conserving biodiversity can include restoring or enhancing a population or habitat.

2.4 Otters

The European otter (*Lutra lutra*) is a European protected species afforded protection in the UK under the Conservation of Habitats and Species Regulations 2010. In addition, otter is protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended).

Taken together, these pieces of legislation make it an offence to:

- intentionally, deliberately or recklessly capture, kill or injure an otter
- damage or destroy a resting place or breeding place for otter.
- deliberately disturb European protected species of animal, in particular any disturbance which is likely to:
 - impair their ability to survive, to breed or reproduce, or to rear or nurture their young, or
 - impair their ability in the case of hibernating or migratory species, to hibernate or migrate; or
 - affect significantly the local distribution or abundance of the species to which they belong
- intentionally or recklessly obstruct access to any structure or place used for shelter or protection by an otter
- intentionally or recklessly disturb an otter while it is occupying a structure or place which it uses for shelter or protection.

2.5 Dormice

The hazel dormouse (*Muscardinus avellanarius*) is a European protected species afforded protection in the UK under the Conservation of Habitats and Species Regulations 2010. In addition, hazel dormouse is protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). Taken together, these pieces of legislation make it an offence to:

- intentionally, deliberately or recklessly capture, kill or injure a hazel dormouse
- possess, control or transport a hazel dormouse
- damage or destroy a resting place or breeding place for hazel dormouse
- deliberately disturb wild hazel dormouse, in particular any disturbance which is likely to:
 - impair their ability to survive, to breed or reproduce, or to rear or nurture their young, or
 - impair their ability to hibernate; or
 - affect significantly the local distribution or abundance of the species
- intentionally or recklessly obstruct access to any structure or place used for shelter or protection by a hazel dormouse
- intentionally or recklessly disturb a hazel dormouse while it is occupying a structure or place which it uses for shelter or protection.

2.6 Birds

The nests and eggs of all wild birds are protected under the Wildlife and Countryside Act 1981, making it an offence to take, damage or destroy a nest of any wild bird while it is being built and to take or destroy the egg of any wild bird. The nesting season for birds is generally considered to be March and August inclusive.

Birds which are listed under Schedule 1 of the Wildlife and Countryside Act are afforded additional protection. As such, it is an offence to intentionally or recklessly disturb barn owl (*Tyto alba*) and bittern (*Botaurus stellaris*), and their young at, on or near an 'active' nest.

49 bird species, are also listed under schedule 41 (England) of the NERC Act. Under the Act, Local Authorities have a duty to have regard to conserving biodiversity as part of policy or decision making. Conserving biodiversity can include restoring or enhancing a population or habitat.

In addition to the above, the European Commission Birds Directive (see table 2) requires European member states to protect areas of habitat which are of value to regularly occurring migratory birds. This includes the designation of SPAs.

In addition to statutory protection, some bird species are classified according to their conservation status. This includes their position on the Red and Amber list of the Birds of Conservation Concern (BoCC).

2.7 Amphibians

The great crested newt (*Triturus cristatus*) (GCN) is a European protected species afforded protection in the UK under the Conservation of Habitats and Species Regulations 2010 and are fully protected under Schedule 5 of the Wildlife and Countryside Act 1981.

Taken together, these pieces of legislation make it an offence to:

- intentionally, deliberately or recklessly capture, kill or injure a GCN
- possess, control or transport GCN
- damage or destroy a resting place or breeding place for GCN
- deliberately disturb wild animals of an European protected species, in particular any disturbance which is likely to:
 - impair their ability to survive, to breed or reproduce, or to rear or nurture their young, or
 - impair their ability in the case of hibernating or migratory species, to hibernate or migrate; or
 - affect significantly the local distribution or abundance of the species to which they belong
- intentionally or recklessly obstruct access to any structure or place used for shelter or protection by a GCN
- intentionally or recklessly disturb a GCN while it is occupying a structure or place which it uses for that purpose.

Common toad (*Bufo bufo*) and great crested newt are listed under Section 41 (England) of the NERC Act 2006. Under the Act, public bodies have a duty to have regard to conserving biodiversity as part of policy or decision making. Conserving biodiversity can include restoring or enhancing a population or habitat.

2.8 Reptiles

The four common British reptiles, common lizard (*Zootoca vivipara*), slow-worm (*Anguis fragilis*), grass snake (*Natrix natrix*) and adder (*Vipera berus*) are protected under the Wildlife and Countryside Act 1981 (as amended). They are protected against intentionally or recklessly killing and injuring (but not taking), and against sale.

All native reptiles are also listed under Section 41 of the NERC Act 2006. Under the Act, public bodies have a duty to have regard to conserving biodiversity as part of policy or decision making. Conserving biodiversity can include restoring or enhancing a population or habitat.

2.9 White-clawed Crayfish

White-clawed crayfish (*Austropotamobius pallipes*) are afforded protection through their inclusion on Schedule 5 of the Wildlife and Countryside Act 1981 in particular Sections 9(1b) and 9.5 which makes it an offence to take, transport, or trade in any part of the animal whether dead or alive.

3 National Planning Policy

3.1 National Planning Policy Framework (NPPF)

Section 11 paragraphs 109 to 125 of the NPPF is about conserving and enhancing the natural environment. Sections relevant to this development are summarised below.

The NPPF states that the planning system should contribute to the natural environment by minimising impacts on biodiversity and providing net gains in biodiversity.

The framework puts responsibilities on the local authority to:

- set criteria based policies on which effects on protected sites should be judged
- plan positively for biodiversity within their Local Plans
- refuse planning permission for developments which cannot avoid significant harm to biodiversity
- prevent the permission of development which affects SSSIs
- encourage the incorporation of biodiversity within developments

3.2 Government Circular: Biodiversity and Geological Conservation

This circular provides guidance on the application of the law relating to planning and nature conservation. The circular provides advice to planning authorities on how to ensure that relevant legislation is followed during the planning process. This includes guidance and procedures to be followed in relation to internationally designated sites, nationally designated sites, habitats and species outside these designated sites and legally protected species.

3.3 National Policy and the Application

The recommendations of this report are in line with the key principles of the National Planning Policy Framework and Government Circular 06/05.

Local planning policies relating to ecology are invariably based on the conservation of species protected under the above legislation, including species and habitats of principal importance listed under Section 41 of the NERC Act 2006; and the protection of designated sites. All of these features are considered within the ecology ES chapter and therefore any recommendations are in line with said policies.

4 Local Planning Policy

The site is across the boundary of the Wellingborough and Northampton boroughs, with part of the site in each of these boroughs.

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

This Local Plan incorporates the boroughs of Northampton, Daventry and South Northamptonshire.

Relevant policies included within the Local Plan are BN1, BN2, BN3 and BN4.

Policy BN1 - Green Infrastructure Connections

'Green infrastructure corridors of sub-regional and local importance as set out in figure 6 of the joint core strategy will be recognised for their important contribution to sense of place and conserved, managed and enhanced by:

- 1) *Incorporating existing and identified future networks into new development proposals;*
- 2) *Securing contributions from development or other sources for the creation of and future management of the green infrastructure networks;*
- 3) *Delivering long term management strategies for the sub-regional and local network.*

Measures to enhance existing and provide new green infrastructure provision will:

- 1) *Be designed and delivered sustainably with prudent use of natural resources;*
- 2) *Mitigate and adapt to the effects of climate change including through improved flood risk management and as a carbon store;*
- 3) *Be designed to the highest quality in terms of appearance, access provision and biodiversity enhancement and protection;*
- 4) *Reflect local character through the planting of native and other climate appropriate species and consideration of natural and cultural heritage features;*
- 5) *Be supported by a long-term management strategy.'*

The River Nene is included within the green infrastructure corridors (on figure 6 of the joint core strategy) of sub-regional and local importance. The restoration strategy will include the addition of reed beds and grassland along this corridor which will result in a positive effect on this green corridor. The restoration plan is therefore in line with this policy at the creation of habitats as part of the restoration scheme will deliver long-term management for the local network, provide improved flood risk management through the creation of the wetland, provide access to the habitats, include native and locally relevant species, result in biodiversity enhancement and will be managed in the

Policy BN2 – Biodiversity

'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*

Development management decisions will reflect the hierarchy of biodiversity and geodiversity designations attaching appropriate weight to the status of the site which would be affected. In cases where it can be shown that there is no reasonable alternative to development that is likely to prejudice the integrity of an existing wildlife site or protected habitat appropriate mitigation measures including compensation will be expected in proportion to the asset that will be lost. Where mitigation or compensation cannot be agreed with the relevant authority development will not be permitted.'

The minerals extraction and the restoration of the site are in-line with this policy as the works will not have an adverse effect on any of the designated sites in the area, the creation of new habitats as part of the restoration strategy will result in a biodiversity gain, mitigation measures will be put in place during operation to minimise effects on wildlife and the new habitats will provide links to the new habitats within neighbouring schemes and the River Nene.

Policy BN3 - Woodland Enhancement and Creation

'Measures to enhance and manage existing woodlands and create new woodlands in west Northamptonshire will be supported. Opportunities will be sought to create new woodland to buffer, extend and relink areas of ancient woodland which have become fragmented. The protection of aged or veteran trees outside ancient woodlands will also be supported. Development that would lead to further fragmentation or result in a loss of ancient woodland, aged and veteran trees will not be permitted unless the need for, and benefits of, the development in that location clearly outweigh the loss.'

The restoration strategy includes the provision of further woodland planting around the existing woodland and existing woodland will also be managed including selective thinning and coppicing and scrub removal to enhance the existing woodland.

Policy BN4 - Upper Nene Valley Gravel Pits Special Protection Area

'New development will need to demonstrate through the development management process that there will be no significant adverse effects upon the integrity of the Special Protection Area and Ramsar site and the species for which the land is designated including the loss of supporting habitat and impacts due to water runoff, water abstraction or discharges from the foul drainage system either as a direct result of the development alone or in combination.'

New development will need to demonstrate that the impact of any increased recreational activity (indirect or direct) on the Special Protection Area and Ramsar site will not have a detrimental impact. Any development that will lead to an increase in recreational activity on the special protection area will be required to include necessary mitigation including development of and implementation of habitat and access management plans.'

In order to protect sightlines for birds included within the Special Protection Area and Ramsar site designations, new development within a 250m zone of the special protection Area shown in figure 7 of the joint core strategy must undertake an assessment to demonstrate that it will not have a significant adverse effect on birds within the Clifford Hill Basin or, if directly adjacent to existing buildings, should reflect surrounding building heights.'

The extraction site is not within the area indicated on figure 7.

A Habitat Regulations Assessment Screening report (Appendix F.9) has been produced for the site and has shown that the works at the application site will not have an adverse effect on the Upper Nene Valley Gravel Pits site. The new habitats to be created as part of the restoration strategy will provide further habitat for wintering birds in the local area and will enhance the corridor between the different sections of the Upper Nene Valley Gravel Pits site.

4.2 North Northamptonshire Joint Core Strategy 2011-2031

This Joint Core Strategy incorporates the boroughs of Wellingborough, Kettering, east Northamptonshire and Corby. Policy 4 applies.

Policy 4 – Biodiversity and Geodiversity

'A net gain in biodiversity will be sought and features of geological interest will be protected and enhanced through:

a) Protecting existing biodiversity and geodiversity assets by:

- i. Refusing development proposals where significant harm to an asset cannot be avoided, mitigated or, as a last resort, compensated. The weight accorded to an asset will reflect its status in the hierarchy of biodiversity and geodiversity designations;*
- ii. Protecting key assets for wildlife and geology, in particular the Upper Nene Valley Gravel Pits Special Protection Area and Ramsar Site, from unacceptable levels of access and managing pressures for access to and disturbance of sensitive habitats;*
- iii. Protecting the natural environment from adverse effects from noise, air and light pollution;*
- iv. Where appropriate requiring developments to provide or contribute to alternative green infrastructure (Policy 19); and*
- v. Ensuring that habitats are managed in an ecologically appropriate manner.*

b) Enhancing ecological networks by managing development and investment to:

- i. Reverse the decline in biodiversity and restore the ecological network at a landscape scale in the Nene Valley Nature Improvement Area (NIA);*
- ii. Reverse habitat fragmentation and increase connectivity of habitats where possible by structuring and locating biodiversity gain in such a way as to enlarge and/or connect to existing biodiversity assets such as wildlife corridors;*
- iii. Preserve, restore and create priority and other natural and semi-natural habitats within and adjacent to development schemes.*

c) Supporting, through developer contributions or development design, the protection and recovery of priority habitats and species linked to national and local targets. Such measures could include the retention of, and provision of areas of open green space, and hard and soft landscaping to address habitat and visitor management.

d) Developments that are likely to have an adverse impact, either alone or in combination, on the Upper Nene Valley Gravel Pits Special Protection Area or other European Designated Sites must satisfy the requirements of the Habitats Regulations, determining site specific impacts and avoiding or mitigating against impacts where identified. Mitigation may involve providing or contributing towards a combination of the following measures:

- i. Access and visitor management measures within the SPA;
- ii. Improvement of existing greenspace and recreational routes;
- iii. Provision of alternative natural greenspace and recreational routes;
- iv. Monitoring of the impacts of new development on European designated sites to inform the necessary mitigation requirements and future refinement of any mitigation measures.

A Mitigation Strategy document concerning the Upper Nene Valley Gravel Pits Special Protection Area will be produced, with a view to its subsequent adoption as an Addendum to the Upper Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document by June 2016, to support the adopted Joint Core Strategy 2011-2031.

Development proposals will need to take account of the Northamptonshire Biodiversity Supplementary Planning Document, the Upper Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document and the JPU Mitigation Strategy for the Upper Nene Valley Gravel Pits Special Protection Area. Where necessary, this will include new residential development contributing towards implementation of this Mitigation Strategy.'

The minerals extraction and the restoration of the site are in-line with this policy as the works will result in a net gain for biodiversity. The sensitive habitats on site will be avoided by the works and mitigation measures will be put in place during operation to minimise effects on wildlife. The creation of new habitats as part of the restoration strategy are in line with the aims of the Nature Improvement Area and will provide links to the new habitats within neighbouring schemes and the River Nene. The works will not have an adverse effect on the Upper Nene Valley Gravel Pits site.

4.3 Biodiversity Supplementary Planning Document for Northamptonshire

This supplementary planning document includes a standard approach to biodiversity which all planning application should follow in order to comply with national and local policies. This includes a summary of legislation and policy including reference to the local authority's duty to have regard for conserving biodiversity and that development should provide a net gain in biodiversity. The document details the stages which should be followed by applicant's including initial surveys, detailed surveys including for specific species, following the mitigation hierarchy, ensuring appropriate precautions are undertaken during construction and that retained or created habitats are maintained.

The production of this ES chapter and the associated surveys and assessment process have been produced in line with this document.

4.4 Upper Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document

This supplementary planning document has been produced to help Planning Authorities and developers ensure that developments do not have a significant effect on the Upper Nene Gravel Pits (UNVGP) SPA. The document details the reasons for the designation of the site, discusses the potential threats to the SPA, outlines which developments require consultation with Natural England and may require a Habitat Regulation Assessment and the surveys required to inform the assessment of possible effects on the SPA.

As the extraction site is within 2 km of the boundary of the SPA it is located within the consultation zone specified within the SPD document.

A Habitat Regulations Assessment Screening report (Appendix F.9) has been produced for the site and has shown that the works at the application site will not have an adverse effect on the Upper Nene Valley Gravel Pits site. The new habitats to be created as part of the restoration strategy will provide further habitat for wintering birds in the local area and will enhance the corridor between the different sections of the Upper Nene Valley Gravel Pits site. This restoration strategy has been produced with consultation with local stakeholders including Natural England, RSPB, the Wildlife Trust and Northamptonshire County Council.

4.5 Northamptonshire Minerals and Waste Local Plan

Policies 24 and 28 relate to biodiversity.

Policy 24 - Natural assets and resources

Minerals and waste development should seek to achieve a net gain in natural assets and resources, through:

- *protecting and enhancing international and national designated sites,*
- *delivery of wider environmental benefits in the vicinity where development would adversely affect locally designated sites or other features of local interest,*
- *protecting and enhancing green infrastructure and strategic biodiversity networks, in particular the River Nene and other sub-regional corridors, and*
- *contributing towards Northamptonshire Biodiversity Action Plan targets for habitats and species.*

Proposals for minerals and waste development will be required to undertake an assessment (where appropriate) in order to:

- *identify and determine the nature, extent and level of importance of the natural assets and resources, as well as any potential impacts, and*
- *identify mitigation measures and / or requirement for compensation (where necessary) to avoid, reduce and manage potentially adverse impacts.*

The minerals extraction and the restoration of the site are in-line with this policy as the works will not result in a negative impact on any designated sites, will provide habitats listed within the Northamptonshire BAP and will strengthen the River Nene corridor. The ecology ES chapter assesses the importance of the site for ecology and the possible impacts and the mitigation plan details the mitigation to be implemented at the site.

Policy 28: Restoration and after-use

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.

The after-use of a site will be determined in relation to its land use context, the surrounding environmental character and any specific local requirements, but on the basis that it:

- *enhances biodiversity, the local environment and amenity, and*
- *benefits the local community and / or economy.*

The restoration of minerals and waste sites should meet the following requirements (where appropriate):

- *sites previously comprising high-grade agricultural land or good-quality forestry use should be restored to the original land use and coupled with a secondary after-use objective,*
- *precedence should be given to the establishment of Biodiversity Action Plan habitat, strategic biodiversity networks, promotion of geodiversity and enhancement of the historic environment and heritage assets where the specific conditions occur that favour such after-use objectives,*
- *sites connecting or adjacent to identified habitat areas should be restored in a manner which promotes habitat enhancement in line with Biodiversity Action Plan targets and green infrastructure plans,*
- *sites located near to areas identified as lacking recreational facilities should be restored in a manner that promotes such opportunities,*
- *sites located within river corridors should be restored to support water catchment conservation and incorporate flood attenuation measures, and*
- *in specific instances, and where fully in accordance with policies in other local plans in Northamptonshire, sites may be restored in a manner that promotes economic opportunities.*

Sites for mineral extraction in river valleys should not be restored to a predominantly open water based form. Restoration of mineral sites elsewhere in the county to a lower level form will be acceptable if it is able to retain the integrity of the local landscape character and minimises overall traffic movements associated with extraction and restoration of the site.

The restoration of the site is in-line with this policy as the restoration strategy includes the creation of BAP habitats, will strengthen the green corridor along the River Nene and will enhance biodiversity in the local area. The site will also include public access providing a benefit for the local community.