

Nottinghamshire and Nottingham

Waste Local Plan

Schedule of Proposed Main
Modifications

May 2024



**Nottinghamshire
County Council**



**Nottingham
City Council**

Introduction

This document sets out a schedule of potential main modifications to the Nottinghamshire and Nottingham Pre-Submission Draft Waste Local Plan which the Councils have prepared for consideration throughout the examination of the Plan. Main modifications are those which materially affect the policies. This document should be read alongside the schedule of proposed additional modifications document.

The below main modifications are based upon review of representations received at the Regulation 19 consultation stage on the [Pre-Submission Draft version](#) of the Waste Local Plan (CD1), with the Councils indicating within the [Consultation Statement \(Regulation 22\)](#) where modifications could be made. Respondent's full representations can be viewed in documents CD4 ([Representations to Pre-Submission Draft in respondent order](#)) and CD5 ([Representations to Pre-Submission Draft in plan order](#)).

It should be noted that these are potential main modifications identified by the Councils, it will be ultimately the Inspector's discretion whether these suggested modifications are necessary and appropriately worded.

How to read this schedule

Text to be inserted is shown underlined.

Text to be deleted is shown ~~struck through~~.

Ref.	Part of Plan	Page	Proposed Main Modification	Reason
Chapter 6 – Our Vision and Strategic Objectives				
PMM1	Objective 4: The environment	45	Amend objective to read: ‘Objective 4: The environment – ensure any new waste facilities avoid adverse impacts <u>and harm</u> on the landscape, wildlife and valuable habitats, by protecting and enhancing water, soil and air quality across the plan area <u>and deliver biodiversity net gains to support environment benefits</u> . Avoid harm to the built and natural <u>Protect and conserve the significance of the historic environment, heritage assets and their setting, enhancing where possible, avoiding harm in the first instance. and ensure biodiversity net gains are achieved in new waste developments to support environmental benefits.</u> ’	To address Historic England’s recommendation (ID:1020) to amend wording to ensure the significance of the historic environment, heritage assets and their setting are protected and conserved.
Chapter 7 – Strategic Policies				
PMM2	Policy SP4 – Managing Residual Waste	55	Amend Clause 3 to read: ‘3. In all cases, the resulting final landform, landscaping treatment and after-uses must be designed to take account of and, where appropriate, enhance the surrounding landscape, topography and <u>the natural and historic</u> environment.’	To address Historic England’s recommendation that clause 3 of Policy SP4 references to the need to protect heritage akin to the natural environment (ID: 1025).
PMM3	Para 7.53	62	Amend paragraph 7.53 to read: ‘There is potential that that during the life of the Waste Local Plan that proposals will be made which take waste from a wider catchment area. As far as possible we want to be self-sufficient in managing our own waste, but this is not always practical as waste movements do not	To address Johnson Aggregates representation (ID: 970) which seeks for the justification text to clarify what is meant by ‘significant contribution’ in clause 2.a) of the policy.

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			necessarily stop at local authority boundaries, with commercial contracts also affecting movements as well <u>as economies of scale, with some waste travelling further due to its value.</u> For example, it is recognised that due to the large geographical area of Nottinghamshire, it may be more practical for the facility to also handle waste outside the plan area as these would be closer than some sources of waste within Nottinghamshire. We will therefore maintain a flexible approach and work with neighbouring authorities and applicants to understand the overall level and type of waste management provision. We will also seek to ensure that <u>facilities are supporting the waste hierarchy is supported and enabling the priorities outlined in Policy SP2,</u> the most sustainable outcome is sought, and that wider social, economic or environmental sustainability benefits are delivered through those facilities being located in Nottinghamshire and Nottingham.'	
PMM4	Policy SP8 – Safeguarding Waste Management Sites	65	Add the following text to Clause 4: '4. Where proposals are within the Cordon Sanitaire of a wastewater treatment facility, the applicant will need to discuss the proposal with the water company which operates the site <u>and demonstrate that they have no objections which cannot be appropriately mitigated.</u>	To address Newark and Sherwood District Councils representation (ID: 976) that water companies have no objections to proposed development and agree any mitigations proposed.
Chapter 8 – Development Management Policies				
PMM5	Policy DM1 – General site criteria	69	Add the following to the asterisk which explains about previously developed land/ derelict land:	To address Shlomo Downen representation (ID: 902) that as per the NPPF, any mineral site with an active

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			“*Once mineral sites are restored, <u>or where provision for restoration has been made</u> , these are considered green field sites.’	restoration condition is treated as a greenfield site.
PMM6	Policy DM3 – Design of Waste Management Facilities	78	Amend clause 1.c) to the following: c) <u>Avoids harmful</u> Minimises impacts <u>to</u> and, where possible, enhances the natural and historic environment and surrounding landscape.	To address Historic England’s representation (ID: 1046) that the policy should be amended to ensure any development proposal avoids harm to the historic environment.
PMM7	Policy DM6 – Historic Environment	89	Amend Policy DM6 to the following: 1. Proposals for waste development will be supported where heritage assets and their settings are conserved in a manner appropriate to their significance. Where possible, enhancement of the historic environment will be encouraged. 2. Proposals, as a first principle, should avoid harm to the <u>significance of heritage assets and their setting</u> historic environment. Proposals likely to cause <u>If harm may occur, then this should be mitigated to protect</u> to the significance of a heritage asset, including its and their setting, & <u>Where harm cannot be mitigated, the Council will consider the</u> will be <u>subject to the policy requirements set out in the NPPF, relating to the tests of harm</u> including striking an appropriate balance between harm and <u>significant public benefits</u> .	To address Historic England’s representations (ID: 1031, 1032, 1033, 1035 and 1036) to ensure the policy is compliant with the NPPF.

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			<p>3. Proposals that would affect <u>the significance of any heritage asset and/ or its setting, designated or non-designated, will need to be accompanied by a Heritage Statement which, as a minimum, should:</u></p> <p>a) Provide sufficient detail proportionate to the significance and the level of impact on the heritage asset including its setting;</p> <p>b) Describe and assess the significance of the asset and/ or its setting to determine its architectural, historic, artistic or archaeological interest;</p> <p><u>c) Include archaeological assessments, followed by field evaluation where necessary, where there are heritage assets with archaeological interest to understand the character, condition and extent of archaeological remains;</u></p> <p>e) d) Identify the impact of the development on the <u>special character significance of the heritage of</u> the asset, including any cumulative impacts;</p> <p>e) e) Where some harm is unavoidable, P provide clear and convincing justification for any harm to, or loss of, the significance of a designated heritage asset, from its alteration or destruction, or from development within its setting; and</p> <p>e) f) <u>Agree Identify the mitigation measures to overcome</u> of the impacts on the significance of the heritage assets, including their fabric, their setting, their amenity value and arrangements for reinstatement.</p>	

