

Nottinghamshire and Nottingham

Waste Local Plan

Schedule of proposed Additional
Modifications

October 2024



**Nottinghamshire
County Council**



**Nottingham
City Council**

Introduction

This document sets out a schedule of potential additional 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. Additional modifications are those which are minor factual updates or corrections and therefore do not materially affect or alter the content of the Waste Local Plan. This document should be read alongside the schedule of proposed main modifications document.

The below additional modifications are based upon our responses to the Inspectors [Matters, Issues and Questions](#) and 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 \(Regulation 22\)](#) (CD7) 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](#)).

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 Additional Modification	Reason
Chapter 1 - Introduction				
PAM1	Para 1.1 - 1.7		<p>Amend the chapter to read:</p> <p>1.1. Nottinghamshire County Council and Nottingham City Council are preparing a new joint Waste Local Plan to provide the planning policy framework against which all proposals for new waste development will be assessed.</p> <p>1.2. The Nottinghamshire and Nottingham Joint Draft Waste Local Plan will form the land use planning strategy for waste development within Nottinghamshire and Nottingham up to 2038. It will provide the basis for the determination of waste planning applications within the Plan Area. Its over-arching theme is the promotion of sustainable development and achieving the highest quality waste management facilities.</p> <p>1.3. <u>Once Upon adoption ed</u>, the new Nottinghamshire and Nottingham Waste Local Plan forms the land use planning strategy for waste development within the County up to 2038. It <u>will provides</u> the basis for the determination of all recycling and waste planning applications within the County and City <u>and the planning policy framework against which all proposals for waste development will be assessed</u>. The <u>new Waste Local plan will, when adopted, replaces the Waste Core Strategy (adopted December 2013) and the saved policies from the Waste Local Plan (adopted January 2002).</u></p>	<p>To update the position of the Plan, should it be found sound and be adopted, and provide clarity on the link between the Waste Local Plan and other Local Plans that make up the Councils Local Development Framework.</p>

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			<p>1.4. <u>The Waste Local Plan forms part of the Local Development Framework for Nottingham City Council and for the District and Boroughs within Nottinghamshire County, including Ashfield, Bassetlaw, Broxtowe, Gedling, Mansfield, Newark and Sherwood and Rushcliffe. Therefore, applications for waste development will need to consider adopted policies within the relevant Councils Local Plan. Similarly, non-waste development proposals will need to consider policies within the Waste Local Plan.</u> Have your say</p> <p>1.5. The Councils have published what is considered to be a sound plan for examination. The purpose of this Pre-submission draft Plan consultation exercise is to invite comment on the soundness of the plan. It is the versions that the Councils seek to adopt, subject to the examination, as the future framework that will guide the future development of recycling and waste facilities in Nottinghamshire and Nottingham.</p> <p>1.6. This document is anticipated to be available for comments between the 30th August and 11th October 2023. We would encourage you to respond online to this consultation using our online consultation system as detailed below. We will handle your personal information in accordance with our data protection protocols. Responses will be made public, but personal details will be redacted.</p>	

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			<p style="text-align: center;">How to make representations</p> <p>1.7. If you would like to make representations on the Nottinghamshire and Nottingham Waste Local Plan, we would encourage you to do so online via our website at www.nottinghamshire.gov.uk/waste, using our interactive online representation system for efficiency of processing. However, if you are unable to make your representations you can email us your comments.</p> <p style="text-align: center;">Contact us</p> <p>Nottinghamshire County Council is administering the preparation of the Plan on behalf of both Councils.</p> <p>Contact us Online: www.nottinghamshire.gov.uk/waste</p> <p>Email: planning.policy@nottscc.gov.uk</p> <p>By post:</p> <p>Planning Policy Team Place Department. Nottinghamshire County Council County Hall West Bridgford Nottingham NG2 7QP</p> <p>By Phone: 0300 500 80 80 (customer contact centre)</p>	

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			<p>Please ensure that we receive your comments by 5pm on the 11th October 2023 (date to be confirmed).</p> <p>Alternative formats</p> <p>This information can be made available in alternative formats or languages on request.</p> <p>What happens next?</p> <p>1.8. At the end of this consultation exercise, we will consider all comments and may make further changes as necessary before seeking approval to submit the plan to the Planning Inspectorate for examination.</p>	
Chapter 2 – Scope of the New Nottinghamshire and Nottingham Waste Local Plan				
PAM2	Para 2.1		<p>To add the following text after paragraph 2.1:</p> <p><u>'It should be noted that the Plan does not contain a policies map as the Waste Local Plan does not allocate sites nor make any designations. Any relevant designations, such as land allocated as Green Belt or for employment land, is made within the Local Plans for Nottingham City and the District and Borough's in Nottinghamshire County. Any application therefore will need to consider the relevant policies and policies map within the relevant Councils Local Plan.'</u></p>	To provide clarity on the Policies Map.

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			<p><u>Safeguarded waste sites will be shown within the Authority Monitoring Report, which will be published annually by the Councils.</u></p>	
PAM3	Sustainability Appraisal and Waste Needs Assessment	8	<p>Amend the following paragraphs:</p> <p><i>Sustainability Appraisal (SA)</i></p> <p>The purpose of the SA is to promote sustainable development through better integration of sustainability considerations in the preparation and adoption of plans. The SA is an integral part of all stages of the preparation of the Waste Local Plan, with reports produced at each stage. This current version of the Draft Plan is accompanied by an SA Report on its policies.</p> <p><i>Waste Needs Assessment</i></p> <p>This assessment updates the waste needs assessment that informed the Draft Plan and has been prepared by AECOM consultants on behalf of both Councils to provide detailed information on anticipated need for waste facilities over the plan period.</p> <p><u>This document has been prepared by AECOM consultants on behalf of the Councils to provide detailed information on anticipated need for waste facilities over the plan period. A summary of the Waste Needs Assessment conclusions is provided within Chapter 5.</u></p>	To update the position of the Plan, should it be found sound and be adopted.

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Chapter 3 - Context for Waste Planning				
PAM4	Para 3.7	14	<p>Amend paragraph to read:</p> <p>'It is important to note that the Waste Local Plan only covers the facilities for re-use/recycling, recovery and disposal. Prevention is about manufacturing processes and consumer behaviour, for example choosing more sustainable options such as designing products so that they will last longer or can be repaired more easily or have less packaging etc. <u>Re-use is about cleaning, repairing or refurbishing whole items or spare parts and so preventing something becoming waste. Therefore, re-use sites often encompass a wide variety of activities and may be handling material that is not classified as waste, therefore may be considered a non-waste development.</u> The waste local plan will deal with waste that has already been produced and there are many factors that influence waste production that are outside the remit of the waste local plan.'</p>	To provide clarity on re-use and why the Plan does not contain a specific policy around re-use facilities but instead promotes the prevention of waste and re-use of material in all developments (Policy SP1). This is to address representations made by Shlomo Downen (ID: 880, 884, 889 and 897), Richard Lumb (ID: 1008) and Nottinghamshire Friends of the Earth (ID: 994).
PAM5	Para 3.16	15	<p>Amend paragraph to read:</p> <p>'In 2018 the European Union agreed a package of measures which form part of the implementation of its Circular Economy Action Plan. These measures include increasing the existing recycling target for municipal waste to 65% by 2035 and a target to reduce landfill to a maximum of 10% of municipal waste by 2035. This compares to a target of 50% by 2020 that the UK Government and local authorities are currently working to. Even though the UK has left the EU, the Government has signalled the Circular Economy measures <u>would will be adopted within UK legislation and adopted the 65% recycling target for municipal waste by 2035 in the Resources and Waste Strategy for England (2018).</u></p>	To provide clarity that the current Government target is to recycle 65% of municipal waste by 2035. This is to address representations made by Shlomo Downen (ID: 885), Richard Lumb (ID: 1006) and Nottinghamshire Friends of the Earth (ID: 992).

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PAM6	Para 3.35	18	<p>Add the following explanatory text:</p> <p>‘The Environment Act in 2021 provides the new framework of environmental protection which replaces EU laws since the UK left the EU. The act focuses on nature protection and sets new and binding targets relating to water quality, clean air, environmental protection, and waste reduction. It brings in requirements such as reducing single use plastics, <u>introducing food waste collection from households, standardising recycling materials collection at the kerbside</u> as well as introducing a mandate for biodiversity net gain in all developments from November 2023.’</p>	To include detail of measures to be introduced via the Environment Act which will impact on waste collections with the aim to increase recycling rates as per Mansfield District Council’s representation (ID: 942).
PAM7	Local Policy	18	<p>Add the following sub heading and paragraphs under the Local Policy heading:</p> <p><u>‘The Waste Local Plan is one of the Planning Documents that make up the Local Development Plans for the Plan area. In Nottinghamshire, the Local Plan includes the Nottinghamshire Minerals Local Plan (adopted 2021) and all the Local Plans adopted by the District and Borough Councils of Ashfield, Bassetlaw, Broxtowe, Gedling, Mansfield, Newark & Sherwood and Rushcliffe. In Nottingham City, the Local Plan consists of the Nottingham City Aligned Core Strategy (adopted 2014) and the Local and Planning Policies Document (adopted 2020).</u></p> <p><u>The Nottinghamshire Minerals Local Plan provides the strategy for mineral development in the County. The Minerals Plan promotes the use of recycled and secondary aggregates, noting this helps to achieve the National aim to reduce waste to landfill and treat waste higher up the waste hierarchy. As a waste operation, it is for the</u></p>	To ensure the relationship between the Plan and other Local Plans is explained.

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			<p><u>Waste Local Plan to provide policy on aggregate recycling facilities and help achieve the aims of the Minerals Local Plan.</u></p> <p><u>Nottingham City and the District and Borough Local Plans provide the strategy for growth, guiding housing and employment development across the City and County. Their strategy's will affect waste generation and need for waste infrastructure in the Plan area.</u></p> <p><u>When determining waste applications, consideration therefore will need to be given to the policies within the relevant Local Plan and proposals for non-waste management development, whereby the District and Boroughs are the determining authority, will need to consider the policies within the Waste and Minerals Local Plan.'</u></p>	
Chapter 4 – Overview of the Plan Area				
PAM8	Para 4.5	21	<p>Amend the paragraph to read:</p> <p>'The County's landscape is characterised by rich rolling farmlands to the south, with a central belt of mixed woodland and farmland, giving way to heathland of Sherwood in the north-west and open, flat agricultural landscapes dominated by the River Trent to the east, and the flat low-lying agricultural landscape of the Humberhead Levels to the north. <u>The historic landscape of the Trent Valley is an important area for archaeological remains of prehistoric settlement.</u> Nottinghamshire also supports a wide network of important sites for nature conservation, the most important focused within Sherwood Forest, to the north of Mansfield. This includes a Special Area of Conservation and possible future Special Protection Area, both of which hold international status.'</p>	<p>To address Historic England's representation (ID: 1017) requesting to include reference to the heritage component of landscapes.</p>

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PAM9	Para 4.6	21	<p>Amend the paragraph structure and to read:</p> <p>'Nottinghamshire is well known for its historic past, in particular for its link to the tales of Robin Hood but the areas heritage is much more diverse, with. <u>The Plan area has</u> assets spanning thousands of years; from cave art found at the Creswell Crags on the Nottinghamshire- Derbyshire Border to medieval caves, taverns and castle found in Nottingham's city centre as well as several historic market towns full of heritage assets. The industrial past of coal mining, particular in the West of the County, and the textile industry throughout the 18th and early 19th into the 20th centuries has left a rich built heritage. The majority of Nottinghamshire's conservation areas, listed buildings, <u>Registered Parks and Gardens</u> historic parks, and Scheduled Ancient Monuments are faring well, but a proportion (around 10%) are in a vulnerable condition or situation.'</p>	<p>To correct terminology used and shorten sentences as per Historic England's representation (ID: 1018).</p>

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Chapter 5 – Waste Management in the Plan Area																													
PAM10	Table 10	39	Amend figures in Table 10 to:	To correct an error in Table 10 as noted by representation ID 894 and 908.																									
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PAM11	Paragraph 5.49	41	<p>Add the following text to paragraph 5.49:</p> <p>‘Landfill capacity for LACW and C&I waste is effectively exhausted, and the Waste Needs Assessment estimates that up to 2.5 million tonnes of waste could require landfilling over the plan period, depending on future recycling and recovery rates. Landfill capacity for CD&E waste is currently adequate but could run out close to the end of the Plan period. Opportunities for future non-hazardous landfill, to manage LACW and C&I waste, are limited within the Plan area due to the underlying geology and groundwater constraints. There may be opportunities for inert CD&E waste to be used as backfill to restore future quarry sites over the life of the Plan. N.B. although the Waste Needs Assessment carried out by Aecom assumes a future landfill rate of 5% for LACW and 10% for C&I and C, D&E, this is a likely maximum to ensure sufficient provision, it does preclude waste being recovered or recycled. If waste was handled higher up the waste hierarchy, this would mean there will be less <u>a lower</u> requirement for landfill <u>and a higher requirement for recovery</u> than envisaged in the WNA. This will be monitored in the Councils Annual Monitoring Reports.’</p>	To clarify the relationship between landfill and recovery capacity to manage residual waste.
Chapter 7 – Strategic Policies				
PAM12	Para 7.1	48	<p>Add the following explanatory text:</p> <p>‘The strategic policies within this chapter are designed to deliver the vision and objectives of the joint Waste Local Plan and provide</p>	To highlight that no policy will be applied in isolation, with all Strategic Policies and Development Management Policies

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			<p>the overall framework for future waste development within Nottinghamshire and Nottingham. They are designed to ensure that waste facilities are in the appropriate locations across the plan area to manage future waste arisings and will help move waste up the waste hierarchy, whilst protecting local amenity and the built, natural and historic environment. The strategic policies should be read alongside the more detailed Development Management policies in Chapter 8. <u>No policy within the Plan will be applied in isolation and account will be taken of all relevant policies in the decision-making process.</u></p>	<p>applying when determining an application. This is the Councils proposed resolution to several representations made by Historic England where further reference to the Historic Environment is requested (ID: 1023, 1029, 1041 and 1044).</p>
PAM13	Para 7.10	50	<p>Add the following explanatory text:</p> <p>‘All new non-waste development should also make sufficient provision for waste management as part of the wider development. This includes promoting good design to integrate waste storage areas with the rest of the development and its surroundings <u>and ensure access for waste vehicles</u>. Adequate storage facilities should also be provided at residential premises, for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service. There may also be opportunities, particularly for larger scale developments, for the incorporation of small-scale waste processing facilities into the scheme, particularly where there is scope for the recovery and use of heat and such a strategy has been thoroughly considered and appraised.’</p>	<p>To expand examples contained within the paragraph and ensure new development considers ease of access for waste collection, as per Mansfield District Councils representation (ID: 944).</p>

Ref.	Part of Plan	Page	Proposed Additional Modification	Reason
PAM14	Para 7.42	59	<p>Amend paragraph 7.42 to read:</p> <p><u>'Reducing the amount of waste produced, managing waste higher up the waste hierarchy and moving towards a more circular economy, where waste is seen as a resource, is a key part of reducing greenhouse gas emissions and achieving net zero. This is because as the way new goods are used and made and used are contributors to climate change and biodiversity loss.'</u></p>	To emphasis the effect managing waste higher up the waste hierarchy can have on climate change.
PAM15	Para 7.47	60	<p>Add the following text to paragraph 7.47:</p> <p>'Waste development can provide a number of opportunities to mitigate and adapt to the impacts of future climate change. This could include:</p> <ul style="list-style-type: none"> • Minimising greenhouse gas emissions, including through energy efficiency, design and orientation of buildings and using low <u>or zero</u> emission equipment, <u>vehicles</u> or mobile plants. • Minimising water consumption (e.g. use of recycled water for waste management processes, harvesting of rainwater). • Designing facilities to include measures to deliver landscape enhancement and biodiversity gain. Such measures should contribute to the wider network of green infrastructure across the Plan area (e.g. green roofs) • Utilising associated lower-carbon energy generation such as heat recovery and the recovery of energy from gas produced from the waste, such as landfill capture facilities which capture methane 	To encourage the use of low or zero emission vehicles to help minimise greenhouse gas emissions.

Ref.	Part of Plan	Page	Proposed Additional Modification	Reason
			<ul style="list-style-type: none"> • Introducing the use of sustainable modes of transport, low emission vehicles, travel plans, which will contribute to lowering our carbon footprint • Utilising Sustainable Drainage Systems (SuDS), water efficiency and adaptive responses to the impacts of excess heat and drought <p>The nature and scale of new waste development will influence the extent to which climate change resilience measures will be most effective and appropriate. Policy DM3: Design of Waste Management Facilities details how such measures should be included within the design of facilities.'</p>	
PAM16	Para 7.48	60	<p>Add the additional paragraph following paragraph 7.48:</p> <p><u>'It should be noted that as per National Policy, the Councils will assume that the relevant pollution control regimes will be properly applied and enforced.'</u></p>	To explain the relationship between the planning regime and the pollution control/permitting regime.
Chapter 8 – Development Management Policies				
PAM17	Para 8.88	91	<p>Amend the supporting text for Policy DM6 to:</p> <p>'To enable the Councils to make informed assessments and decisions on applications that may impact on the historic environment, adequate information is required from applicants within a heritage statement. Heritage statements should, as a minimum, include detail of the significance of the heritage asset affected, with the <u>H</u>historic <u>E</u>nvironment <u>R</u>ecord consulted as a minimum, and identify the impacts of the proposed waste development on the asset, including any cumulative impacts. For designated assets, as detailed above the statement will need to</p>	To correct a typographical error.

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			include clear and convincing justification for any harm, or loss of, the significance of a heritage asset (from its alteration or destruction, or from development within its setting). The level of detail within any assessment, where one is required, should be proportionate to the importance of the heritage asset, the size of the development and the level of its impact on the heritage asset including its setting.'	
PAM18	Para 8.89	92	<p>Amend the supporting text for Policy DM6 to:</p> <p>'Where an application site includes, or is considered to have the potential to include, heritage assets with archaeological interest then a desk-based assessment will be required followed by a field evaluation where appropriate. Proposals will also need to ensure satisfactory measures are incorporated. The need for preservation in-situ of other sites and remains will need to be assessed against their importance and the impact that their loss would have upon the overall archaeological resource in Nottinghamshire and Nottingham. Although the preservation <u>in situ</u> of archaeological sites is a primary objective, it is clearly impracticable to preserve them all. Equally sites should not be destroyed without careful consideration and appropriate mitigation.'</p>	To provide clarity.
PAM19	Para 8.90	92	<p>Amend the supporting text for Policy DM6 to:</p> <p>'Where preservation in-situ is not feasible, sites need to be surveyed, excavated, or otherwise appropriately <u>investigated and recorded</u>. These provisions can only be assessed after the</p>	To provide clarity and ensure the appropriate officers are consulted.

Ref.	Part of Plan	Page	Proposed Additional Modification	Reason
			archaeological characteristics of proposed development sites have been evaluated. An appropriate scheme of treatment is required to be agreed with the <u>archaeological advisor of the</u> relevant Council prior to any development taking place.'	
PAM20	Para 8.91	92	Amend the supporting text for Policy DM6 to: 'It is strongly advised that assessments, including Heritage Statements and Archaeological Evaluations, are compiled by an appropriately experienced professional consultant or contractor to ensure that an appropriate statement is submitted.'	To correct a typographical error.
PAM21	Para 8.92	92	Amend the supporting text for Policy DM6 to: 'Within any assessment the applicant should also demonstrate how consideration of the asset and setting has influenced the development of the proposal to minimise and mitigate any identified impacts. Through good design and consideration of the local historic environment, proposals can seek to minimise any harm and should where possible, enhance the historic environment. Early consultation with the local planning authority heritage <u>and archaeological</u> officers is recommended to help inform proposals and mitigations and so demonstrate the historic asset has been considered through the design of the waste facility. Historic England also can be contacted for pre-application services.	To provide clarity and ensure the appropriate officers are consulted.

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PAM22	Plan 2	106	Amend Plan 2: Airfield Safeguarding.	To show the geographical area of the airfield safeguarding areas in more detail.
PAM23	Para 8.145	108	Add the following explanatory text to paragraph 8.145: 'In certain circumstances, where a significant amount of movement is generated a Travel Plan may also be required. Travel plans should seek to use sustainable modes of transport for both the movement of goods, as detailed further in Policy SP6, and people, <u>as per Policy DM3, Clause 2(f).</u> '	To highlight the requirement in Policy DM3 that facilities should be designed to encourage employees to use sustainable modes of transport where practical.
Chapter 9 – Monitoring and Implementation				
PAM24	Para 9.2	111	Amend paragraph 9.2 to: 'Achieving our objectives and implementing the policies within the Joint Waste Local Plan rely on the actions of not just the County and City Councils and the waste industry but also the district councils, local communities and businesses and the voluntary sector. It is therefore important that there is a clear understanding of who will deliver the relevant waste management infrastructure and any supporting measures set out in the Joint Waste Local Plan and the relevant timescale. <u>The Councils will continue to engage with the relevant bodies to help monitor the implementation of the Plan.</u> '	To ensure continued engagement with key bodies within the monitoring process.

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PAM25	DM1	117	Add the following to trigger point: 'Significant percentage of new and extended waste management facilities <u>not</u> meeting the criteria set out in Policy DM1'	To amend a typographical error.
Chapter 10 – Useful Information				
PAM26	Recovery, Incineration	127	Amend explanation of incineration to: ' Incineration – mixed waste of burnt and the heat produced used to generate electricity. It can also be used to sterilise clinical and other potentially harmful waste. The leftover ash can be <u>used as a secondary aggregate recycled</u> , if suitable, or sent to landfill.'	To correct details that Incinerator bottom ash is a secondary aggregate not a recycled aggregate as per Shlomo Downen's representation (ID: 903).
Chapter 11 - Glossary				
PAM27	Greenfield site	129	Add the following text to the definition of Greenfield site: ' <i>Greenfield site</i> – land that has not previously been developed including agricultural land, woodland, forestry, allotments, parks or other land that has not had a permanent structure placed on it, including restored, <u>or where provision for restoration has been made</u> , mineral <u>and landfill</u> sites. This can also include land where any previous use has blended into the landscape so that it now seems part of the natural surroundings.'	To address Shlomo Downen representation (ID: 903) that as per the NPPF, any mineral site with an active restoration condition is treated as a greenfield site.