

880

Object

Document Element: 2. Scope of the New Nottinghamshire and Nottingham Waste Local Plan, 2.1

Respondent: Shlomo Dowen

Summary:

The Plan should consider reuse parks. The Draft Plan's failure to consider reuse parks renders the Plan unsound due to not being positively prepared because it does not meet the area's objectively assessed need to support the circular economy through the provision of waste management facilities to promote reuse in accordance with the top tiers of the waste hierarchy in line with the proposed draft SO1, SO2, and SO3.

Change suggested by respondent:

Include references to promoting the siting of reuse parks within the Plan area, including Strategic Policies covering how we will provide for new reuse facilities, including safeguarding suitable sites for this purpose.

Legally compliant: No

Sound: No

Comply with duty: No

Attachments: None

881

Object

Document Element: 2. Scope of the New Nottinghamshire and Nottingham Waste Local Plan, 2.3

Respondent: Shlomo Dowen

Summary:

The Waste Needs Assessment fails to reflect relevant legislation and Government plans, e.g. the legally binding commitment to halve residual waste by 2042, which came into force on 30 January 2023 under the Environmental Targets (Residual Waste) (England) Regulations 2023, and the 65% recycling target established by the Waste (Circular Economy) (Amendment) Regulations 2020. Insufficient attention paid to interim residual waste reduction targets and the impact of EIP measures to reduce residual waste arisings, and the fact that additional measures can be anticipated to ensure the statutory target to halve residual waste will be met.

Change suggested by respondent:

Update the Waste Needs Assessment (WNA) to reflect relevant legislation and associated Government plans, including the legally binding Environmental Targets (Residual Waste) (England) Regulations 2023, and the interim targets set out in the Environmental Improvement Plan (2023), and the 65% recycling target enshrined in the Waste (Circular Economy) (Amendment) Regulations 2020.

Legally compliant: No

Sound: No

Comply with duty: No

Attachments:

882

Object

Document Element: 3. Context for Waste Planning, 3.1**Respondent:** Shlomo Downen**Summary:**

As set out in our comments on Paragraph 2.3, the draft Plan fails to reflect relevant guidance and legislation that sets out waste policy at the national level, in particular with respect to the legally binding commitment to halve residual waste by 2042, which came into force on 30 January 2023 under the Environmental Targets (Residual Waste) (England) Regulations 2023 and the 65% recycling target established by the Waste (Circular Economy) (Amendment) Regulations 2020.

Note: Only Solutions LLP is challenging the soundness and legal compliance relating to this consultation point. We have no position on the duty to co-operate.

Change suggested by respondent:

Update the Plan to reflect meeting relevant legislation and associated Government plans, including the legally binding Environmental Targets (Residual Waste) (England) Regulations 2023, and the interim targets set out in the Environmental Improvement Plan (2023), and the 65% recycling target enshrined in the Waste (Circular Economy) (Amendment) Regulations 2020.

Legally compliant: No**Sound:** No**Comply with duty:** No**Attachments:** None

883

Object

Document Element: The Circular Economy, 3.3**Respondent:** Shlomo Downen**Summary:**

To ensure it is interpreted in line with national resources and waste policy, the definition of the Circular Economy should be clarified through reference to the relevant targets in the UK Government's Resources and Waste Strategy.

Note: Only Solutions LLP is challenging the soundness relating to this consultation point. We have no position on legal compliance or the duty to co-operate, but there is no option to indicate this in the interactive online consultation system.

Change suggested by respondent:

A Paragraph should be added just after Paragraph 3.3 stating: "The Government's Resources and Waste Strategy (2018) noted that the Government's goal is to move to a more circular economy which keeps resources in use for longer and states that, for this to happen, we must all reduce, reuse and recycle more than we do now. The strategy links the circular economy to its strategic indicators, specifically to reduce for the amount of waste that is being generated and 'to minimise the amount of residual waste that we create because it is a loss to the circular economy and so will have to be replaced by using virgin materials with associated carbon emissions'".

Legally compliant: No**Sound:** No**Comply with duty:** No**Attachments:** None

884

Object

Document Element: The Waste Hierarchy, 3.6**Respondent:** Shlomo Downen**Summary:**

The current draft Plan fails to follow the waste hierarchy insofar as the draft Plan fails when it comes to “encouraging re-use of existing products” due to the failure to set out plans for the introduction of reuse parks, as set out in our comments on Paragraph 2.1.

Note: Only Solutions LLP is challenging the soundness relating to this consultation point. We have no position on legal compliance or the duty to co-operate, but there is no option to indicate this in the interactive online consultation system.

Change suggested by respondent:

Include references to promoting the siting of reuse parks within the Plan area, to help encourage the re-use of existing products, including Strategic Policies covering how we will provide for new reuse facilities, including safeguarding suitable sites for this purpose. This change would bring the Plan in line with the statement at Paragraph 3.7 that “It is important to note that the Waste Local Plan... covers the facilities for re-use...”

Legally compliant: No**Sound:** No**Comply with duty:** No**Attachments:** None

885

Object

Document Element: The Waste Hierarchy, 3.16**Respondent:** Shlomo Downen**Summary:**

The comparison of the EU’s 65% target with the domestic 50% target is out of date, as a 65% target is established by the Waste (Circular Economy) (Amendment) Regulations 2020 and is set out in the Waste Management Plan for England (2021). Also, the residual waste reduction targets are relevant within the context of the UK’s implementation of principles established in the EU Circular Economy Plan.

Note: Only Solutions LLP is challenging the soundness and legal compliance relating to this consultation point. We have no position on the duty to co-operate.

Change suggested by respondent:

Update this paragraph to ensure references are made to the 65% target and residual waste reduction targets, and ensure the context for the EU Circular Economy Plan target is not misleading by avoiding undue emphasis placed on the 50% target.

Legally compliant: No**Sound:** No**Comply with duty:** No**Attachments:** None

886

Object

Document Element: National Policy, 3.37**Respondent:** Shlomo Downen**Summary:**

The Plan should make clear that Government policy is that Energy from Waste (incineration) “should not compete with greater waste prevention, re-use, or recycling”, and that proposed new incineration plants “must not result in an over-capacity of EfW waste treatment provision at a local or national level”. This view should be considered a material planning consideration when determining planning applications and is therefore relevant to Plan users. It is also relevant in its own right to assessing the soundness of the Waste Local Plan.

Change suggested by respondent:

The ‘Other National Policy Statements’ should refer to the Government’s stated policy on the need to avoid EfW overcapacity at a local or national level.

Update policies in the Waste Local Plan to ensure that EfW proposals do not compete with greater waste prevention, re-use, or recycling. and that new plants do not result in an over-capacity of EfW waste treatment provision at a local or national level.

Legally compliant: No**Sound:** No**Comply with duty:** No**Attachments:** None

888

Object

Document Element: Forecasting future waste arisings in the Plan area, 5.23**Respondent:** Shlomo Downen**Summary:**

None of the updated scenarios reflect the statutory target to halve residual waste per capita by 2042 relative to a 2019 base year (see comments on Paragraph 2.3) and the EIP 2023 interim targets to reduce residual waste per person by 24% by 2027 and to reduce residual municipal waste per person by 29% by 2027 (including both household waste and waste that is of similar composition to household waste). This fails to adequately account for progressively lowering growth rates due to waste minimisation initiatives.

We are challenging soundness and legal compliance. We have no position on duty to co-operate.

Change suggested by respondent:

The Plan should be updated to reflect the statutory target to halve residual waste per capita by 2042 relative to a 2019 base year (see comments on Paragraph 2.3) and the EIP 2023 interim targets to reduce residual waste per person by 24% by 2027 and to reduce residual municipal waste per person by 29% by 2027 (including both household waste and waste that is of similar composition to household waste).

Legally compliant: No**Sound:** No**Comply with duty:** No**Attachments:** None

887

Object

Document Element: 5. Waste Management in the Plan Area, 5.2

Respondent: Shlomo Downen

Summary:

The draft Plan is unsound - not justified and not effective - as it fails to recognise high levels of incineration capacity in neighbouring Authorities. There is a need to avoid overcapacity that could adversely impact the waste hierarchy and mean waste is imported in contravention of the proximity principle.

The draft Plan does not spell out how Nottinghamshire's waste is sent to North Yorkshire where there is 1.45 million tonnes of incineration capacity at Ferrybridge (1.5 hours from Nottingham).

Also see comments on Paragraph 3.37 for Government statements regarding the need to avoid incineration overcapacity.

Change suggested by respondent:

The WNA should be updated to reflect the residual waste treatment capacity located within a 2-hour drive from the Plan area, reflecting in particular the 1.45 million tonnes of incineration capacity at Ferrybridge which currently accepts waste from Nottinghamshire and which is located about 1.5 hours from Nottingham. The Plan should be reoriented to avoid incineration overcapacity at local, regional, and national levels.

Legally compliant: No

Sound: No

Comply with duty: No

Attachments: None

889

Object

Document Element: Forecasting future waste arisings in the Plan area, 5.24

Respondent: Shlomo Downen

Summary:

The Plan should consider reuse parks. The Draft Plan's failure to consider reuse parks renders the Plan unsound due to not being positively prepared because it does not meet the area's objectively assessed need to support the circular economy through the provision of waste management facilities to promote reuse in accordance with the top tiers of the waste hierarchy in line with the proposed draft SO1, SO2, and SO3.

Change suggested by respondent:

Include references to promoting the siting of reuse parks within the Plan area, including Strategic Policies covering how we will provide for new reuse facilities, including safeguarding suitable sites for this purpose.

Legally compliant: No

Sound: No

Comply with duty: No

Attachments:

890

Object

Document Element: Forecasting future waste arisings in the Plan area, 5.24

Respondent: Shlomo Downen

Summary:

Assuming “there will be no change in the most recent non-household LACW generation rate” fails to reflect legal obligations and targets (see comments on Paragraph 5.23).

Government announced inclusion of incineration in the UK Emissions Trading Scheme (ETS) from 2028, on the basis that this would align with wider reforms to resources and waste policies and help achieve the UK Government’s target to halve residual waste arisings on a kilogramme per capita basis by 2042 from 2019 levels”, which can be expected to significantly reduce the quantity of residual waste produced by businesses (non-household LACW) within the Plan period.

Change suggested by respondent:

The Plan should be updated to reflect the statutory target to halve residual waste per capita by 2042 relative to a 2019 base year (see comments on Paragraph 2.3) and the EIP 2023 interim targets to reduce residual waste per person by 24% by 2027 and to reduce residual municipal waste per person by 29% by 2027 (including both household waste and waste that is of similar composition to household waste), and the inclusion of incineration within the UK Emissions Trading Scheme.

Legally compliant: No

Sound: No

Comply with duty: No

Attachments:

891

Object

Document Element: Forecasting future waste arisings in the Plan area, 5.26

Respondent: Shlomo Downen

Summary:

As set out in response to 2.3 and 5.24, the WNA failed to account for measures and targets that can be expected to boost recycling and reduce residual waste arisings from both household and non-household waste. When this is taken into account it is clear that Option A is the most realistic option.

Note: Only Solutions LLP is challenging the soundness and legal compliance relating to this consultation point. We have no position on the duty to co-operate, but there is no option to indicate this in the interactive online consultation system.

Change suggested by respondent:

Adopt Option A, or an alternative which better reflects Government recycling and waste reduction targets.

Legally compliant: No

Sound: No

Comply with duty: No

Attachments: None

892

Object

Document Element: Forecasting future waste arisings in the Plan area, 5.30

Respondent: Shlomo Downen

Summary:

As set out in response to 2.3 and 5.24, the WNA failed to account for measures and targets that can be expected to boost recycling and reduce residual waste arisings from both household and non-household waste. When this is taken into account it is clear that Option A is the most realistic option.

Note: Only Solutions LLP is challenging the soundness and legal compliance relating to this consultation point. We have no position on the duty to co-operate, but there is no option to indicate this in the interactive online consultation system.

Change suggested by respondent:

Adopt Option A, or an alternative which better reflects Government recycling and waste reduction targets.

Legally compliant: No

Sound: No

Comply with duty: No

Attachments: None

893

Object

Document Element: Future waste management methods, 5.41

Respondent: Shlomo Downen

Summary:

A 65% recycling rate should not be considered a 'High' target.

The Government has stated that: "Meeting the target [to halve residual waste by 2042] will require progress beyond the current commitment to achieve a 65% municipal recycling rate by 2035, and would represent a municipal recycling rate of around 70-75% by 2042."

The Government subsequently adopted the reduction target and came to the view that it was achievable.

Note: Only Solutions LLP is challenging the soundness relating to this consultation point. We have no position on legal compliance or the duty to co-operate.

Change suggested by respondent:

65% should be considered a 'Low' target as it is the minimum required to meet legislative requirement for 65% recycling by 2035. It is a figure that the WMPE says is achievable.

A 70% target for 2035 should be considered 'Medium' and 75% considered 'High' within the context of working towards meeting the level of recycling expected to achieve the 2042 residual waste reduction target.

Legally compliant: No

Sound: No

Comply with duty: No

Attachments: None

894

Object

Document Element: Future waste management methods, Table 10. Predicted Waste Arisings by Forecast Waste Management Method in 2038 (tpa rounded to nearest 1,000 tonne)

Respondent: Shlomo Downen

Summary:

Right hand Table 10 do not match figures in columns to the left.

Figures for Energy Recovery/Other disposal appear to be based on the assumption that all waste within the code 19 12 12 would be potentially suitable for energy recovery and that the 10% landfill target applies to all waste. In fact, a large proportion of 19 12 12 currently sent to landfill is material that is inert and not combustible (or uneconomic to send for incineration as it could be landfilled at the lower rate) - see attached document. Such waste should be reallocated from 'Recovery' to 'Disposal'.

Change suggested by respondent:

Table 10 should be corrected to reflect the correct totals.

Legally compliant: No

Sound: No

Comply with duty: No

Attachments:

895

Object

Document Element: Assessing the need for additional waste management capacity, Table 11. Capacity Gap Analysis for HIC Waste Stream (tpa)

Respondent: Shlomo Downen

Summary:

The principle that more Energy Recovery capacity is needed in the Plan area if there might be more 'Energy Recovery' feedstock produced than existing Energy Recovery in the Plan area is flawed. Net self-sufficiency ought to be considered on a broader basis, and the fact that Nottinghamshire has surplus recycling capacity - combined with the high level of incineration capacity in neighbouring authorities and the UK Government's warnings against incineration overcapacity - should justify not supporting any more energy recovery capacity in the Plan area.

Note: We are challenging the soundness relating to this consultation point.

Change suggested by respondent:

Table 11 should be updated to show that no more energy recovery capacity is required for the Plan area.

Legally compliant: No

Sound: No

Comply with duty: No

Attachments: None

896

Object

Document Element: Assessing the need for additional waste management capacity, 5.48

Respondent: Shlomo Downen

Summary:

Unsound. It is stated that: "If implemented, this non-operational [energy recovery] capacity, could help to reduce future landfill disposal requirements" but this is unproven because it is unclear how much of the waste that would go to landfill would be combustible, or if the waste that would be treated if combustible would be landfilled in any case given the high level of incineration capacity in neighbouring authorities. It is also possible that an increase in energy recovery capacity could increase demand on landfill due to the increased production of by-products such as incinerator bottom ash which is sometimes landfilled.

Change suggested by respondent:

Change "If implemented, this non-operational capacity, could help to reduce future landfill disposal requirements." to read "If implemented, this non-operational capacity could result in incineration overcapacity".

Legally compliant: No

Sound: No

Comply with duty: No

Attachments: None

897

Object

Document Element: SP1- Waste prevention and re-use, 7.7

Respondent: Shlomo Downen

Summary:

Despite being entitled 'Waste prevention and re-use', policy SP1 does not actually promote the preparation for re-use in line with the waste hierarchy and associated objectives.

Note: Only Solutions LLP is challenging the soundness relating to this consultation point. We have no position on legal compliance or the duty to co-operate, but there is no option to indicate this in the interactive online consultation system.

Change suggested by respondent:

SP1 should require that when buildings are dismantled, every is made to preserve materials and objects such as doors, windows and window frames so that they can be re-used in either new build or refurbishments.

Legally compliant: No

Sound: No

Comply with duty: No

Attachments: None

898

Object

Document Element: SP1- Waste prevention and re-use, 7.11

Respondent: Shlomo Downen

Summary:

The reference to “recovery and use of heat” does not appear to be justified. It does not appear to relate either to waste prevention or re-use.

Note: Only Solutions LLP is challenging the soundness relating to this consultation point. We have no position on legal compliance or the duty to co-operate, but there is no option to indicate this in the interactive online consultation system.

Change suggested by respondent:

Remove references to the recovery and use of heat. This does not relate to waste but to broader questions of efficiency, and should be dealt with in local plans rather than the waste plan

Legally compliant: No

Sound: No

Comply with duty: No

Attachments: None

899

Object

Document Element: SP2- Future Waste Management Provision, 7.13

Respondent: Shlomo Downen

Summary:

It could be more clear that proposals new or extended energy recovery facilities will be expended to meet i, ii and iii. No mention is made of meeting national residual waste reduction targets or of avoiding incineration overcapacity.

Note: Only Solutions LLP is challenging the soundness relating to this consultation point. We have no position on legal compliance or the duty to co-operate, but there is no option to indicate this in the interactive online consultation system.

Change suggested by respondent:

Explicitly state that new or extended energy recovery facilities will be expended to meet i, ii and iii.

Add criterion “This will not prejudice the achievement of national residual waste reduction targets”.

Add criterion: “This will not result in the creation or exacerbation of EfW overcapacity at a local or national level”.

Legally compliant: No

Sound: No

Comply with duty: No

Attachments: None

900

Object

Document Element: SP5- Climate Change, 7.47**Respondent:** Shlomo Downen**Summary:**

Mention is made of 'heat recovery' but this is not defined.

It is not necessarily the case that all forms of recovery are lower carbon alternatives. For example, where heat is generated through the combustion of plastic this should not be considered lower carbon.

Note: Only Solutions LLP is challenging the soundness relating to this consultation point. We have no position on legal compliance or the duty to co-operate, but there is no option to indicate this in the interactive online consultation system.

Change suggested by respondent:

Either define heat recovery so as to ensure that it excludes higher-carbon use cases or remove references to it.

Legally compliant: No**Sound:** No**Comply with duty:** No**Attachments:** None

901

Object

Document Element: SP6- Sustainable movement of Waste, 7.49**Respondent:** Shlomo Downen**Summary:**

Policy SP6(2) is overly permissive and could result inappropriate development approved.

Note: Only Solutions LLP is challenging the soundness relating to this consultation point. We have no position on legal compliance or the duty to co-operate, but there is no option to indicate this in the interactive online consultation system.

Change suggested by respondent:

Policy SP6(2) should include the word 'only', replace 'or' with 'and' and add an explicit requirement to comply with SP2 to read: "Waste management proposals which are likely to treat, manage or dispose of waste from areas outside Nottinghamshire and Nottingham will only be permitted where they demonstrate that:

- a) The proposal complies with policy SP2; and
- b) The facility makes a significant contribution to the movement of waste up the waste hierarchy; and
- c) There are no facilities or potential sites in more sustainable locations in relation to the anticipated source of the identified waste stream; and
- d) There are wider social, economic or environmental sustainability benefits that clearly support the proposal."

Legally compliant: No**Sound:** No**Comply with duty:** No**Attachments:** None

902

Object

Document Element: DM1- General Site Criteria, DM1 – General Site

Respondent: Shlomo Downen

Summary:

The footnote states: “*Once mineral sites are restored, these are considered green field sites”.

It is when there is an active restoration condition that it is treated as greenfield rather than previously developed land, not simply when there has been actual restoration.

The NPPF defines previously developed land, stating: “...This excludes: ...land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures...”

Note: Only Solutions LLP is challenging soundness and legal compliance.

See also decision in inquiry ref 2102006 relating to the Former Rufford Colliery.

Change suggested by respondent:

Amend footnote to state: “This excludes land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures”.

Legally compliant: No

Sound: No

Comply with duty: No

Attachments:

903

Object

Document Element: 11. Glossary**Respondent:** Shlomo Dowen**Summary:**

1. It is incorrectly stated that : "The leftover ash can be recycled, if suitable, or sent to landfill." at the end of the definition of incineration.
2. The use of incinerator bottom ash for aggregate is not a form of recycling and does not contribute to recycling targets. The definition of Greenfield site is wrong for the same reasons that previously developed land is correctly defined in 8.6

Note: Only Solutions LLP is challenging the soundness and legal compliance relating to this consultation point. We have no position on the duty to co-operate.

Change suggested by respondent:

1. Change last sentence on incineration to state: "Leftover ash can be used for purposes such as aggregate if suitable but may end up being sent to landfill."
2. Correct Greenfield site entry to include land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures.

Legally compliant: No**Sound:** No**Comply with duty:** No**Attachments:** None

922

Object

Document Element: DM12 - Highway Safety and Vehicle Movements/Routeing**Respondent:** East Leake Parish Council**Summary:**

Redevelopment of Ratcliffe-on-Soar Power Station:
DM12

- Transport assessment prior to start 'with particular emphasis on the impact of villages along likely transport routes'
- Use of alternative modes of transport - rail, water, pipeline
- The highway network needs to be suitable to accommodate vehicle movements
- Minimise the traffic impact on local communities

Change suggested by respondent:

Redevelopment of Ratcliffe-on-Soar Power Station:
DM12

- Transport assessment prior to start 'with particular emphasis on the impact of villages along likely transport routes'
- Use of alternative modes of transport - rail, water, pipeline
- The highway network needs to be suitable to accommodate vehicle movements
- Minimise the traffic impact on local communities

Legally compliant: Yes**Sound:** Yes**Comply with duty:** Yes**Attachments:** None

923

Support

Document Element: SP5- Climate Change, 7.41**Respondent:** East Leake Parish Council**Summary:**

Positive on:

- Greater emphasis on re-use and recycling
- Carbon Neutral by 2030

Change suggested by respondent:

-

Legally compliant: Yes**Sound:** Yes**Comply with duty:** Yes**Attachments:** None

924

Object

Document Element: SP3 – Broad Locations for Waste Treatment Facilities**Respondent:** East Leake Parish Council**Summary:**

Wish to make the following comments:

- No mentions of villages, and nothing south of Clifton.

Change suggested by respondent:

Wish to make the following comments:

- No mentions of villages, and nothing south of Clifton.

Legally compliant: Yes**Sound:** Yes**Comply with duty:** Yes**Attachments:** None

925

Object

Document Element: DM1- General Site Criteria, DM1 – General Site**Respondent:** East Leake Parish Council**Summary:**

Local recycling facilities being permitted in community areas requires clarification that it's 'bring sites' only.

Change suggested by respondent:

Local recycling facilities being permitted in community areas requires clarification that it's 'bring sites' only.

Legally compliant: Yes**Sound:** Yes**Comply with duty:** Yes**Attachments:** None

912

Support

Document Element: SP1- Waste prevention and re-use, 7.7

Respondent: Susan Edwards

Summary:

I agree that all new developments need to have at their heart the aim to reduce the impact on the environment and especially on greenhouse gas emissions. Very good that this is being considered in all developments not just waste management.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

918

Support

Document Element: SP5- Climate Change, 7.41

Respondent: Susan Edwards

Summary:

Essential to do all we can to achieve carbon neutrality as soon as possible. Well done for your 2028 and 2030 targets.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

906

Object

Document Element: Forecasting future waste arisings in the Plan area, 5.26

Respondent: Susan Edwards

Summary:

I know that local government cannot do much to stop producer waste at source but surely in order to take account of government changes to producers' responsibility then waste arisings should be predicted to fall? Not predicting any fall in waste produced per person does not take into account forthcoming government legislation to cut packaging waste/return schemes/ re-use etc.

Change suggested by respondent:

I'd like this part of the plan to base its calculation on a fall in waste produced per capita, purely on the basis of government schemes to cut waste at source by requiring producers to reduce packaging and implement return schemes. To predict similar very small reductions in waste per person, similar to the previous few years, is to ignore major changes in producer responsibility to reduce waste and will result in the calculations exaggerating the amount of waste needing to be dealt with.

Legally compliant: Yes

Sound: No

Comply with duty: Yes

Attachments: None

907

Object

Document Element: Future waste management methods, 5.42

Respondent: Susan Edwards

Summary:

Although I agree with choosing the "high recycling rate" I don't think it is sufficiently ambitious to be consistent with National Policy and is lacking in needed ambitious targets. Wales has already achieved almost 70% recycling rate and yet our "high recycling rate" target is only 65% by 2035. Government targets are for waste to be halved, and recycling rates to be 65% by 2030. This will not happen with this 65% recycling by 2035 target.

Change suggested by respondent:

The target should be much more ambitious, aiming for 70% recycling by 2030 as a minimum. With food waste due to be collected separately this will automatically increase recycling rates. The 65% recycling by 2035 is an inadequate target that will mean that NCC is not complying with National Policy. Very disappointing. Calculating recycling rates at this low level will exaggerate the need for waste disposal, and will mean inadequate facilities for anaerobic digestion and composting needed to handle increased food waste collected separately.

Legally compliant: Yes

Sound: No

Comply with duty: Yes

Attachments: None

908

Object

Document Element: Future waste management methods, Table 10. Predicted Waste Arisings by Forecast Waste Management Method in 2038 (tpa rounded to nearest 1,000 tonne)

Respondent: Susan Edwards

Summary:

Firstly, there is an error in Table 10. The total for Energy recovery/Other disposal should be 296 not 348. Energy recovery/ Other disposal should be defined more precisely. Incineration (energy from waste - EfW) should be a separate category and should not be considered equivalent to Other disposal such as anaerobic digestion. It should be classified as lower down the waste hierarchy and therefore be a separate category. I think waste arisings figures are higher than will be the case because there will be lower per household waste and higher recycling rates as I've explained previously.

Change suggested by respondent:

Energy recovery by incineration (Energy from waste - EfW) should be a separate category from Other disposal as it should be classified as lower down the waste hierarchy. Anaerobic digestion should be classified as recycling especially when dealing with separately collected food waste. Without separate classification of anaerobic digestion there is no remit for increasing provision within this plan. Increased provision seems to be solely an increase in incineration facilities which is a backward step and means that waste will be treated lower down the waste hierarchy that necessary.

Legally compliant: Yes

Sound: No

Comply with duty: Yes

Attachments: None

909

Object

Document Element: Assessing the need for additional waste management capacity, Table 11. Capacity Gap Analysis for HIC Waste Stream (tpa)

Respondent: Susan Edwards

Summary:

I disagree with the predicted figures for waste arisings in the various categories for the reasons given previously. I think they will/should all be lower than estimated due to reduced waste per household and higher recycling/composting/AD. The assumption that Energy recovery is purely EfW incineration is contradictory to previous parts of the plan where it is defined as Energy recovery and Other recovery combined. This exaggerates the need for greater capacity for incineration (EfW) in the future and doesn't provide for increased capacity for Other recovery facilities (including anaerobic digestion - AD),

Change suggested by respondent:

As previously stated EfW should be a separate category as it is lower down the waste hierarchy than Other recovery such as AD. Energy recovery and Other recovery should not be conflated into one category when they are potentially in very different levels of the waste hierarchy. The capacity deficit by 2038 is only 180,494 (126,825 + 53,669) tonnes per annum (tpa) so if waste per person was reduced slightly more than predicted or recycling rates increased (capacity here is +160,284 in 2038) or AD capacity increased for food waste collections, there would be no deficit. Yet NCC has already passed plans for increased EfW capacity of 892,100tpa. Absolute madness and against UK guidelines to avoid overcapacity of EfW either locally and/or nationally

Legally compliant: Yes

Sound: No

Comply with duty: Yes

Attachments: None

910

Object

Document Element: Assessing the need for additional waste management capacity, 5.48

Respondent: Susan Edwards

Summary:

I disagree that the capacity requirements for HIC waste stream disposal and Energy recovery in 2038 will be as high as calculated yet, even with these calculations, there is a deficit of only 180,494tpa (126,825 + 53,669) in 2038. Yet NCC has already passed plans to build another 892,100tpa EfW incineration capacity. The throwaway comment about 892,100tpa incineration "could help to reduce future landfill disposal requirements" belies the fact that building these incinerators will be contrary to national guidance/legislation to avoid overcapacity of incineration both nationally and locally.

Change suggested by respondent:

The plan should suggest halting plans to increase EfW incineration capacity within Nottinghamshire as building this extra capacity will be against National guidance that overcapacity of incineration facilities should be avoided both locally and nationally. The fact that an extra 892,100tpa EfW incineration capacity is planned for, shows an astonishing lack of forward planning when NCC's own waste local plan document predicts only 180,494tpa deficit in 2038 with 160,284tpa surplus available capacity for recycling available in 2038. If recycling rates increase slightly then no extra capacity will be needed. If AD capacity increases in line with separate food waste collection then no extra capacity will be needed. It's imperative that this extra incineration capacity is not built as it will contravene National policy.

Legally compliant: Yes

Sound: No

Comply with duty: Yes

Attachments:

911

Support

Document Element: Strategic Objectives, Objective 2: Climate change

Respondent: Susan Edwards

Summary:

I agree with these objectives. The need to limit greenhouse gas emissions and avoid damage to air quality, water, biodiversity or soil should be at the forefront of decisions as to how to handle waste. All methods of waste management should be analysed for all these factors and should be handled in a way as to lessen any negative consequences. Waste hierarchies need to be looked at in all aspects of these negative effects and ranked in the correct order dependant upon all current information.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

913

Support

Document Element: SP2- Future Waste Management Provision, 7.12**Respondent:** Susan Edwards**Summary:**

It is essential to make sure that waste facilities are available to manage waste efficiently and as high up the waste hierarchy as possible in all cases and to make sure there is no overcapacity in areas of waste disposal that are at a lower level in the waste hierarchy. . Provision of too much capacity at lower levels in the waste hierarchy will mean that there is no incentive to use an alternative, more environmentally friendly form of waste treatment. We have too much incineration capacity in the pipeline and this needs to be addressed as an urgent priority.

Change suggested by respondent:

-

Legally compliant: Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** None

914

Support

Document Element: SP2 - Future Waste Management Provision**Respondent:** Susan Edwards**Summary:**

I totally agree with these aims and therefore ask that the provision of the extra 892,100tpa capacity for EfW incineration be urgently reviewed as it will not be needed and will therefore require that waste which would otherwise be moved higher up the waste hierarchy be incinerated instead. This is contrary not only to national policy but also to the waste local plan policy noted in this section 1bi.

Change suggested by respondent:

-

Legally compliant: Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** None

915

Support

Document Element: SP2- Future Waste Management Provision, 7.15

Respondent: Susan Edwards

Summary:

Once more I urge that the additional 892,100tpa EfW incineration capacity, already planned for Nottinghamshire, be urgently reviewed as it will not be needed. If built it will mean that waste which would otherwise be managed higher up the waste hierarchy will be incinerated in order to provide feedstock for these unnecessary incinerators. This would contravene both the local and national waste strategy documents, legislation and policies.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

916

Support

Document Element: SP2- Future Waste Management Provision, 7.16

Respondent: Susan Edwards

Summary:

As mentioned in 7.15 - I urge that the additional 892,100tpa EfW incineration capacity, already planned for Nottinghamshire, be urgently reviewed as it will not be needed. If built it will mean that waste which would otherwise be managed higher up the waste hierarchy will be incinerated in order to provide feedstock for these unnecessary incinerators. This would contravene both the local and national waste strategy documents, legislation and policies. In addition the planned EMERGE facility at Ratcliffe on Soar (proposed capacity of 525,000tpa) will not provide heating so will probably not meet the required level of energy efficiency.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

917

Support

Document Element: SP3 – Broad Locations for Waste Treatment Facilities**Respondent:** Susan Edwards**Summary:**

Agree with these policies. The EMERGE facility at Ratcliffe on Soar is proposed to be built on green belt land. This is an unnecessary and inappropriate development. The capacity is proposed to be 525,000 tpa and therefore, if built, will provide incineration overcapacity for Nottinghamshire. This is against both national and local policy and needs to be urgently reviewed/stopped.

Change suggested by respondent:

-

Legally compliant: Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** None

919

Support

Document Element: SP5 – Climate Change**Respondent:** Susan Edwards**Summary:**

Fully support this objective. Energy from waste incinerators should not be considered low carbon energy. They are basically burning second hand fossil fuels plus added toxins (otherwise known as plastics). The burning of fossil fuels in this form is not only a very inefficient form of fossil fuel consumption, in terms of energy captured, but also contributes to unknown air pollution materials including microplastics and nanoparticles which enter seamlessly into the lungs and bloodstream. Proximity to these incinerators is known to double the prevalence of cancer as well as exacerbating asthma and probably cause other as yet unknown health problems.

Change suggested by respondent:

-

Legally compliant: Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** None

920

Support

Document Element: SP7 - Green Belt**Respondent:** Susan Edwards**Summary:**

I fully support this objective but the granting of planning permission for the EMERGE incinerator at Ratcliffe on Soar does not follow these guidelines. What are the very special circumstances that led to this facility, that is due to process 525,000tpa of waste, being granted planning permission in the green belt? As the local waste plan has estimated only 180,494tpa deficiency in capacity in 2038 how can a 525,000tpa facility be justified especially as a further 340,000tpa of EfW capacity is already planned elsewhere in Nottinghamshire?

Change suggested by respondent:

-

Legally compliant: Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** None

921

Object

Document Element: 10. Useful Information, Recovery**Respondent:** Susan Edwards**Summary:**

Anaerobic digestion in most circumstances, and especially in the case of treatment of the proposed separate food waste collection, can be classified as recycling and therefore should be placed higher up the waste hierarchy than other forms of recovery. This classification of anaerobic digestion in the recovery category is incorrect in many cases so should be clarified to avoid confusion and misallocation of anaerobic digestion in the waste hierarchy.

Change suggested by respondent:

Clarify the position of anaerobic digestion in the waste hierarchy so that it is classified as recycling in most circumstances. This will avoid confusion and misallocation of anaerobic digestion in the waste hierarchy.

Legally compliant: Yes**Sound:** No**Comply with duty:** Yes**Attachments:** None

951

Support

Document Element: Vision, 6.2**Respondent:** Gedling Borough Council**Summary:**

The vision and objectives are supported.

Change suggested by respondent:

-

Legally compliant: Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** None

952

Support

Document Element: SP1 – Waste prevention and re-use**Respondent:** Gedling Borough Council**Summary:**

Supported

Change suggested by respondent:

-

Legally compliant: Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** None

953

Support

Document Element: SP2 - Future Waste Management Provision**Respondent:** Gedling Borough Council**Summary:**

Supported.

Change suggested by respondent:

-

Legally compliant: Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** None

954

Support

Document Element: SP3 – Broad Locations for Waste Treatment Facilities

Respondent: Gedling Borough Council

Summary:

A welcome clarification that Policy SP3 clearly states Green Belt policy will apply in designated Green Belt areas addressing Gedling Borough's previous representations. Policy is supported.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

955

Support

Document Element: SP4 – Managing Residual Waste

Respondent: Gedling Borough Council

Summary:

Policy SP4 is supported.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

956

Support

Document Element: SP5 – Climate Change

Respondent: Gedling Borough Council

Summary:

Support Policy SP5.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

957

Support

Document Element: SP6 – Sustainable movement of waste

Respondent: Gedling Borough Council

Summary:

Support Policy SP6.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

958

Support

Document Element: SP7 - Green Belt

Respondent: Gedling Borough Council

Summary:

Policy SP7 reflects National Planning Policy and is supported.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

959

Support

Document Element: SP8 – Safeguarding Waste Management Sites

Respondent: Gedling Borough Council

Summary:

Policy SP8 is supported in principle.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

960

Support

Document Element: DM1- General Site Criteria, DM1 – General Site

Respondent: Gedling Borough Council

Summary:

No comment on the Policy. Gedling Borough Council does not consider there is any site within Gedling Borough suitable for the landfilling of non-inert waste including both hazardous and non-hazardous waste.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

961

Support

Document Element: DM2 – Health, Wellbeing and Amenity

Respondent: Gedling Borough Council

Summary:

Support Policy DM2.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

962

Support

Document Element: DM3 – Design of Waste Management Facilities

Respondent: Gedling Borough Council

Summary:

Support Policy DM3.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

963

Support

Document Element: DM4 – Landscape Protection**Respondent:** Gedling Borough Council**Summary:**

Support Policy DM4.

Change suggested by respondent:

-

Legally compliant: Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** None

964

Support

Document Element: DM5 – Protecting and Enhancing Biodiversity and geodiversity**Respondent:** Gedling Borough Council**Summary:**

The Policy includes a target of a minimum of 10% biodiversity net gain and is supported.

Change suggested by respondent:

-

Legally compliant: Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** None

965

Support

Document Element: DM6 – Historic Environment**Respondent:** Gedling Borough Council**Summary:**

Policy DM6 reflects the NPPF and is supported.

Change suggested by respondent:

-

Legally compliant: Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** None

966

Support

Document Element: DM7 - Flood Risk and Water Resources**Respondent:** Gedling Borough Council**Summary:**

Policy DM7 reflects the NPPF and is supported.

Change suggested by respondent:

-

Legally compliant: Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** None

967

Support

Document Element: DM8 – Public Access**Respondent:** Gedling Borough Council**Summary:**

Support Policy DM8.

Change suggested by respondent:

-

Legally compliant: Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** None

968

Support

Document Element: DM9 - Planning Obligations**Respondent:** Gedling Borough Council**Summary:**

Noted.

Change suggested by respondent:

-

Legally compliant: Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** None

969

Support

Document Element: DM10 - The Cumulative Impact of Development**Respondent:** Gedling Borough Council**Summary:**

Support Policy DM10.

Change suggested by respondent:

-

Legally compliant: Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** None

1017

Object

Document Element: 4. Overview of the Plan Area, 4.5**Respondent:** Historic England (Midlands)**Summary:**

This paragraph would benefit from reference to the heritage component of landscape and how heritage has shaped and evolved the local landscape.

Change suggested by respondent:

This paragraph would benefit from reference to the heritage component of landscape and how heritage has shaped and evolved the local landscape.

Legally compliant: No**Sound:** No**Comply with duty:** Not specified**Attachments:** None

1018

Object

Document Element: 4. Overview of the Plan Area, 4.6**Respondent:** Historic England (Midlands)**Summary:**

We welcome the reference to heritage within this paragraph; the first sentence may consider re-writing as it is long in its current form. Historic Parks should be referred to as Registered Parks and Gardens and Scheduled Ancient Monument should be referred to as Scheduled Monuments. It may be worth including a reference to the variety of non-designated heritage and the role of heritage landscapes. We welcome the reference to heritage at risk. Is there a positive strategy for this and any opportunities through the Plan to reduce this risk?

Change suggested by respondent:

the first sentence may consider re-writing as it is long in its current form. Historic Parks should be referred to as Registered Parks and Gardens and Scheduled Ancient Monument should be referred to as Scheduled Monuments. It may be worth including a reference to the variety of non-designated heritage and the role of heritage landscapes. We welcome the reference to heritage at risk. Is there a positive strategy for this and any opportunities through the Plan to reduce this risk?

Legally compliant: No**Sound:** No**Comply with duty:** Not specified**Attachments:** None

1019

Object

Document Element: 6. Our Vision and Strategic Objectives, 6.1**Respondent:** Historic England (Midlands)**Summary:**

We welcome the inclusion of the term 'heritage' within the vision. We would welcome further consideration of how the heritage of the area will be protected and enhanced by 2038 and what the local plan will put in place to ensure that this occurs

Change suggested by respondent:

We would welcome further consideration of how the heritage of the area will be protected and enhanced by 2038 and what the local plan will put in place to ensure that this occurs

Legally compliant: No**Sound:** No**Comply with duty:** Not specified**Attachments:** None

1020

Object

Document Element: Strategic Objectives, Objective 4: The environment**Respondent:** Historic England (Midlands)**Summary:**

As previously raised, we recommend a specific indicator for heritage so that it is possible to fully consider what the effects are for the historic environment rather than a variety of environmental factors. For example, it is possible that a positive for biodiversity or water management may have a negative for the historic environment and this would not be identifiable in a joint indicator. Where it says 'avoid harm to heritage' we would recommend that this is amended to 'protect and conserve the significance of the historic environment, heritage assets and their setting' or similar.

Change suggested by respondent:

We recommend a specific indicator for heritage so that it is possible to fully consider what the effects are for the historic environment rather than a variety of environmental factors.

Where it says 'avoid harm to heritage' we would recommend that this is amended to 'protect and conserve the significance of the historic environment, heritage assets and their setting' or similar.

Legally compliant: No**Sound:** No**Comply with duty:** Not specified**Attachments:** None

1021

Object

Document Element: Strategic Objectives, Objective 7: High quality**Respondent:** Historic England (Midlands)**Summary:**

The highest possible standard should recognise the need to protect and conserve the significance of heritage assets, including their setting.

Change suggested by respondent:

The highest possible standard should recognise the need to protect and conserve the significance of heritage assets, including their setting.

Legally compliant: No**Sound:** No**Comply with duty:** Not specified**Attachments:** None

1022

Object

Document Element: 7. Strategic Policies, 7.5**Respondent:** Historic England (Midlands)**Summary:**

We consider that the appropriate policies should be included within the Plan in the first instance to ensure that the Plan is sound and can respond to a variety of planning applications for waste development.

Change suggested by respondent:

-

Legally compliant: No**Sound:** No**Comply with duty:** Not specified**Attachments:** None

1023

Object

Document Element: SP2 - Future Waste Management Provision**Respondent:** Historic England (Midlands)**Summary:**

How does this policy consider the potential impact of new waste facilities on the significance of the historic environment, heritage assets and their setting? There should be a reference that new facilities will be approved in line with other policies in the Plan.

Change suggested by respondent:

There should be a reference that new facilities will be approved in line with other policies in the Plan.

Legally compliant: No**Sound:** No**Comply with duty:** Not specified**Attachments:** None

1024

Object

Document Element: SP3 – Broad Locations for Waste Treatment Facilities**Respondent:** Historic England (Midlands)**Summary:**

We raised this issue at the previous stage. See our comments from April 2022. How does this policy consider the implications for the historic environment? There may be appropriate sites located in sustainable locations as per this policy, however, the potential site may be inappropriate due to its harm on the historic environment. How is a positive strategy for the historic environment being pursued in the Plan? Clause 2, what is meant by 'fit in with local character'? and how will this be assessed? There is very limited information for us to understand where these broad locations may be and as a result what heritage assets may be harmed through development, or indeed if there are any enhancement opportunities? There is no consideration of reasonable alternatives. We consider this wording unsound.

Change suggested by respondent:

-

Legally compliant: No**Sound:** No**Comply with duty:** Not specified**Attachments:** None

1025

Object

Document Element: SP4 – Managing Residual Waste**Respondent:** Historic England (Midlands)**Summary:**

Consideration should be given to the historic environment in the provision of any new facilities. Clause 3 we would recommend a reference to the need to protect the significance of heritage assets including their setting akin to other considerations which are included such as the natural environment.

Change suggested by respondent:

Clause 3 we would recommend a reference to the need to protect the significance of heritage assets including their setting akin to other considerations which are included such as the natural environment.

Legally compliant: No**Sound:** No**Comply with duty:** Not specified**Attachments:** None

1026

Object

Document Element: SP4- Managing Residual Waste, 7.30**Respondent:** Historic England (Midlands)**Summary:**

All these issues should consider the impact on the significance of the historic environment, heritage assets including their setting. Additionally, any restoration principles should be appropriate in the context of the historic environment and consider the significance of heritage assets and their setting.

Change suggested by respondent:

-

Legally compliant: No**Sound:** No**Comply with duty:** Not specified**Attachments:** None

1027

Object

Document Element: SP5 – Climate Change**Respondent:** Historic England (Midlands)**Summary:**

Comments raised at previous stage. Please find a relevant document included within the link below. This is relevant generally to the Waste Local Plan and the need to consider the effects of waste planning on archaeology.

<https://historicengland.org.uk/images-books/publications/land-contamination-and-archaeology>

Change suggested by respondent:

-

Legally compliant: No**Sound:** No**Comply with duty:** Not specified**Attachments:** None

1028

Object

Document Element: DM3 – Design of Waste Management Facilities**Respondent:** Historic England (Midlands)**Summary:**

Clause 1 b) this should also consider the impact on its surrounding location and ensure that any design features including security fencing are appropriate in the context of its location and the potential harmful effects for the historic environment.

Change suggested by respondent:

Clause 1 b) this should also consider the impact on its surrounding location and ensure that any design features including security fencing are appropriate in the context of its location and the potential harmful effects for the historic environment.

Legally compliant: No**Sound:** No**Comply with duty:** Not specified**Attachments:** None

1029

Object

Document Element: DM4 – Landscape Protection**Respondent:** Historic England (Midlands)**Summary:**

This policy would benefit from consideration of heritage as a component of landscape. Additionally, how is the historic environment being protected and conserved through this policy and ensuring a positive strategy for the historic environment?

Previous comments still stand.

We would request a reference to heritage landscapes within this policy and the recognition that design, landscaping, planting and restoration principles should be appropriate to the historic landscape that they are in and the setting of heritage assets, where appropriate. We are pleased to see reference to landscape character appraisal evidence that the Councils already have.

Change suggested by respondent:

We would request a reference to heritage landscapes within this policy and the recognition that design, landscaping, planting and restoration principles should be appropriate to the historic landscape that they are in and the setting of heritage assets, where appropriate.

Legally compliant: No**Sound:** No**Comply with duty:** Not specified**Attachments:** None

1030

Support

Document Element: DM6- Historic Environment, 8.76**Respondent:** Historic England (Midlands)**Summary:**

We support the inclusion of this paragraph.

Change suggested by respondent:

-

Legally compliant: No**Sound:** No**Comply with duty:** Not specified**Attachments:** None

1031

Object

Document Element: DM6 – Historic Environment**Respondent:** Historic England (Midlands)**Summary:**

Clause 2 is a useful starting point and should be clear that applications which cause harm to the significance of heritage assets will not be supported. Harm should be avoided/ mitigated and then the tests of public benefits apply. The wording needs amending to reflect this hierarchical approach.

Change suggested by respondent:

Clause 2 is a useful starting point and should be clear that applications which cause harm to the significance of heritage assets will not be supported. Harm should be avoided/ mitigated and then the tests of public benefits apply. The wording needs amending to reflect this hierarchical approach.

Legally compliant: No**Sound:** No**Comply with duty:** Not specified**Attachments:** None

1032

Object

Document Element: DM6 – Historic Environment**Respondent:** Historic England (Midlands)**Summary:**

Clause 3, first sentence, insert between affect and heritage asset – ‘the significance of’.

Change suggested by respondent:

Clause 3, first sentence, insert between affect and heritage asset – ‘the significance of’.

Legally compliant: No**Sound:** No**Comply with duty:** Not specified**Attachments:** None

1033

Object

Document Element: DM6 – Historic Environment**Respondent:** Historic England (Midlands)**Summary:**

We support the need for a heritage statement to be supplied for any application where harm could occur. Clause 3 c) what is the contribution of the development parcel on the significance of the asset? What is their relationship and how will the significance of the heritage asset be affected as a result of the change? Is the harm necessary/ avoidable.

Change suggested by respondent:

-

Legally compliant: No**Sound:** No**Comply with duty:** Not specified**Attachments:** None

1034

Object

Document Element: DM6 – Historic Environment**Respondent:** Historic England (Midlands)**Summary:**

Clause 3 d) should be clear that harm should be avoided as heritage assets are an 'irreplaceable resource'.

Change suggested by respondent:

Clause 3 d) should be clear that harm should be avoided as heritage assets are an 'irreplaceable resource'.

Legally compliant: No**Sound:** No**Comply with duty:** Not specified**Attachments:** None

1035

Object

Document Element: DM6 – Historic Environment**Respondent:** Historic England (Midlands)**Summary:**

Consider re-wording of clause 3 e) what is specifically meant here? Mitigation measures should be identified that can overcome the harm to the significance of the heritage asset, including its setting. These mitigation measures should be informed by assessment and then included as planning conditions on the application.

Change suggested by respondent:

Consider re-wording of clause 3 e)

Legally compliant: No**Sound:** No**Comply with duty:** Not specified**Attachments:** None

1036

Object

Document Element: DM6 – Historic Environment**Respondent:** Historic England (Midlands)**Summary:**

Additional points to include within the policy:

- There is no reference to the potential need for archaeological evaluation and assessment or how impacts for different types of heritage assets may be considered.
- We would also recommend design considerations being included to protect heritage assets.
- Where there is harm to heritage assets, resulting in the loss of heritage this should be recorded and as a minimum recorded on the Historic Environment Record.
- Any assessments should be undertaken by an appropriate and qualified professional.
- A clause setting out the potential for enhancement measures would be welcome.

Change suggested by respondent:

-

Legally compliant: No**Sound:** No**Comply with duty:** Not specified**Attachments:** None

1037

Object

Document Element: DM6- Historic Environment, 8.77**Respondent:** Historic England (Midlands)**Summary:**

We support paragraph 8.77 and consider this aim can be better reflected within the policy. Links to relevant heritage documents such as local lists and landscape and townscape character assessments would be positive.

Change suggested by respondent:

-

Legally compliant: No**Sound:** No**Comply with duty:** Not specified**Attachments:** None

1038

Object

Document Element: DM6- Historic Environment, 8.78**Respondent:** Historic England (Midlands)**Summary:**

We note the reference to archaeology within paragraph 8.78 and consider that this should be reflected in the policy and referenced elsewhere under climate change/ water management issues.

Change suggested by respondent:

-

Legally compliant: No**Sound:** No**Comply with duty:** Not specified**Attachments:** None

1039

Object

Document Element: DM6- Historic Environment, 8.89**Respondent:** Historic England (Midlands)**Summary:**

Many of the paragraphs in the justification we support and consider that these should be better integrated into the policy wording to ensure it is National Planning Policy Framework (NPPF) compliant. We do not however consider that large sections of Section 16 NPPF are necessary to be included within the text. The justification should focus on how the policy clauses can be fully understood with links to appropriate documents and explanation. Paragraph 8.89 and 8.90 for example, there should be a clause within the policy setting out these details.

Change suggested by respondent:

-

Legally compliant: No**Sound:** No**Comply with duty:** Not specified**Attachments:** None

1040

Object

Document Element: DM6- Historic Environment, 8.90**Respondent:** Historic England (Midlands)**Summary:**

Many of the paragraphs in the justification we support and consider that these should be better integrated into the policy wording to ensure it is National Planning Policy Framework (NPPF) compliant. We do not however consider that large sections of Section 16 NPPF are necessary to be included within the text. The justification should focus on how the policy clauses can be fully understood with links to appropriate documents and explanation. Paragraph 8.89 and 8.90 for example, there should be a clause within the policy setting out these details.

Change suggested by respondent:

-

Legally compliant: No**Sound:** No**Comply with duty:** Not specified**Attachments:** None

1041

Object

Document Element: DM7 - Flood Risk and Water Resources**Respondent:** Historic England (Midlands)**Summary:**

We attach our previous comments as they remain relevant:

As referenced above within Policy SP5 we would welcome recognition of the potential for changes to the watercourse and treatment for flooding and water courses, also need to consider how they may impact upon the historic environment, with particular attention to below ground archaeology. A reference within the justification text is likely to be suitable.

Change suggested by respondent:

we would welcome recognition of the potential for changes to the watercourse and treatment for flooding and water courses, also need to consider how they may impact upon the historic environment, with particular attention to below ground archaeology. A reference within the justification text is likely to be suitable.

Legally compliant: No**Sound:** No**Comply with duty:** Not specified**Attachments:** None

1042

Object

Document Element: DM10 - The Cumulative Impact of Development**Respondent:** Historic England (Midlands)**Summary:**

We are supportive of a policy that considers the cumulative impacts of more than one development in a close locality.
We consider there needs to be additional detail within the policy for this to be effective.

Change suggested by respondent:

-

Legally compliant: No**Sound:** No**Comply with duty:** Not specified**Attachments:** None

1043

Object

Document Element: DM10- Cumulative Impacts of Development, 8.132**Respondent:** Historic England (Midlands)**Summary:**

We welcome reference to the historic environment within this paragraph. As mentioned in our previous consultation response we do consider that additional detail is needed to understand what the 'unacceptable cumulative impacts' may be and how these can be avoided. There needs to be enough detail for a potential applicant to know what they need to provide and for a planning officer to be able to determine an application.

Change suggested by respondent:

Additional detail is needed to understand what the 'unacceptable cumulative impacts' may be and how these can be avoided. There needs to be enough detail for a potential applicant to know what they need to provide and for a planning officer to be able to determine an application.

Legally compliant: No**Sound:** No**Comply with duty:** Not specified**Attachments:** None

1044

Object

Document Element: DM12 - Highway Safety and Vehicle Movements/Routeing**Respondent:** Historic England (Midlands)**Summary:**

Clause 1b) what is meant by 'an unacceptable impact on the environment'? We would welcome reference to the historic environment within this clause or within the justification text below as these issues can harm the significance of heritage assets and how they are appreciated within their setting.

Change suggested by respondent:

Reference to the historic environment in clause 1b) or within the justification text below.

Legally compliant: No**Sound:** No**Comply with duty:** Not specified**Attachments:** None

1045

Object

Document Element: DM12 - Highway Safety and Vehicle Movements/Routeing**Respondent:** Historic England (Midlands)**Summary:**

Our previous comments remain relevant:

Please see comments to Policy DM10 as they also relate here. This should be considered in the whole and whether impacts to the highway through traffic movements etc. are an unacceptable harm for the historic environment and how any future planning applications for new waste facilities will consider the issue of harm to heritage assets resulting from highways and vehicle movements.

Change suggested by respondent:

-

Legally compliant: No**Sound:** No**Comply with duty:** Not specified**Attachments:** None

1046

Object

Document Element: DM3 – Design of Waste Management Facilities**Respondent:** Historic England (Midlands)**Summary:**

Clause 1 c) we would welcome a specific clause that considers the impact on the historic environment and ensures that any development proposals protect and conserve the significance of heritage assets, including their setting, as well as the potential to seeks enhancements. As it stands the clause seeks only to 'minimise impacts' rather than ensuring that only appropriate locations are given planning permission and that harm is avoided and mitigated in the first instance.

This policy wording needs amending to reflect the National Planning Policy Framework, Section 16.

Change suggested by respondent:

Clause 1 c) we would welcome a specific clause that considers the impact on the historic environment and ensures that any development proposals protect and conserve the significance of heritage assets, including their setting, as well as the potential to seeks enhancements. As it stands the clause seeks only to 'minimise impacts' rather than ensuring that only appropriate locations are given planning permission and that harm is avoided and mitigated in the first instance.

This policy wording needs amending to reflect the National Planning Policy Framework, Section 16.

Legally compliant: No**Sound:** No**Comply with duty:** Not specified**Attachments:** None

970

Support

Document Element: SP6 – Sustainable movement of waste**Respondent:** Johnsons Aggregates and Recycling**Agent:** Heatons**Summary:**

Please see the representation attached

Change suggested by respondent:

-

Legally compliant: Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:**

927

Support

Document Element: SP6- Sustainable movement of Waste, 7.53**Respondent:** Leicestershire County Council**Summary:**

Positively prepared – providing a strategy which, as a minimum seeks to meet the area's objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring authorities is accommodated where it is practical to do so and is consistent with achieving sustainable development.

Agree - The policy states that the Councils will maintain a close dialogue with other East Midlands and surrounding WPAs to ensure that waste can continue to be managed as sustainably as possible. Paragraph 7.53 states that they will work with neighbouring authorities and applicants to understand the overall level and type of waste management provision.

Leicestershire County Council continue to work collaboratively with Nottingham City Council and Nottinghamshire County Council in relation to strategic issues through various forums and also in relation to the Plan.

Change suggested by respondent:

-

Legally compliant: Not specified**Sound:** Yes**Comply with duty:** Not specified**Attachments:** None

928

Support

Document Element: 5. Waste Management in the Plan Area, 5.1**Respondent:** Leicestershire County Council**Summary:**

Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence.

Agree - The plan contains several scenarios for forecasting future waste arisings in the plan area. A Waste Needs Assessment has been completed by specialist consultants (AECOM). It considers a range of different growth scenarios for each of the main waste streams in line with national policy and guidance on forecasting future waste arisings. These scenarios include:

- Forecasting LACW arisings. Scenarios include a high rate of decline, low rate of decline and no change.
- Forecasting commercial and industrial waste arisings. Scenarios include no change, medium growth and high growth.
- Forecasting CD&E arisings. This includes only one, no change scenario.
- Future hazardous waste arisings are based on extrapolating historic time series data.

Change suggested by respondent:

-

Legally compliant: Not specified**Sound:** Yes**Comply with duty:** Not specified**Attachments:** None

929

Support

Document Element: SP6 – Sustainable movement of waste

Respondent: Leicestershire County Council

Summary:

Effective - deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground.

Agree – The plan references sustainable movement of waste and policy SP6 states that waste management proposals which are likely to treat, manage or dispose of waste from areas outside Nottinghamshire and Nottingham will be permitted where they demonstrate that:

- a) The facility makes a significant contribution to the movement of waste up the waste hierarchy; or
- b) There are no facilities or potential sites in more sustainable locations in relation to the anticipated source of the identified waste stream; or
- c) There are wider social, economic or environmental sustainability benefits that clearly support the proposal.

It's noted in the document that the Waste Local Plan takes a pragmatic approach which aims to provide sufficient capacity to manage the equivalent of Nottingham and Nottinghamshire own waste arisings whilst allowing for appropriate cross-border movements of waste.

The policy advises WPAs to work jointly and collaboratively with other planning authorities including on issues of cross boundary movements and any national need.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Yes

Comply with duty: Not specified

Attachments: None

930

Support

Document Element: SP4- Managing Residual Waste, 7.38**Respondent:** Leicestershire County Council**Summary:**

There is some concern that landfill capacity for LACW and C&I waste is effectively exhausted and that this type of waste could spill over into Leicestershire's disposal routes. Paragraph 7.38 states that the lack of suitable disposal sites within the Plan area may mean that residual hazardous and non-hazardous waste will be managed at the nearest available site but not necessarily within the Plan area. However, it is stated in paragraph 7.39 that the Councils will therefore maintain a close dialogue with other East Midlands and surrounding WPAs to ensure that waste can continue to be managed as sustainably as possible.

Change suggested by respondent:

-

Legally compliant: Not specified**Sound:** Yes**Comply with duty:** Not specified**Attachments:** None

931

Support

Document Element: SP4 – Managing Residual Waste**Respondent:** Leicestershire County Council**Summary:**

Identify sufficient opportunities to meet the identified needs of their area for the management of waste, based on robust analysis of best available data and information.

A Waste Needs Assessment was completed by specialist consultants (AECOM). The assessment looked at existing waste management capacity within the plan area and makes specific recommendations as to whether additional facilities are likely to be needed. This appears to be thorough. There are some concerns that landfill capacity for LACW and C&I waste is effectively exhausted. It is noted that the Plan contains a criteria-based policy on landfill provision.

Change suggested by respondent:

-

Legally compliant: Not specified**Sound:** Yes**Comply with duty:** Not specified**Attachments:** None

932

Support

Document Element: SP1 – Waste prevention and re-use**Respondent:** Leicestershire County Council**Summary:**

Ensure waste is managed as high up the waste hierarchy as possible recognising the need for a mix of types and scale of facilities.

Agree that this is covered in the plan. Policy SP1- Waste prevention and re-use. It is recognised that it is important that waste is managed as sustainably as possible. The waste hierarchy, the circular economy and the need to seek to minimise the environmental and economic impact of waste management within the Plan area have been considered.

Change suggested by respondent:

-

Legally compliant: Not specified**Sound:** Yes**Comply with duty:** Not specified**Attachments:** None

933

Support

Document Element: SP3- Broad Locations for Waste Treatment Facilities, 7.19**Respondent:** Leicestershire County Council**Summary:**

Ensure waste is managed as high up the waste hierarchy as possible recognising the need for a mix of types and scale of facilities.

Agree that this is covered in the plan.

The proximity principle has also been considered as paragraph 7.19 states that 'as set out in our vision, we want to promote a pattern of appropriately sized waste management facilities in the areas where they are most needed - i.e., close to where most waste is likely to be produced...' However, paragraph 7.49 states that the proximity principle does not require use of the closest facility to the exclusion of all other considerations. In some cases, it may make economic and environmental sense for waste to be managed at a facility in a neighbouring county, if this is closer or means that waste will be managed further up the waste hierarchy.

Change suggested by respondent:

-

Legally compliant: Not specified**Sound:** Yes**Comply with duty:** Not specified**Attachments:** None

934

Support

Document Element: SP3- Broad Locations for Waste Treatment Facilities, 7.23

Respondent: Leicestershire County Council

Summary:

Ensure waste is managed as high up the waste hierarchy as possible recognising the need for a mix of types and scale of facilities.

Agree that this is covered in the plan.

In regards to recognising the need for a mix of types and scale of facilities. Paragraph 7.23 states 'A mix of facilities of different sizes/scales is likely to be required to provide the right provision of capacity in the plan area, proposals will need to ensure that the size of the facility is appropriate to its location...'

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Yes

Comply with duty: Not specified

Attachments: None

935

Support

Document Element: SP4- Managing Residual Waste, 7.40

Respondent: Leicestershire County Council

Summary:

Take into account the need for a limited number of facilities for disposal of residual waste which may arise in more than one waste planning authority area.

Agree – This is recognised in paragraph 7.40. Although the scope to provide hazardous or non-hazardous disposal capacity within the plan area is thought to be extremely limited, due to the underlying geology of the area and wider environmental constraints, it is important that the Plan includes relevant policies to deal with such proposals should these come forward. Part (2) of Policy SP4 (copied below) will therefore apply to any proposals for new landfill sites for hazardous or non-hazardous waste including the extension of, or alterations to, existing, unrestored sites. As there is sufficient waste treatment capacity within the plan area to meet expected future needs, disposal is expected to be a last resort in accordance with the waste hierarchy.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Yes

Comply with duty: Not specified

Attachments: None

936

Support

Document Element: SP4 – Managing Residual Waste**Respondent:** Leicestershire County Council**Summary:**

Take into account the need for a limited number of facilities for disposal of residual waste which may arise in more than one waste planning authority area.

Agree – This is recognised in paragraph 7.40. Although the scope to provide hazardous or non-hazardous disposal capacity within the plan area is thought to be extremely limited, due to the underlying geology of the area and wider environmental constraints, it is important that the Plan includes relevant policies to deal with such proposals should these come forward. Part (2) of Policy SP4 (copied below) will therefore apply to any proposals for new landfill sites for hazardous or non-hazardous waste including the extension of, or alterations to, existing, unrestored sites. As there is sufficient waste treatment capacity within the plan area to meet expected future needs, disposal is expected to be a last resort in accordance with the waste hierarchy.

Change suggested by respondent:

-

Legally compliant: Not specified**Sound:** Yes**Comply with duty:** Not specified**Attachments:** None

937

Support

Document Element: DM2 – Health, Wellbeing and Amenity**Respondent:** Leicestershire County Council**Summary:**

Undertake early and meaningful engagement with local communities, recognising that proposals for waste management facilities such as incinerators can be controversial

Agree – Consideration has been given to the health and wellbeing of local communities. This can be seen in policy DM2 where any potential adverse impacts on health, wellbeing and amenity arising from the construction, operation and, where relevant, restoration phase and any associated transport movements, are avoided or adequately mitigated to an acceptable level.

Change suggested by respondent:

-

Legally compliant: Not specified**Sound:** Yes**Comply with duty:** Not specified**Attachments:** None

875

Object

Document Element: Future waste management methods, Table 7 Recycling Scenarios

Respondent: Mr Daniel Lloyd

Summary:

The assumption that recycling rates will improve is possibly optimistic.

Change suggested by respondent:

Consideration must be given as to how to make it easier to recycle more.

Legally compliant: Yes

Sound: Yes

Comply with duty: Yes

Attachments: None

876

Object

Document Element: 6. Our Vision and Strategic Objectives, 6.1

Respondent: Mr Daniel Lloyd

Summary:

The vision is lovely but will require much wider participation and contribution.

Change suggested by respondent:

Do not make a plan which is so largely reliant on the input of others to chive. Households using less in the way described is beyond the scope and capabilities of the local councils.

Legally compliant: Yes

Sound: Yes

Comply with duty: Yes

Attachments: None

877

Object

Document Element: SP1 – Waste prevention and re-use

Respondent: Mr Daniel Lloyd

Summary:

Will this include sapce for recycling bins inside and outside homes? New developments are too small to make this practical.

Change suggested by respondent:

Co-operation with planning and design of housing will be required.

Legally compliant: Yes

Sound: Yes

Comply with duty: Yes

Attachments: None

878

Object

Document Element: SP3 – Broad Locations for Waste Treatment Facilities

Respondent: Mr Daniel Lloyd

Summary:

Locating waste water treatment plants within communities leads to problems with flooding during periods of high rainfall. East Leake is such an example, the sewage works in the village regularly floods the road and surrounding area.

Change suggested by respondent:

Sewage facilities should be located as far from villages as is practical to avoid flooding. They should be located and designed to avoid entirely overflow and flooding during all rainfall events.

Legally compliant: No

Sound: No

Comply with duty: No

Attachments: None

879

Object

Document Element: SP5 – Climate Change

Respondent: Mr Daniel Lloyd

Summary:

Facilities ie refuse collection sites need to be located where it is practical for people to get to them. their current locations are too far from many people meaning that excess travel is required to use them. poor design leads to over crowding and makes their use difficult.

Change suggested by respondent:

Proposals for waste management facilities should be designed and located to ensure that they are easy to access and use by resident, resilient and adaptable to the future impacts of climate changes. they should be designed to minimise bottle necks and allow maximum use and throughput.

Legally compliant: Yes

Sound: No

Comply with duty: Yes

Attachments: None

1003

Object

Document Element: Forecasting future waste arisings in the Plan area, 5.23

Respondent: Richard Lumb

Summary:

The Waste Needs Assessment is not legally compliant or sound. In particular it fails to comply with the targets set out in the Environmental Targets (Residual Waste) (England) Regulations 2023, the Waste (Circular Economy) (Amendment) Regulations 2020 and the Environmental Improvement Plan (EIP) (2023). These aim to halve residual waste per person by 2042 (and reduce residual municipal waste per person by 29% by 2027), and to increase the recycling target from 50% to 65% by 2035. The Assessment should be revised to comply with up-to-date regulations.

This particularly relates to:

s2.3 Supporting Documents – Waste Needs Assessment

s5.23 Updated scenarios for Local Authority Collected Waste

Change suggested by respondent:

-

Legally compliant: No

Sound: No

Comply with duty: Not specified

Attachments: None

1004

Object

Document Element: Forecasting future waste arisings in the Plan area, 5.25

Respondent: Richard Lumb

Summary:

The Waste Needs Assessment is not legally compliant or sound. In particular it fails to comply with the targets set out in the Environmental Targets (Residual Waste) (England) Regulations 2023, the Waste (Circular Economy) (Amendment) Regulations 2020 and the Environmental Improvement Plan (EIP) (2023). These aim to halve residual waste per person by 2042 (and reduce residual municipal waste per person by 29% by 2027), and to increase the recycling target from 50% to 65% by 2035. The Assessment should be revised to comply with up-to-date regulations.

This particularly relates to:

s2.3 Supporting Documents – Waste Needs Assessment

s5.23 Updated scenarios for Local Authority Collected Waste

s5.25 Table 1 Summary of forecasted LACW arisings

s5.29 Table 2 Summary of forecasted C&I arisings

Change suggested by respondent:

-

Legally compliant: No

Sound: No

Comply with duty: Not specified

Attachments: None

1005

Object

Document Element: Forecasting future waste arisings in the Plan area, 5.29

Respondent: Richard Lumb

Summary:

The Waste Needs Assessment is not legally compliant or sound. In particular it fails to comply with the targets set out in the Environmental Targets (Residual Waste) (England) Regulations 2023, the Waste (Circular Economy) (Amendment) Regulations 2020 and the Environmental Improvement Plan (EIP) (2023). These aim to halve residual waste per person by 2042 (and reduce residual municipal waste per person by 29% by 2027), and to increase the recycling target from 50% to 65% by 2035. The Assessment should be revised to comply with up-to-date regulations.

This particularly relates to:

- s2.3 Supporting Documents – Waste Needs Assessment
- s5.23 Updated scenarios for Local Authority Collected Waste
- s5.25 Table 1 Summary of forecasted LACW arisings
- s5.29 Table 2 Summary of forecasted C&I arisings

Change suggested by respondent:

-

Legally compliant: No

Sound: No

Comply with duty: Not specified

Attachments: None

1006

Object

Document Element: The Waste Hierarchy, 3.16

Respondent: Richard Lumb

Summary:

Now that a 65% re-use and recycling target for municipal waste has been adopted for 2035 (Waste (Circular Economy) (Amendment) Regulations 2020 s11(a)(ii)): s3.16 (EU Circular Economy Action Plan) is not legally compliant or sound in failing to note that the circular economy measures, including a target of 65%, were adopted in UK legislation in 2020.

Change suggested by respondent:

-

Legally compliant: No

Sound: No

Comply with duty: Not specified

Attachments: None

1007

Object

Document Element: Future waste management methods, Table 7 Recycling Scenarios

Respondent: Richard Lumb

Summary:

Now that a 65% re-use and recycling target for municipal waste has been adopted for 2035 (Waste (Circular Economy) (Amendment) Regulations 2020 s11(a)(ii)): s5.41 (Table 7. Recycling scenarios for LACW) is not sound in failing to require facilities to support the 65% target. 65% recycling should be considered as the 'low' recycling scenario, not the 'high' scenario, with perhaps 70% and 75% considered as higher options (which should be achievable).

Change suggested by respondent:

-

Legally compliant: No

Sound: No

Comply with duty: Not specified

Attachments: None

1008

Object

Document Element: 2. Scope of the New Nottinghamshire and Nottingham Waste Local Plan, 2.1

Respondent: Richard Lumb

Summary:

References to the Circular Economy should more clearly support the targets in the government's Resources and Waste Strategy 2018, particularly to minimise residual waste. More emphasis should be given to facilities for re-use as well as separate collection of materials which can be recycled, and monitoring composition of waste to inform progressive reduction of residual waste. s2.1 (Scope) is not sound in failing to include facilities for re-use as well as "recycling and waste".

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: No

Comply with duty: Not specified

Attachments: None

1009

Object

Document Element: Appendix 1- Monitoring and Implementation Framework for Nottinghamshire and Nottingham Waste Local Plan, SP2- Future Waste Management

Respondent: Richard Lumb

Summary:

References to the Circular Economy should more clearly support the targets in the government's Resources and Waste Strategy 2018, particularly to minimise residual waste. More emphasis should be given to facilities for re-use as well as separate collection of materials which can be recycled, and monitoring composition of waste to inform progressive reduction of residual waste.

Appendix 1 (Monitoring and Implementation) SP2 – Future Waste Management Provision) should be more proactive in requiring waste compositions to be monitored.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: No

Comply with duty: Not specified

Attachments: None

1010

Object

Document Element: Assessing the need for additional waste management capacity, 5.47

Respondent: Richard Lumb

Summary:

References to "energy from waste" should recognise government policy that incineration should not displace facilities higher up the waste hierarchy. (See Defra statement, 11 July 2022: "The Government's view is that Energy from Waste (EfW) should not compete with greater waste prevention, re-use, or recycling. Proposed new plants must not result in an over-capacity of EfW waste treatment provision at a local or national level.") Also see the recent report by UK Without Incineration Network:

2

(<https://ukwin.org.uk/overcapacity/>) which demonstrates that there is already a problem of overcapacity in the UK, including in the East Midlands.

s5.47 & s5.48 (Table 11: Capacity Gap Analysis) are not sound in failing to allow for targeted reductions in residual waste and the need to avoid overcapacity of energy from waste (incineration).

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: No

Comply with duty: Not specified

Attachments: None

1011

Object

Document Element: Assessing the need for additional waste management capacity, Table 11. Capacity Gap Analysis for HIC Waste Stream (tpa)

Respondent: Richard Lumb

Summary:

References to "energy from waste" should recognise government policy that incineration should not displace facilities higher up the waste hierarchy. (See Defra statement, 11 July 2022: "The Government's view is that Energy from Waste (EfW) should not compete with greater waste prevention, re-use, or recycling. Proposed new plants must not result in an over-capacity of EfW waste treatment provision at a local or national level.") Also see the recent report by UK Without Incineration Network:

2

(<https://ukwin.org.uk/overcapacity/>) which demonstrates that there is already a problem of overcapacity in the UK, including in the East Midlands.

s5.47 & s5.48 (Table 11: Capacity Gap Analysis) are not sound in failing to allow for targeted reductions in residual waste and the need to avoid overcapacity of energy from waste (incineration).

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: No

Comply with duty: Not specified

Attachments: None

1012

Object

Document Element: SP2 - Future Waste Management Provision**Respondent:** Richard Lumb**Summary:**

References to "energy from waste" should recognise government policy that incineration should not displace facilities higher up the waste hierarchy. (See Defra statement, 11 July 2022: "The Government's view is that Energy from Waste (EfW) should not compete with greater waste prevention, re-use, or recycling. Proposed new plants must not result in an over-capacity of EfW waste treatment provision at a local or national level.") Also see the recent report by UK Without Incineration Network:

2

(<https://ukwin.org.uk/overcapacity/>) which demonstrates that there is already a problem of overcapacity in the UK, including in the East Midlands.

s7.13 (Policy SP2 – Future Waste Management Provision) is not sound in failing to ensure that "energy recovery facilities" will not prejudice achievement of residual waste reduction targets (which could be added to 1.b)i) and will not result in an over-capacity of EfW waste treatment provision at a local or regional level (which could be added as a new clause).

Change suggested by respondent:

Policy SP2 – Future Waste Management Provision) is not sound in failing to ensure that "energy recovery facilities" will not prejudice achievement of residual waste reduction targets (which could be added to 1.b)i) and will not result in an over-capacity of EfW waste treatment provision at a local or regional level (which could be added as a new clause).

Legally compliant: Not specified**Sound:** No**Comply with duty:** Not specified**Attachments:** None

1013

Object

Document Element: SP6 – Sustainable movement of waste

Respondent: Richard Lumb

Summary:

References to "energy from waste" should recognise government policy that incineration should not displace facilities higher up the waste hierarchy. (See Defra statement, 11 July 2022: "The Government's view is that Energy from Waste (EfW) should not compete with greater waste prevention, re-use, or recycling. Proposed new plants must not result in an over-capacity of EfW waste treatment provision at a local or national level.") Also see the recent report by UK Without Incineration Network:

2

(<https://ukwin.org.uk/overcapacity/>) which demonstrates that there is already a problem of overcapacity in the UK, including in the East Midlands.

s7.49 (Policy SP6 – Sustainable movement of waste) is not sound in relation to importing waste from outside Nottinghamshire in not requiring all conditions to be met. The word "or" at the end of clauses 2a) and 2b) should be replaced by "and".

Change suggested by respondent:

The word "or"

at the end of clauses 2a) and 2b) should be replaced by "and".

Legally compliant: Not specified

Sound: No

Comply with duty: Not specified

Attachments: None

1014

Object

Document Element: SP2- Future Waste Management Provision, 7.15

Respondent: Richard Lumb

Summary:

The Plan should more clearly recognise that Anaerobic Digestion should not be considered (as "energy from waste") on the same level as incineration. (Unlike combustion, AD allows recycling of organic materials - liquid and solid - as well as generating energy, and Defra guidance on the waste hierarchy recognises this, at least for food waste.)

s7.15 – footnote 5 (Justification for Policy SP2 – Future Waste Management Provision) should note that Defra Guidance on applying the Waste Hierarchy (June 2011) indicates that Anaerobic Digestion should be considered on the same level as Recycling for some materials, particularly food waste.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: No

Comply with duty: Not specified

Attachments: None

1015

Object

Document Element: 7. Strategic Policies, 7.6

Respondent: Richard Lumb

Summary:

References to energy recovery as "low carbon" should be deleted, or at least amended to make clear that burning plastic does not produce low carbon energy:
s7.6 (Introduction to Strategic Policies) is not sound in failing to include reference to the risk to climate change associated with burning plastics.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: No

Comply with duty: Not specified

Attachments: None

1016

Object

Document Element: SP5- Climate Change, 7.47

Respondent: Richard Lumb

Summary:

References to energy recovery as "low carbon" should be deleted, or at least amended to make clear that burning plastic does not produce low carbon energy:
s7.47 (Justification for Policy SP5 – Climate Change) is not sound in failing to acknowledge that burning plastic is not low carbon

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: No

Comply with duty: Not specified

Attachments: None

938

Support

Document Element: 6. Our Vision and Strategic Objectives, 6.1**Respondent:** Mansfield District Council**Summary:**

The plan's vision, which seeks to ensure less waste is produced by re-using resources in a circular economy with disposal being the last resort, is welcomed. Ensuring there is capacity over the plan period within appropriately located waste management facilities is important and the council supports the plan's approach to locate larger facilities towards concentrations of population and employment (such as Mansfield (as well as Nottingham and Ashfield) as the largest town in the county). This is sustainable as it will ensure waste is processed close to where it is produced and keep transportation to a minimum, as well as providing local jobs. The council also welcomes the safeguarding of existing facilities and is encouraged to see the emphasis on wellbeing, protecting and enhancing the environment, and adapting to climate change within the vision and strategic objectives.

Change suggested by respondent:

-

Legally compliant: Yes**Sound:** Yes**Comply with duty:** Yes**Attachments:** None

939

Object

Document Element: SP4 – Managing Residual Waste**Respondent:** Mansfield District Council**Summary:**

Following on from the council's previous comments on the draft Waste Local Plan, our comment regarding Policy SP4 is reiterated. Policy SP4 would be used to control any new development proposals seeking to dispose of residual waste that come forward. This includes the recovery of inert waste used for restoration of mineral workings, landfill, and landraise sites, as well as the disposal of non-hazardous and hazardous waste to landfill. Part c of the policy states that in all cases, the resulting final landform, landscaping and after-uses must be designed to take account of and, where appropriate, enhance the surrounding landscape, topography and natural environment. It is questioned why the phrase "where appropriate" is required rather than the policy seeking enhancements in all cases. This seems to contradict paragraph 8.70 which later on in the document states how waste facilities, particularly disposal sites which require restoration, can enhance biodiversity and should be restored to high environmental standards. Paragraph 8.71 goes on to say that such opportunities should be maximised and biodiversity net gains achieved where possible. Paragraph 8.32 also states how disposal sites where waste is used for restoration can enhance health and wellbeing through provision (among other things) landscape improvements.

Change suggested by respondent:

Policy SP4 (Part 3) – remove "where appropriate".

Legally compliant: Yes**Sound:** Yes**Comply with duty:** Yes**Attachments:** None

940

Object

Document Element: SP4 – Managing Residual Waste**Respondent:** Mansfield District Council**Summary:**

From an operational perspective, and in the context of uncertainties around the implementation of the Environment Act 2021, is there sufficient flexibility to ensure the plan remains relevant as more certainty emerges in the DEFRA guidance?

Change suggested by respondent:

Policy SP4 (Part 3) – remove “where appropriate”.

Legally compliant: Yes**Sound:** Yes**Comply with duty:** Yes**Attachments:** None

941

Object

Document Element: Vision, 6.2**Respondent:** Mansfield District Council**Summary:**

The vision / objectives could mention provision of additional recycling opportunities for households, which is a core part of the Environment Act 2021, including food and a wider range of materials to be collected at the kerbside.

Change suggested by respondent:

-

Legally compliant: Yes**Sound:** Yes**Comply with duty:** Yes**Attachments:** None

942

Object

Document Element: National Policy, 3.35**Respondent:** Mansfield District Council**Summary:**

The vision / objectives could mention provision of additional recycling opportunities for households, which is a core part of the Environment Act 2021, including food and a wider range of materials to be collected at the kerbside. Likewise, paragraph 3.35 (regarding the Environment Act 2021) should highlight the targets around food waste and standardisation of recycling material collections which are likely to have major implications.

Change suggested by respondent:

-

Legally compliant: Yes**Sound:** Yes**Comply with duty:** Yes**Attachments:** None

943

Object

Document Element: Forecasting future waste arisings in the Plan area, 5.23

Respondent: Mansfield District Council

Summary:

In relation to paragraph 5.23, we understand that there is a proposal to extend the current Nottinghamshire recycling input specification to that proposed in the Environment Act. If this is confirmed there is likely to be a significant increase in recycling and composting volumes. Should there have been an additional scenario with a target above the national target?

Change suggested by respondent:

-

Legally compliant: Yes

Sound: Yes

Comply with duty: Yes

Attachments: None

944

Object

Document Element: SP1- Waste prevention and re-use, 7.10

Respondent: Mansfield District Council

Summary:

Paragraph 7.10 could be expanded to cover the suitability of private road surfaces for waste vehicles to access properties (particularly for any assisted collections, which may be required in the future).

Change suggested by respondent:

-

Legally compliant: Yes

Sound: Yes

Comply with duty: Yes

Attachments: None

945

Object

Document Element: DM1- General Site Criteria, 8.11**Respondent:** Mansfield District Council**Summary:**

The reference to bottle banks in 8.11 is only relevant to areas without a kerbside collection (which will cover all areas once the Environment Act is rolled out);

Change suggested by respondent:

-

Legally compliant: Yes**Sound:** Yes**Comply with duty:** Yes**Attachments:** None

946

Object

Document Element: DM1- General Site Criteria, DM1 – General Site**Respondent:** Mansfield District Council**Summary:**

The text that relates to Policy DM1 (and maybe 8.27) ought to make reference to persistent organic pollutants (POPs) and their specific processing and disposal requirements.

Change suggested by respondent:

-

Legally compliant: Yes**Sound:** Yes**Comply with duty:** Yes**Attachments:** None

947

Object

Document Element: DM2- Health, Wellbeing and Amenity, 8.23**Respondent:** Mansfield District Council**Summary:**

The text that relates to Policy DM1 (and maybe 8.27) ought to make reference to persistent organic pollutants (POPs) and their specific processing and disposal requirements.

Change suggested by respondent:

-

Legally compliant: Yes**Sound:** Yes**Comply with duty:** Yes**Attachments:** None

874

Support

Document Element: DM12 - Highway Safety and Vehicle Movements/Routeing

Respondent: National Highways

Summary:

National Highways is supportive of the policies set out in the Plan, and particularly welcomes Policy DM12 which seeks to address potential impacts on the surrounding highway network, and which we find to be in accordance with the NPPF and Circular 01/2022.

National Highways will continue to assess planning applications for new developments on a case-by-case basis in accordance with the above-mentioned policies and will only object to new developments if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. This could refer to traffic impacts of proposed development, or potential boundary related impacts where the site is immediately adjacent to our network.

Change suggested by respondent:

N/A

Legally compliant: Yes

Sound: Yes

Comply with duty: Yes

Attachments: None

974

Object

Document Element: Forecasting future waste arisings in the Plan area, 5.32

Respondent: Newark and Sherwood District Council

Summary:

The Waste Needs Assessment concludes that there is no evidence to suggest an increase in future Construction, Demolition & Excavation (CD&E) waste arisings. The only major construction project considered potentially likely to have a significant impact on CD&E generations rates during the plan period is Phase 2b of high-speed railway HS2, with the eastern leg terminating just inside the boundary of Nottinghamshire.

Whilst we acknowledge that the Waste Needs Assessment¹ (WNA), undertaken by Aecom, takes into consideration the majority of major development in and around Newark and Sherwood District, it does not mention the Southern Link Road² (a strategic road linking the A46 to the A1 to the south of Newark which is due for completion by winter 2025), and improvements to the A1 Overbridge at Fernwood (planned to commence by 2033). It also does not mention the two large urban extensions to the south of Newark which are planned to deliver in excess of 6000 new homes plus associated infrastructure and a combined total of 65 hectares of new employment (some of which has commenced).

NSDC would question whether the last sentence in paragraph 3.63 of the WNA is accurate. It reads: 'The schemes, given their nature, will be unlikely to generate significant waste arisings.'

Paragraph 3.63 of the WNA reads as follows:

'Research has been undertaken to identify any major infrastructure projects scheduled to take place in the plan area within the plan period (i.e. until 2038). The 2016 National Infrastructure Plan identified two infrastructure schemes for Nottinghamshire; the Midland Mainline electrification (MME) programme estimated to start in 2019 and the A1/A46 junction improvements near Newark estimated to start between 2020 and 2025. However, in July 2017 the Department for Transport announced that the MME from Kettering to Leicester, Derby and Nottingham has been cancelled. The A1/A46 junction improvements have also been put back to around 2027. Another National project which is partly within Nottinghamshire is the High-Speed 2 Rail line (HS2). In November 2021 the Government announced in order to integrate HS2 with other rail projects, including the Northern Powerhouse Rail and Midlands Rail Hub, the new high speed line will now run from Birmingham to the existing East Midlands Parkway station, which is just inside the County's south-western border. From there trains will continue to central Nottingham, Derby and Sheffield on an upgraded and electrified Midland Mainline. There is no date set for the start of construction at present. At this stage it is difficult to quantify the amount of waste arisings resulting from the section in Nottinghamshire, but it is unlikely to be significant. Improvements to the A614/ A6097 Junctions and the A46 Newark bypass are other projects proposed within Nottinghamshire but still await formal approval and commencement. The schemes, given their nature, will be unlikely to generate significant waste arisings.

Timetable of works for schemes in Newark and Sherwood District

The following table sets out the timetable of planned works for each large scheme: (see attachment)

If the WNA is inaccurate in its assessment of requirements for construction waste it is likely to result in the Plan being found to be unsound on all four elements of the test of soundness: it will not have been positively prepared, it won't be justified or effective, and it will not comply with national policy.

Change suggested by respondent:

-

Legally compliant: Yes

Sound: No

Comply with duty: Yes

Attachments:

975

Object

Document Element: SP4 – Managing Residual Waste**Respondent:** Newark and Sherwood District Council**Summary:**

Given that this policy relates to waste at the bottom of the waste hierarchy, in order for it to be effective, we feel that it should be negatively worded by adding 'only' as follows:

"Proposals for the recovery of inert waste to land will only be permitted where it can be demonstrated that:"

Change suggested by respondent:

"1. Proposals for the recovery of inert waste to land will only be permitted where it can be demonstrated that:"

Legally compliant: Yes

Sound: No

Comply with duty: Yes

Attachments:

976

Object

Document Element: SP8 – Safeguarding Waste Management Sites**Respondent:** Newark and Sherwood District Council**Summary:**

In order to ensure it is positively prepared and consistent with national policy, it is recommended that part 4 of this policy is amended to require an agreement with the water company. It currently reads as follows:

'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.'

Change suggested by respondent:

Suggested change:

'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 and demonstrate that they have no objections which cannot be appropriately mitigated.'

Legally compliant: Yes

Sound: No

Comply with duty: Yes

Attachments:

977

Object

Document Element: 4. Overview of the Plan Area, 4.4

Respondent: Newark and Sherwood District Council

Summary:

As stated in our previous representations, it would also be useful to highlight that between the main towns and 'small villages' a number relatively large towns and villages exist across the County, for example Ollerton and Southwell. This is a particular issue when considering how to plan the provision of services (including waste) in rural areas.

Change suggested by respondent:

-

Legally compliant: Yes

Sound: No

Comply with duty: Yes

Attachments:

979

Support

Document Element: Future waste management methods, 5.42

Respondent: Newark and Sherwood District Council

Summary:

The reconfirmed commitment to a target of a 65% recycling rate for Local Authority Collected Waste is welcomed

Change suggested by respondent:

-

Legally compliant: Yes

Sound: No

Comply with duty: Yes

Attachments:

980

Support

Document Element: Future waste management methods, 5.43

Respondent: Newark and Sherwood District Council

Summary:

The commitment to a target of an 80% by 2038 recycling rate for C&I waste is welcomed.

Change suggested by respondent:

-

Legally compliant: Yes

Sound: No

Comply with duty: Yes

Attachments:

981

Support

Document Element: Future waste management methods, 5.45**Respondent:** Newark and Sherwood District Council**Summary:**

The commitment to a target of a 95% recycling / recovery rate for CD&E waste is welcomed.

Change suggested by respondent:

-

Legally compliant: Yes**Sound:** No**Comply with duty:** Yes**Attachments:**

982

Object

Document Element: Assessing the need for additional waste management capacity, 5.52**Respondent:** Newark and Sherwood District Council**Summary:**

Whilst it is acknowledged that very few sites were put forward during the two previous Call for Sites exercises, there could be a range of reasons why this was the case, not least because one was conducted during the Covid-19 pandemic when there was great uncertainty for businesses. There is no detailed evidence regarding the call for sites / site assessments, so it is difficult to determine what sites are available. Pro-active consultation should continue to take place with the waste industry and landowners in order to identify a range of potential sites for allocation as part of the future review of the Waste Plan. The District Council would welcome the opportunity for cooperation between the two Authorities through that future review, with the potential for positive assistance to be given in the identification and delivery of appropriate land to meet the waste needs of Newark & Sherwood District.

Change suggested by respondent:

-

Legally compliant: Yes**Sound:** No**Comply with duty:** Yes**Attachments:**

983

Object

Document Element: SP2 - Future Waste Management Provision**Respondent:** Newark and Sherwood District Council**Summary:**

Whilst the positive approach to facilities which help to move waste management up the waste hierarchy is welcomed, it would be helpful if Policy SP2 set out clearly and precisely what the identified waste management needs for the plan area are over the plan period.

Change suggested by respondent:

-

Legally compliant: Yes**Sound:** No**Comply with duty:** Yes**Attachments:**

984

Object

Document Element: SP3 – Broad Locations for Waste Treatment Facilities**Respondent:** Newark and Sherwood District Council**Summary:**

Whilst it is appreciated that the Waste Local Plan needs to be read and considered as a whole, it is considered that it would be helpful if this policy could cross reference to Policy DM1, to provide a more comprehensive approach to the types of locations where new waste management development might be acceptable.

Change suggested by respondent:

-

Legally compliant: Yes**Sound:** No**Comply with duty:** Yes**Attachments:**

985

Support

Document Element: SP5 – Climate Change**Respondent:** Newark and Sherwood District Council**Summary:**

NSDC welcome these policies which emphasise the need for development proposals to be located, designed and operated in a way which minimises any impacts on climate change.

Change suggested by respondent:

-

Legally compliant: Yes**Sound:** No**Comply with duty:** Yes**Attachments:**

986

Support

Document Element: DM3 – Design of Waste Management Facilities**Respondent:** Newark and Sherwood District Council**Summary:**

NSDC welcome these policies which emphasise the need for development proposals to be located, designed and operated in a way which minimises any impacts on climate change.

Change suggested by respondent:

-

Legally compliant: Yes**Sound:** No**Comply with duty:** Yes**Attachments:**

989

Object

Document Element: Forecasting future waste arisings in the Plan area, 5.23**Respondent:** Nottingham Friends of the Earth**Agent:** Nottingham Friends of the Earth**Summary:**

The Waste Needs Assessment is not legally compliant or sound. In particular it fails to comply with the targets set out in the Environmental Targets (Residual Waste) (England) Regulations 2023, the Waste (Circular Economy) (Amendment) Regulations 2020 and the Environmental Improvement Plan (EIP) (2023). These aim to halve residual waste per person by 2042 (and reduce residual municipal waste per person by 29% by 2027), and to increase the recycling target from 50% to 65% by 2035. The Assessment should be revised to comply with up-to-date regulations.

This particularly relates to:

s2.3 Supporting Documents – Waste Needs Assessment

s5.23 Updated scenarios for Local Authority Collected Waste

s5.25 Table 1 Summary of forecasted LACW arisings

s5.29 Table 2 Summary of forecasted C&I arisings

Change suggested by respondent:

-

Legally compliant: No**Sound:** No**Comply with duty:** Not specified**Attachments:** None

990

Object

Document Element: Forecasting future waste arisings in the Plan area, 5.25

Respondent: Nottingham Friends of the Earth

Agent: Nottingham Friends of the Earth

Summary:

The Waste Needs Assessment is not legally compliant or sound. In particular it fails to comply with the targets set out in the Environmental Targets (Residual Waste) (England) Regulations 2023, the Waste (Circular Economy) (Amendment) Regulations 2020 and the Environmental Improvement Plan (EIP) (2023). These aim to halve residual waste per person by 2042 (and reduce residual municipal waste per person by 29% by 2027), and to increase the recycling target from 50% to 65% by 2035. The Assessment should be revised to comply with up-to-date regulations.

This particularly relates to:

s2.3 Supporting Documents – Waste Needs Assessment

s5.23 Updated scenarios for Local Authority Collected Waste

s5.25 Table 1 Summary of forecasted LACW arisings

s5.29 Table 2 Summary of forecasted C&I arisings

Change suggested by respondent:

-

Legally compliant: No

Sound: No

Comply with duty: Not specified

Attachments: None

991

Object

Document Element: Forecasting future waste arisings in the Plan area, 5.29

Respondent: Nottingham Friends of the Earth

Agent: Nottingham Friends of the Earth

Summary:

The Waste Needs Assessment is not legally compliant or sound. In particular it fails to comply with the targets set out in the Environmental Targets (Residual Waste) (England) Regulations 2023, the Waste (Circular Economy) (Amendment) Regulations 2020 and the Environmental Improvement Plan (EIP) (2023). These aim to halve residual waste per person by 2042 (and reduce residual municipal waste per person by 29% by 2027), and to increase the recycling target from 50% to 65% by 2035. The Assessment should be revised to comply with up-to-date regulations.

This particularly relates to:

s2.3 Supporting Documents – Waste Needs Assessment

s5.23 Updated scenarios for Local Authority Collected Waste

s5.25 Table 1 Summary of forecasted LACW arisings

s5.29 Table 2 Summary of forecasted C&I arisings

Change suggested by respondent:

-

Legally compliant: No

Sound: No

Comply with duty: Not specified

Attachments: None

992

Object

Document Element: The Waste Hierarchy, 3.16

Respondent: Nottingham Friends of the Earth

Agent: Nottingham Friends of the Earth

Summary:

Now that a 65% re-use and recycling target for municipal waste has been adopted for 2035 (Waste (Circular Economy) (Amendment) Regulations 2020 s11(a)(ii)):

s3.16 (EU Circular Economy Action Plan) is not legally compliant or sound in failing to note that the circular economy measures, including a target of 65%, were adopted in UK legislation in 2020.

Change suggested by respondent:

-

Legally compliant: No

Sound: No

Comply with duty: Not specified

Attachments: None

993

Object

Document Element: Future waste management methods, Table 7 Recycling Scenarios

Respondent: Nottingham Friends of the Earth

Agent: Nottingham Friends of the Earth

Summary:

Now that a 65% re-use and recycling target for municipal waste has been adopted for 2035 (Waste (Circular Economy) (Amendment) Regulations 2020 s11(a)(ii)):

s5.41 (Table 7. Recycling scenarios for LACW) is not sound in failing to require facilities to support the 65% target. 65% recycling should be considered as the 'low' recycling scenario, not the 'high' scenario, with perhaps 70% and 75% considered as higher options (which should be achievable).

Change suggested by respondent:

-

Legally compliant: No

Sound: No

Comply with duty: Not specified

Attachments: None

994

Object

Document Element: 2. Scope of the New Nottinghamshire and Nottingham Waste Local Plan, 2.1

Respondent: Nottingham Friends of the Earth

Agent: Nottingham Friends of the Earth

Summary:

References to the Circular Economy should more clearly support the targets in the government's Resources and Waste Strategy 2018, particularly to minimise residual waste. More emphasis should be given to facilities for re-use as well as separate collection of materials which can be recycled, and monitoring composition of waste to inform progressive reduction of residual waste.

s2.1 (Scope) is not sound in failing to include facilities for re-use as well as "recycling and waste".

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: No

Comply with duty: Not specified

Attachments: None

995

Object

Document Element: Appendix 1- Monitoring and Implementation Framework for Nottinghamshire and Nottingham Waste Local Plan, SP2- Future Waste Management

Respondent: Nottingham Friends of the Earth

Agent: Nottingham Friends of the Earth

Summary:

References to the Circular Economy should more clearly support the targets in the government's Resources and Waste Strategy 2018, particularly to minimise residual waste. More emphasis should be given to facilities for re-use as well as separate collection of materials which can be recycled, and monitoring composition of waste to inform progressive reduction of residual waste.

Appendix 1 (Monitoring and Implementation) SP2 – Future Waste Management Provision) should be more proactive in requiring waste compositions to be monitored.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: No

Comply with duty: Not specified

Attachments: None

996

Object

Document Element: Assessing the need for additional waste management capacity, 5.47

Respondent: Nottingham Friends of the Earth

Agent: Nottingham Friends of the Earth

Summary:

References to "energy from waste" should recognise government policy that incineration should not displace facilities higher up the waste hierarchy. (See Defra statement, 11 July 2022: "The Government's view is that Energy from Waste (EfW) should not compete with greater waste prevention, re-use, or recycling. Proposed new plants must not result in an over-capacity of EfW waste treatment provision at a local or national level.") Also see the recent report by UK Without Incineration Network: (<https://ukwin.org.uk/overcapacity/>) which demonstrates that there is already a problem of overcapacity in the UK, including in the East Midlands.

s5.47 & s5.48 (Table 11: Capacity Gap Analysis) are not sound in failing to allow for targeted reductions in residual waste and the need to avoid overcapacity of energy from waste (incineration).

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: No

Comply with duty: Not specified

Attachments: None

997

Object

Document Element: Assessing the need for additional waste management capacity, Table 11. Capacity Gap Analysis for HIC Waste Stream (tpa)

Respondent: Nottingham Friends of the Earth

Agent: Nottingham Friends of the Earth

Summary:

References to "energy from waste" should recognise government policy that incineration should not displace facilities higher up the waste hierarchy. (See Defra statement, 11 July 2022: "The Government's view is that Energy from Waste (EfW) should not compete with greater waste prevention, re-use, or recycling. Proposed new plants must not result in an over-capacity of EfW waste treatment provision at a local or national level.") Also see the recent report by UK Without Incineration Network: (<https://ukwin.org.uk/overcapacity/>) which demonstrates that there is already a problem of overcapacity in the UK, including in the East Midlands.

s5.47 & s5.48 (Table 11: Capacity Gap Analysis) are not sound in failing to allow for targeted reductions in residual waste and the need to avoid overcapacity of energy from waste (incineration).

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: No

Comply with duty: Not specified

Attachments: None

998

Object

Document Element: SP2 - Future Waste Management Provision**Respondent:** Nottingham Friends of the Earth**Agent:** Nottingham Friends of the Earth**Summary:**

References to "energy from waste" should recognise government policy that incineration should not displace facilities higher up the waste hierarchy. (See Defra statement, 11 July 2022: "The Government's view is that Energy from Waste (EfW) should not compete with greater waste prevention, re-use, or recycling. Proposed new plants must not result in an over-capacity of EfW waste treatment provision at a local or national level.") Also see the recent report by UK Without Incineration Network: (<https://ukwin.org.uk/overcapacity/>) which demonstrates that there is already a problem of overcapacity in the UK, including in the East Midlands.

s7.13 (Policy SP2 – Future Waste Management Provision) is not sound in failing to ensure that "energy recovery facilities" will not prejudice achievement of residual waste reduction targets (which could be added to 1.b)i) and will not result in an over-capacity of EfW waste treatment provision at a local or regional level (which could be added as a new clause).

Change suggested by respondent:

Policy SP2 – Future Waste Management Provision) is not sound in failing to ensure that "energy recovery facilities" will not prejudice achievement of residual waste reduction targets (which could be added to 1.b)i) and will not result in an over-capacity of EfW waste treatment provision at a local or regional level (which could be added as a new clause).

Legally compliant: Not specified**Sound:** No**Comply with duty:** Not specified**Attachments:** None

999

Object

Document Element: SP6 – Sustainable movement of waste**Respondent:** Nottingham Friends of the Earth**Agent:** Nottingham Friends of the Earth**Summary:**

References to "energy from waste" should recognise government policy that incineration should not displace facilities higher up the waste hierarchy. (See Defra statement, 11 July 2022: "The Government's view is that Energy from Waste (EfW) should not compete with greater waste prevention, re-use, or recycling. Proposed new plants must not result in an over-capacity of EfW waste treatment provision at a local or national level.") Also see the recent report by UK Without Incineration Network: (<https://ukwin.org.uk/overcapacity/>) which demonstrates that there is already a problem of overcapacity in the UK, including in the East Midlands.

s7.49 (Policy SP6 – Sustainable movement of waste) is not sound in relation to importing waste from outside Nottinghamshire in not requiring all conditions to be met. The word "or" at the end of clauses 2a) and 2b) should be replaced by "and".

Change suggested by respondent:

The word "or" at the end of clauses 2a) and 2b) should be replaced by "and".

Legally compliant: Not specified**Sound:** No**Comply with duty:** Not specified**Attachments:** None

1000

Object

Document Element: SP2- Future Waste Management Provision, 7.15**Respondent:** Nottingham Friends of the Earth**Agent:** Nottingham Friends of the Earth**Summary:**

5) The Plan should more clearly recognise that Anaerobic Digestion should not be considered (as "energy from waste") on the same level as incineration. (Unlike combustion, AD allows recycling of organic materials - liquid and solid - as well as generating energy, and Defra guidance on the waste hierarchy recognises this, at least for food waste.)

s7.15 – footnote 5 (Justification for Policy SP2 – Future Waste Management Provision) should note that Defra Guidance on applying the Waste Hierarchy (June 2011) indicates that Anaerobic Digestion should be considered on the same level as Recycling for some materials, particularly food waste.

Change suggested by respondent:

footnote 5 (Justification for Policy SP2 – Future Waste Management Provision) should note that Defra Guidance on applying the Waste Hierarchy (June 2011) indicates that Anaerobic Digestion should be considered on the same level as Recycling for some materials, particularly food waste.

Legally compliant: Not specified**Sound:** No**Comply with duty:** Not specified**Attachments:** None

1001

Object

Document Element: 7. Strategic Policies, 7.6

Respondent: Nottingham Friends of the Earth

Agent: Nottingham Friends of the Earth

Summary:

References to energy recovery as "low carbon" should be deleted, or at least amended to make clear that burning plastic does not produce low carbon energy:

s7.6 (Introduction to Strategic Policies) is not sound in failing to include reference to the risk to climate change associated with burning plastics.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: No

Comply with duty: Not specified

Attachments: None

1002

Object

Document Element: SP5- Climate Change, 7.47

Respondent: Nottingham Friends of the Earth

Agent: Nottingham Friends of the Earth

Summary:

References to energy recovery as "low carbon" should be deleted, or at least amended to make clear that burning plastic does not produce low carbon energy:

s7.47 (Justification for Policy SP5 – Climate Change) is not sound in failing to acknowledge that burning plastic is not low carbon.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: No

Comply with duty: Not specified

Attachments: None

1047

Object

Document Element: Future waste management methods, Table 7 Recycling Scenarios

Respondent: Stephen Platt

Summary:

Overall, I believe that our recycling service is not nearly as good as it should be. We should be aiming to reuse or recycle 100% of waste. Materials that can't be reused or recycled should not be produced. This is a government responsibility, but we all have to pressurise the government. Single use plastics should be banned. The plastics situation should be brought under control, locally, nationally and internationally. Similarly, we should get a grip on single use vapes.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

1048

Object

Document Element: SP2 - Future Waste Management Provision

Respondent: Stephen Platt

Summary:

Please note that landfill emits methane, a greenhouse gas. If it's collected, presumably it will be burned, resulting in carbon dioxide, another greenhouse gas. Incinerators emit carbon dioxide. Both methods of disposal should be avoided.

Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments:

949

Object

Document Element: DM2 – Health, Wellbeing and Amenity

Respondent: Colin Raynor

Petition: 2 petitioners

Summary:

As residents of Gotham we are naturally concerned at the cumulative impacts on the environment of various local developments including those concerned with 'waste management'. Accordingly, under DM2 - Health, wellbeing and Amenity and DM10 -Cumulative Impacts of Development Key outcomes/Strategic Objectives Prevention of negative cumulative impacts, we would like the final draft of the above document to include a policy that better engages and empowers local communities directly impacted by waste management proposals to independently monitor environmental impacts by providing them with local air quality monitoring equipment. Among other things, this will encourage local communities to take a greater interest in and begin to 'own' their local environment; provide local communities with the necessary reassurance that their environment has not been adversely affected by developments such as those proposed in the local waste plan; and inform mitigation measures should they be required.

Change suggested by respondent:

we would like the final draft of the above document to include a policy that better engages and empowers local communities directly impacted by waste management proposals to independently monitor environmental impacts by providing them with local air quality monitoring equipment

Legally compliant: No

Sound: No

Comply with duty: No

Attachments: None

950

Object

Document Element: DM10 - The Cumulative Impact of Development**Respondent:** Colin Raynor**Petition:** 2 petitioners**Summary:**

As residents of Gotham we are naturally concerned at the cumulative impacts on the environment of various local developments including those concerned with 'waste management'. Accordingly, under DM2 - Health, wellbeing and Amenity and DM10 -Cumulative Impacts of Development Key outcomes/Strategic Objectives Prevention of negative cumulative impacts, we would like the final draft of the above document to include a policy that better engages and empowers local communities directly impacted by waste management proposals to independently monitor environmental impacts by providing them with local air quality monitoring equipment. Among other things, this will encourage local communities to take a greater interest in and begin to 'own' their local environment; provide local communities with the necessary reassurance that their environment has not been adversely affected by developments such as those proposed in the local waste plan; and inform mitigation measures should they be required.

Change suggested by respondent:

we would like the final draft of the above document to include a policy that better engages and empowers local communities directly impacted by waste management proposals to independently monitor environmental impacts by providing them with local air quality monitoring equipment

Legally compliant: No**Sound:** No**Comply with duty:** No**Attachments:** None

972

Object

Document Element: SP1 – Waste prevention and re-use**Respondent:** Rushcliffe Borough Council**Summary:**

We acknowledge that you have reviewed our previous comments, which raised concerns regarding the supporting text of Policy SP1 which suggested that Policy SP1 of the Waste Local Plan should be applied to non-waste developments which we believe should, instead, be determined in accordance with the development plan for the local planning authority.

We note that you are progressing with the same approach. We therefore wish to reiterate our previous comments. The supporting text of Policy SP1 makes clear that this policy will apply to proposals for non-waste development and should be considered by the local planning authority responsible for determining the application. Planning Practice Guidance on plan making states that specialist plans, such as waste plans, provide a framework for decisions involving these uses.¹ It does not extend to non-waste proposals.

Whilst RBC does not object to the reduction of waste generation from non-waste developments, we question whether this development plan, which is intended to manage waste proposals, can be applied to non-waste developments that should, instead, be determined in accordance with the development plan for the local planning authority.

Policies within these district or borough local plans should address waste generation from non-waste developments – such as Policy 2 (Climate Change) within RBC's Local Plan Part 1 which requires development to minimise waste.

Change suggested by respondent:

-

Legally compliant: Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** None

973

Object

Document Element: Forecasting future waste arisings in the Plan area, 5.26**Respondent:** Rushcliffe Borough Council**Summary:**

Forecasting future waste arising in the Plan area

We reiterate our previous comments, which question the conclusions on pages 30-32 that household waste will decrease (Scenario B (Low rate of decline)) as any decline in household residual waste (which cannot be recycled) may be off-set by the rise in the number of residents working from home. RBC are not seeing a decrease (just a smaller drop now some are returning to a mix of both office and remote).

Change suggested by respondent:

-

Legally compliant: Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** None

Document Element: SP4 – Managing Residual Waste

Respondent: Tarmac Ltd

Agent: Heaton Planning Ltd

Summary:

With specific regard to draft policies of the WLP, Draft Policy SP4 'Managing Residual Waste' refers to waste recovery in restoration of minerals sites. The Draft Policy states that:

"Proposals for the recovery of inert waste to land will be permitted where it can be demonstrated that:

... e) This will not prejudice the restoration of permitted mineral workings and landfill sites where applicable."

At present, the wording of the Draft Policy sets a high bar of acceptability for recovery of inert waste to land, and does not expressly refer to the recovery of inert waste to land to achieve appropriate restoration at new mineral sites or at existing mineral sites with currently-unpermitted potential future extensions. This is inconsistent with the national policy and guidance already highlighted in this letter. We consider that flexibility should be added to the policy to reflect that inert waste recovery is frequently the most appropriate means to achieve high quality quarry restoration as required by NPPF paragraph 211(h). It is sometimes the only way that approved restoration schemes at existing mineral sites can be delivered as approved. It is not envisaged that a better alternative to use of inert waste will become viable over the WLP plan period to 2038.

It is notoriously unpredictable to accurately determine the volumes of overburden and soils that will become usable fill material in the restoration of mineral sites. Consequently, it is not uncommon for mineral sites to require imported inert waste due to shortfalls of material available from within the site.

The need to maximise biodiversity net gain is directly related to the need to provide flexibility to allow for the development of bespoke restoration schemes that are most appropriate for each quarry's location and ecological objectives. Without policy flexibility that allows for inert waste recovery at mineral sites (permitted and as-yet-unpermitted), operators are likely to either struggle to deliver permitted approved restoration schemes or will struggle to offer the high-quality restoration required by NPPF. In many cases, it is preferable to deliver restoration landforms including shallow water to maximise biodiversity net gain and support protected species. Creation of optimum restoration landforms at both existing and future mineral sites is likely to require a degree of imported material, which could be difficult to achieve should the wording of Draft Policy SP4 be adopted.

It is important to note that ultimately the restoration schemes for mineral sites will continue to be determined on a case-by-case basis with due consideration of the merits of each bespoke restoration scheme. Our concern is that a lack of flexibility in the policies of the WLP will effectively result in a lack of policy support for new mineral operations with restoration schemes that require the importation of off-site waste materials in order to deliver final landforms that are most appropriate for the site's ecology, landscape, and/or topography. Our suggested amendment to Draft Policy SP4 would not result in a presumption in favour of importing inert waste for restoration purposes at every quarry but would provide sufficient flexibility for operators that aim to deliver high-quality restoration schemes that cannot be achieved without imported fill material.

Change suggested by respondent:

As such, we recommend that Draft Policy SP4 be re-worded to include direct reference to future mineral workings at point e) of section 1, as well as permitted mineral workings.

Secondly, we recommend that "or" be added between each sub-point of Draft Policy SP4. At present, the Draft Policy reads as though all of Point 1 sub-points a) to e) need to be satisfied, which we don't believe is the intention of the Policy.

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

987

Object

Document Element: SP5 – Climate Change**Respondent:** Ms Rosanna Wilson**Summary:**

It is unclear how the plan can account for its legal commitment to contribute towards the national Climate Change Act 2008 legislation which states the UK must reduce its carbon emissions by 68% from 1990 levels if new or existing waste management facilities will not be held to account for the carbon emissions of their primary operations.

Change suggested by respondent:

The change proposed is to include the requirement to account for and reduce greenhouse gas emissions from primary operations of waste management facilities, in particular burning of waste. This is especially because there will be a focus on energy recovery and disposal capacity as part of this plan. If carbon emissions resulting from operations are inevitably high, how are they to be mitigated? This needs to be stated.

Legally compliant: No**Sound:** No**Comply with duty:** No**Attachments:** None

988

Support

Document Element: The Waste Hierarchy, 3.5**Respondent:** Ms Rosanna Wilson**Summary:**

There is no discussion in this document as to how you intend to achieve this in regard to the educational behaviour change and community engagement upon which it relies.

Can there be a stronger emphasis on school and community partnerships with local authority and waste management facilities, in order to support actors in the Nottinghamshire Waste Plan area to actively reduce their waste and gain an understanding of moving up the waste hierarchy and of circular economy.

Change suggested by respondent:

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Legally compliant: Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** None