



Nottingham
City Council

Nottingham City Council Local Plan Part 2: Land and Planning Policies Document Publication Version Response Form

Ref:

For official
use only

You are advised to read the [guidance note](#) before completing this form, but if you have any questions, please call 0115 876 4594. For the [online](#) form if your response to any question is longer than 10,000 characters or contains maps/diagrams you can either upload your response using the [online](#) form or send it via [email](#).

Please return this response form to localplan@nottinghamcity.gov.uk or Nottingham City Council, LH BOX 52, Planning Policy Team, Loxley House, Station Street, Nottingham, NG2 3NG.

Your response will be regarded as a formal response on the Local Plan Part 2: Land and Planning Policy Document.

Responses must be received by 5.00pm Friday 11 March 2016.

Part A – Contact Details and Future Notifications

Q1 Are you responding as?

- Individual
 Landowner/Developer
 Organisation
 Other _____

Q2 If you have commented before on the Local Plan and have your consultee ID number (this will have been provided on your consultation letter) please provide it.

ID No. N/A

Q3 Your Details

| | |
|----------------------------|-------------------------------|
| Title | Mr |
| First Name | James |
| Last Name | Cook |
| Job Title (if relevant) | Planning Manager (North) |
| Organisation (if relevant) | Veolia ES Nottinghamshire Ltd |
| Address Line 1 | c/o Julie Adams |
| Address Line 2 | Trentside Offices |
| Address Line 3 | Freeth Street |
| Address Line 4 | Nottingham |
| Address Line 5 | |
| Post Code | NG2 3GT |
| Telephone Number | ██████████ |
| E-mail Address | ████████████████████ |

Q4 Agent's Details (if relevant)

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Q5 Do you wish to be notified of any of the following?

(please tick yes or no for each question)

**Submission of the Local Plan Part 2 for Examination?
Publication of the Recommendations of the Inspector?
Adoption of the Local Plan Part 2?**

- | | | | |
|-------------------------------------|-----|--------------------------|----|
| <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |

Part B – Your Response

If you wish to make more than one response you will need to fill out another form for each response.

Q6 What does your response relate to? (please select one only from a-e below).

a) Does your response relate to a site (whether included or not included within the Plan)? (if yes, please specify the site and move to **Q7**)

Which site? (please provide details of the site including ref number and site name. If your comments relate to a site not included in the Plan please provide details so that the site can easily be identified).

- | |
|--|
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| <input checked="" type="checkbox"/> Site included within the Plan (please give details) Site Ref: PA82 & PA83 Site Name: Waterside - Freeth Street, Waterside – Daleside Road, Trent Lane Basin |
| <input type="checkbox"/> Site not included in the Plan (please give details) Site Name and address: _____ |

b) Does your response relate to a Policy? (if yes, please give the Policy, give details then move to **Q7**)

Which Policy? (please provide the Policy reference)

Does your response relate to the Policy text or justification text?

Which part of the text? (please provide the related Policy criteria or paragraph number)

c) Does your response relate to another part of the document? (if yes, please state which section then move to **Q7**)

- | |
|---|
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Policy RE8 - Waterside |
| <input checked="" type="checkbox"/> Policy text <input checked="" type="checkbox"/> Justification text |
| Proposed new content of policy RE8 |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

Which part?

- | |
|---|
| <input type="checkbox"/> Policies Map <input type="checkbox"/> Section 1: Introduction <input type="checkbox"/> Section 2: Background <input type="checkbox"/> Appendix 1: Parking Guidance <input type="checkbox"/> Appendix 2: Schedule of Proposed Transport Network Schemes <input type="checkbox"/> Appendix 3: Housing Delivery <input type="checkbox"/> Appendix 4: Employment Delivery <input type="checkbox"/> Appendix 5: Retail Delivery <input type="checkbox"/> Appendix 6: Methodology for Significant HMOs Concentration <input type="checkbox"/> Appendix 7: Schedule of Caves |
|---|

d) Does your response relate to supporting documents? (if yes, please specify which document, then move to **Q7**)

- Yes (in addition to policy and allocation)
 No

Which document?

- Sustainability Appraisal
- Equalities Impact Assessment
- Preferred Option Report of Consultation
- Employment Background Paper
- Retail Background Paper
- Green Belt Background Paper
- Climate Change Background Paper
- Site Assessment Background Paper
- Minerals Background Paper
- Sustainable, Inclusive and Mixed Communities Background Paper
- Transport Background Paper
- Infrastructure Delivery Plan

e) Does your response relate to another item not listed? (please specify then move to **Q7** where you can provide more details)

- Yes (please give details) Nottinghamshire & Nottingham Waste Core Strategy
-

Q7 and **Q8** are required by Planning Regulations. Please refer to the [guidance note](#) for more information

Q7 Do you consider the Local Plan Part 2 to be legally compliant? (please tick yes or no)

- Yes
 No

Q8 Do you consider the Part 2 Local Plan to be 'sound'? (please tick yes or no)

- Yes
 No

If you consider that the Plan is unsound, explain why (please select all that apply and explain in the box to Q9)

a) Do you consider the Plan is unsound because it is **not 'positively prepared'**?

- Yes
 No

b) Do you consider the Plan is unsound because it is **not 'justified'**?

- Yes
 No

c) Do you consider the Plan is unsound because it is **not 'effective'**?

- Yes
 No

d) Do you consider the Plan is unsound because it is **not 'consistent with national Policy'**?

- Yes
 No

Q9 Please explain why you 'support' or 'do not support' the Local Plan Part 2 (ie why you think the Plan is/is not legally compliant/sound). Try and be as precise as possible.

Whilst we acknowledge the City Council's stated long term aim of regenerating the Riverside areas (previously through the Waterside Regeneration Zone detailed in the adopted Local Plan) including the Daleside Road/Freeth Street area, it is important that the long term waste management arrangements of Nottingham and South Nottinghamshire are afforded further consideration. The facility is a strategic facility principally accepting locally derived waste from households and commercial premises across nearby Districts of Nottinghamshire and Nottingham City. The facility is used as part of the long term waste contract arrangements with Nottinghamshire County Council.

The creation of a riverside community requires careful consideration to avoid adversely impacting the operation of this vital local facility which has been established on the site for some time. If the waste facility is not afforded sufficient protection then there is the likelihood of land use conflicts particularly if residential properties are located in close proximity to the operational facility.

With these concerns in mind Veolia would like to draw attention to the recently adopted Nottinghamshire and Nottingham Waste Core Strategy which sets the goals for delivering sustainable waste management over the next 20 years until 2031. This includes a policy to safeguard existing waste facilities which is consistent with the long-standing National policy position and is especially relevant in this case. Policy WCS9 states:

Policy WCS9 - Safeguarding Waste Management Sites

The following sites will be safeguarded for waste management facilities:

- a) Existing authorised waste management facilities and sites which have a valid planning permission that has not yet been implemented; or*
- b) Sites allocated or shown as Areas of Search/Preferred Areas in the Site Allocations Document.*

Safeguarding will only apply to the above identified sites and any land immediately adjacent to the site where a need to safeguard has been clearly demonstrated.

The explanatory text associated with the Policy WCS9 is also relevant. It states:

'Waste management sites are an essential part of our infrastructure and it is important that both appropriate existing facilities and suitable future sites are protected from other uses, such as housing, that might restrict existing operations or their ability to expand in future. This could lead to the unnecessary loss of existing infrastructure....Policy WCS 9 below therefore protects both existing permitted waste management sites and the possibility of their future expansion, and also any allocations or areas of search/preferred areas that may be identified in the Site Specific Document....By taking a more flexible approach it may be possible to accommodate non-waste development by making changes to the proposed layout of any housing or mixed use scheme.'

The Freeth Street facility is a key strategic facility and is clearly referenced within Appendix 1 of the 'Existing Waste Management Sites in Nottinghamshire and Nottingham 2010' identified as Reference Number 79 which forms part of the Waste Core Strategy evidence base.

We request that the City Council consider the above wording and ensure the Freeth Street facility is given sufficient protection to ensure it can continue to operate successfully in accordance with adopted Policy WCS9. Given the importance of the facility to Nottinghamshire this approach is also considered to be consistent with

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the City Council's Duty to Cooperate requirements.

As a consequence of the above we object to the proposed plan on the basis of:

- *Legal Non-Compliance* – in particular the failure to address cross boundary issues associated with the sustainable management of waste and the failure to fulfil the Duty to Cooperate;
- *Failure to Satisfy the Test of Soundness* –
 - on the basis of a failure to **justify** the proposed PA82 (Waterside - Freeth Street) and PA83 (Waterside – Daleside Road, Trent Lane Basin) allocations due to an insufficient evidence base; and
 - on the basis of a failure to **effectively** join up with the recently adopted Nottinghamshire and Nottingham Waste Core Strategy which identifies the strategic importance of the Freeth Street facility.

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cont

(please continue on a separate sheet if necessary)

Q10 Please set out what change(s) you consider necessary to make the Plan legally compliant or sound, having regard to the reasons you identified in **Q9**. You will need to say why this change will make the Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any Policy or text. Try and be as precise as possible.

In order to make the Plan legally compliant and sound we proposed that:

- Policy RE8 – Waterside be amended to ensure that the existing waste transfer station is referenced as an established use on the site and afforded sufficient protection as a strategic waste management facility. The background text within the Plan should reference the relevant safeguarding policy of the Waste Core Strategy;

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- The text associated with Proposed Site Allocation PA82 (Waterside – Freeth Street) makes no reference to the Freeth Street strategic waste facility and the role it plays in the long term sustainable waste management across Nottingham and Nottinghamshire as part of the long term waste contract arrangements with Nottinghamshire County Council. We request the text be amended accordingly to reflect the significance of the facility. Similar Proposed Site Allocation PA83 (Waterside – Daleside Road, Trent Lane Basin) makes no reference to the Freeth Street facility which immediately borders the proposed allocation to the west.

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- The Supporting Background Documents fail to recognise the significance of the waste transfer station located off Freeth Street, Nottingham and should be amended to reflect the strategic importance of the Freeth Street facility, namely the Infrastructure Delivery Plan (January 2016) and the Site Assessment Background Paper (January 2016).

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(please continue on a separate sheet if necessary)

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Please note your response should cover succinctly all the information, evidence and supporting information necessary to support/justify the response and the suggested change, as there will not normally be a subsequent opportunity to make further responses. After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

Q11 If your response is seeking a change, do you consider it necessary to participate at the examination in person?

- Yes, I wish to participate in person at the examination
 No, I do not wish to participate in person at the examination

Q12 If you wish to participate in person at the examination, please outline why you consider this to be necessary.

If it is not possible to address Veolia ES Nottinghamshire Ltd's concerns through dialogue ahead of submission then we request an opportunity to participate at the examination. This will ensure Veolia ES Nottinghamshire Ltd is given the opportunity to underline the significance of the Freeth Street facility to long term sustainable waste management across the area and outline associated long term contractual commitments.

(please continue on a separate sheet if necessary)

Please note the Inspector will determine who participates at the Examination and the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the examination.

Responses must be received by 5.00pm Friday 11 March 2016.

Thank you for taking the time to have your say on the Nottingham City Council Local Plan Part 2: Land and Planning Policy Document. For further information about this consultation and / or the Local Plan document please contact: Local Plans team on 0115 876 4594 or email localplan@nottinghamcity.gov.uk

Data Protection - The response(s) you submit on the Local Plan Part 2 will be used in the plan making process and may be in use for the lifetime of the Local Plan in accordance with the Data Protection Act 1998. The information will be analysed and the Council will consider issues raised. Please note that responses cannot be treated as confidential and will be made available for public inspection. All responses can be viewed at the Council offices. If you provide your email address this will be the method of communication used in the future by default unless you advise us otherwise.