



**Nottinghamshire Minerals Local Plan  
Draft Schedule of Proposed Modifications  
(Additional and Main Modifications)**

## Nottinghamshire Minerals Local Plan - Draft Schedule of Proposed Modifications (Additional and Main Modifications) as at 06.10.20

**Explanatory note** – this schedule draws together all of the modifications that the Council has suggested within its Consultation Statement (**SD5**) and in response to the Inspector’s Matters, Issues and Questions (27 February 2020) and Supplementary Questions (6 May 2020). No new information is presented here but it is hoped this schedule will assist the Inspector and participants during the hearing sessions by listing the draft proposed modifications in Plan order for ease of reference. This is not intended to be a comprehensive list and it is likely that further modifications will be discussed during the hearing sessions. These will be compiled into a final schedule and published for consultation before being submitted to the Inspector for consideration.

Text to be inserted is shown underlined

Text to be deleted is shown ~~struckthrough~~

Main Modifications are shown **bold**

Ref.	Part of Plan	Page	Proposed Modification	Reason
<b>Chapter 2</b>				
PM1	Vision	20	Amend third sentence in fourth paragraph to read ‘ <i>Minerals reserves <u>resources</u>, and <u>associated minerals related infrastructure will be identified and safeguarded against inappropriate development.</u></i> ’	For clarity and to ensure consistent use of the terms ‘mineral reserves’ and ‘mineral resources.’
PM2	SO1	21	Amend penultimate sentence of SO1 to read: ‘ <u>Support Prioritise the improved use or extension of existing sites</u> <del>before considering new locations.</del> ’	To clarify that the objective and Policy SP1 are not intended to preclude applications for non-allocated greenfield sites from coming forward where there is a need.
PM3	SO3	21	Amend final part of second sentence to read ‘ <u>..., particularly for sites quarries-in the Trent Valley flood plain.</u> ’	To clarify that all forms of mineral development are covered by this objective.

Ref.	Part of Plan	Page	Proposed Modification	Reason
PM4	SO3	21	Add reference to helping the transition towards a low carbon economy.	To highlight wider UK environmental and climate change goals.
PM5	SO4	21	Amend title and wording of SO4 to include 'reserves'	To clarify that SO4 includes permitted reserves.
PM6	Key Diagram	23	Include HS2 Phase 2b Safeguarded Area and explanatory footnote.	For clarity and information.
<b>Chapter 3</b>				
PM7	Para 3.5	24	Add footnote to refer to the exemption in paragraph 177 of the Framework.	To clarify that the presumption in favour of sustainable development does not apply where proposals are likely to have a significant effect on a habitats site unless an appropriate assessment has concluded that the integrity of the habitats site will not be adversely affected.
PM8	Para 3.8	26	Amend final sentence to read: ' <i>Within Nottinghamshire the priority is therefore to <del>extend</del> <u>make the best use of the County's finite mineral resources through supporting extensions to existing sites, where environmentally acceptable in preference to developing new sites, and to encourage encouraging the use of secondary and recycled aggregates.</u></i> '	To clarify that Policy SP1 does not preclude applications for non-allocated greenfield sites from coming forward where there is a need.
PM9	Policy SP1	26	<b>Amend part 1 (b) to read '<del>Give priority to</del> <u>Support the extension of existing sites, where economically, socially and environmentally acceptable.</u></b> '	<b>To ensure consistency with national policy and proposed amendments to SO1 and paragraphs 3.8 and 4.2 of the Plan.</b>
PM10	Policy SP2	28	<b>Amend part 1 to read '<u>Restoration schemes that seek to maximise biodiversity gains and achieve a net gain in biodiversity, in accordance with the targets and opportunities identified within the Nottinghamshire Local Biodiversity Action Plan, will be supported.</u></b> '	<b>In response to Natural England objection and to reflect paragraph 170(d) of the Framework and draft Environment Bill.</b>
PM11	Para 3.15	28	Add text to acknowledge that biodiversity net gain is likely to become mandatory.	To reflect paragraph 170(d) of the Framework and draft Environment Bill.

Ref.	Part of Plan	Page	Proposed Modification	Reason
PM12	Para 3.30	32	Add text to refer to the 'net zero' target for carbon emissions.	For clarity and information to reflect UK target to reduce carbon emissions to net-zero by 2050.
PM13	Policy SP3	32	<p>Re-word and re-structure policy to read</p> <p><b><u>'Policy SP3 – Climate Change</u></b></p> <p><b><u>1. All minerals development, including site preparation, operational practices and restoration proposals should minimise impacts on the causes of climate change for the lifetime of the development by being located, designed and operated to help reduce greenhouse gas emissions, withstand unavoidable climate impacts and move towards a low-carbon economy.</u></b></p> <p><b><u>2. Where applicable development should assist in the reduction of vulnerability and provide resilience to the impacts of climate change by: a) Avoiding areas of vulnerability to climate change and flood risk. Where avoidance is not possible, impacts should be fully mitigated; b) Developing restoration schemes which will contribute to addressing future climate change adaptation, including through biodiversity and habitat creation, carbon storage and flood alleviation.'</u></b></p>	For clarity.
PM14	Policy SP3	32	Amend part (c) to include water resources and water quality.	In response to Environment Agency objection to reflect opportunities to support climate change adaptation during restoration. N.B. As a result of the proposed restructuring of this policy this change would need to be made to part 2(d) of the amended policy (see PM13).
PM15	Para 3.35	33	Add a new penultimate paragraph after paragraph 3.35 to read: <b><u>'Any potential for cumulative impacts on climate change as a</u></b>	To add a cross-reference to Policy DM8 to explain the need to consider

Ref.	Part of Plan	Page	Proposed Modification	Reason
			<i>result of the nature and scale of new minerals development should also be taken into consideration. Policy DM8 specifically covers the issue of cumulative impact.'</i>	cumulative impacts and read the policies of the Plan as a whole.
PM16	Policy SP4	34	<b>Delete part 3 of the policy and amend part 1 to clarify that this applies to both operational and restoration phases of development.</b>	<b>To remove duplication of provisions already set out in parts 1 and 2 of the policy and to make clear that the policy applies to both the operational and restoration phases of development.</b>
PM17	Para 3.42	35	Amend final sentence to read ' <i>However, restrictions on barge sizes upstream of Cromwell Lock may restrict the viability of barging minerals <del>downstream</del> upstream to Nottingham from the Newark area.</i> '	For clarity and to correct typographical error.
PM18	Para 3.49	38	Amend final sentence to read: ' <i>It is therefore important that new minerals development is <del>correctly managed and</del> to ensure that <del>no</del> adverse impacts <del>occur to</del> on designated sites, or priority habitats and species, are minimised as far as possible. Policy SP2 promotes a biodiversity-led restoration approach which seeks to maximise biodiversity gains, and to achieve a net gain in biodiversity, resulting from through the restoration of mineral sites.'</i>	To reflect national policy in relation to securing a net gain in biodiversity.
PM19	Para 3.57	39	Add new sub-heading and paragraph on air quality below existing paragraph 3.57 to read ' <i>Minerals development can have an adverse impact on air quality from dust, plant or vehicle emissions, which could potentially adversely affect residential amenity. Air pollution could also potentially adversely affect ecosystems and biodiversity, especially where it could have an impact on sites designated for their biodiversity value. However, appropriate site management of mineral workings to control dust and emissions can minimise such impacts.'</i>	To ensure that the justification text gives sufficient information in support of the policy.

Ref.	Part of Plan	Page	Proposed Modification	Reason
PM20	Policy SP7	44	Amend Part 1 to read ' <i>Economically important mineral resources and associated minerals infrastructure, <u>including at existing permitted sites</u>, will be safeguarded from needless sterilisation by non-minerals development through the designation of minerals safeguarding areas as identified on the Policies Map</i> '	To clarify that existing permitted reserves (i.e. existing and unworked/ mothballed sites) and their associated minerals infrastructure will be safeguarded under the policy.
PM21	Policy SP7	44	Re-word part (2) to require the provision of suitable mitigation before the non-minerals development has been completed.	To include a reference to the 'agent of change principle', and its purpose, as described in paragraph 182 of the Framework.
PM22	Para 3.80	45	Include additional justification text in, or after, paragraph 3.80 to highlight the need for appropriate mitigation as part of the non-minerals development that is being sought.	As a consequential change resulting from the proposed change to Policy SP7 to reflect the 'agent of change principle' in paragraph 182 of the Framework.
PM23	Para 3.89	47	Amend final sentence to read: ' <i>The facilities are relatively small in nature and whilst some are located on existing mineral workings, <u>and thereby safeguarded under Policy SP7</u>, others are standalone facilities on industrial estates in urban areas.</i> '	For clarity and to correct typographical error.
PM24	Para 3.90	47	Expand paragraph/add new paragraph to explain how those secondary processing facilities which fall outside of the control of the Council are safeguarded in District/Borough Plans and by Paragraph 182 of the Framework	For information and clarity.
<b>Chapter 4</b>				
PM25	Para 4.2	49	Amend final sentence to read: ' <i>Where a shortfall is identified, this will be met from a combination of new and/or extended sites, <del>although the priority is to extend</del> <u>Suitable extensions to existing sites will be supported wherever possible</u> in line with strategic objective (SO1) to improve the sustainability of minerals development.</i> '	To clarify the position regarding extensions to existing sites and consistency with proposed amendments to Strategic Objective SO1, Paragraph 3.8, and Policy SP1 (1) (b).
PM26	Para 4.4	49	Add final sentence to refer to the need to consider Development Management policies in Chapter 5 of the Plan.	To make it clear that all proposals for mineral provision would be subject to

Ref.	Part of Plan	Page	Proposed Modification	Reason
				environmental, transport and other considerations as set out in Chapter 5.
PM27	Para 4.6	50	Include additional text to explain the relationship between the national and regional guidelines for aggregates provision.	To explain the relationship between the national and regional aggregates guidelines as referred to in paragraph 207(d) of the Framework.
PM28	Policy MP2	53	Delete individual quarry tonnages shown in part (a) of the policy.	To avoid confusion as the figures included in in Policy MP2 reflect a fixed point in time and do not tally with subsequent LAA data which is updated annually.
PM29	Para 4.19	54	Amend text to explain that the south and west extension to Langford Lowfields Quarry was initially a draft allocation that has since been permitted.	For clarity as this draft allocation has now been permitted and is therefore shown in part (a) of the policy as part of the remaining permitted sand and gravel reserves in the county.
PM30	Para 4.41	58	Amend second sentence to state that the quarry is expected to become operational 'early in the plan period'	Factual update to reflect anticipated lead in time for site to become operational if it is granted planning permission.
PM31	Policy MP6	65	Delete final sentence as follows:  <i><del>Planning applications for site allocations should be made in accordance with the site development briefs set out in Appendix 2</del></i>	<b>Text is no longer necessary as the Policy does not allocate any new sites.</b>
PM32	Para 4.85	70	Insert 'resource' in place of 'reserve' in first sentence.	For information and clarity.

Ref.	Part of Plan	Page	Proposed Modification	Reason
			Amend final sentence to refer to the need to assess the impact on Creswell Crags Scheduled Ancient Monument.	
PM33	Policy MP12	78	Delete parts 1) (a) and (2) (a) of the policy.	For simplicity and to avoid duplication of legal protections already set out in the Onshore Hydraulic Fracturing (Protected Areas) Regulations 2016 which are already referred to in paragraph 4.108 and footnote 3 to the Plan.
PM34	Para 4.104	79	Delete paragraph.	Paragraph 4.104 referred to former paragraph 209(a) of the NPPF which has been deleted.
PM35	Para 4.105	79	Amend paragraph to read: ' <i>The NPPF states that for oil and gas including unconventional hydrocarbons, minerals planning authorities should develop criteria-based policies that clearly distinguish between the three phases of development (exploration, appraisal and production) and to address constraints that apply within licensed areas.</i> '	To ensure consistency with the 2019 Framework which no longer refers to constraints within licensed areas.
<b>Chapter 5</b>				
PM36	Para 5.5	82	Add reference to Town and Country Planning (Environmental Impact Assessment) Regulations 2017.	For clarity and information.
PM37	Policy DM4	93	Amend final part of paragraph1(a) to read ' <i>... and necessary compensatory measures can be secured <u>in accordance with the requirements of the Conservation of Habitats and Species Regulations 2017.</u></i> '	To ensure consistency with national policy
PM38	Policy DM4	93	Amend part 2 of the policy to read ' <i><del>Where impacts on designated sites or priority habitats or species cannot be avoided, then adequate mitigation relative to the scale of the impact and importance of the resource must be put in place, with compensation measures secured as a last resort.</del></i>	To clarify how the policy should be applied to European sites in accordance the Habitats Regulations.



Ref.	Part of Plan	Page	Proposed Modification	Reason
			<p><u>Where impacts on designated sites or priority habitats or species cannot be avoided then:</u></p> <p><u>a) In the case of European sites, mitigation must be secured which will ensure that there would be no adverse effect on the integrity of the site(s). Where mitigation is not possible and the applicant relies upon imperative reasons of overriding public interest, the Council will need to be satisfied that any necessary compensatory measures can be secured.</u></p> <p><u>b) In all other cases, adequate mitigation relative to the scale of the impact and the importance of the resource must be put in place, with compensation measures secured as a last resort.'</u></p>	
PM39	Policy DM4	93	Amend part 3(a) to read ' <u>Retains, protects, restores and enhances features of biodiversity or geological interest, and provides for appropriate management of these features, and in doing so contributes to targets within the Nottinghamshire Local Biodiversity Action Plan and provides net gains for biodiversity;</u> '	To ensure policy is consistent with national policy.
PM40	Para 5.57	96	Amend first sentence to read ' <u>Biodiversity enhancement, and the need to provide net gains for biodiversity in accordance with national policy, should be seen as a cross-cutting theme and the creation and improvement of habitats will be supported in accordance line with local and national biodiversity targets.'</u>	To reflect national policy and that net gains for biodiversity are likely to become mandatory under the draft Environment Bill.
PM41	Para 5.58	96	Add reference to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017	For information and clarity.
PM42	Para 5.93	105	Add sentence to the end of paragraph to read: ' <u>The nature and scale of mineral workings could also have larger scale environmental effects by potentially giving rise to cumulative impacts on climate change.'</u>	To recognise potential wider cumulative impacts where applicable.
PM43	Para 5.97	105	Add sentence to the end of paragraph to read: ' <u>The potential for cumulative impacts on the wider environment, such as on climate change, may also need to be considered.'</u>	To recognise potential wider cumulative impacts where applicable.

Ref.	Part of Plan	Page	Proposed Modification	Reason
PM44	Para 5.98	105	Amend paragraph to read: ' <i>The plan therefore seeks to ensure that the impacts of a mineral proposal are considered in conjunction with the impacts of all existing development and that cumulative impact on the environment of an area, <del>or on the amenity of a local community, or on the wider environment, such as on climate change,</del> are fully addressed.</i> '	To recognise potential wider cumulative impacts where applicable.
PM45	Para 5.109	109	Add reference to the possible use of drilling rigs.	For information and clarity.
PM46	Plan 6	110	Amend reference to 'Netherthorpe' instead of 'Netherfield' airfield	Factual correction.
PM47	Para 5.135	117	Amend second sentence to read ' <del>Where possible and where appropriate, voluntary</del> Extended aftercare periods will be negotiated for those uses that would benefit from such longer periods and will be secured by condition.'	To ensure wording is consistent with Policy DM12 part (5).
PM48	Para 5.136	117	Amend second sentence to read ' <del>Developers will be encouraged to enter into Planning agreements</del> <u>will be used</u> to ensure that the appropriate aftercare provisions remain in effect for the required aftercare period.'	To ensure wording is consistent with Policy DM12 part (5).
<b>Glossary</b>				
PM49	Glossary	131	Add definition of the term 'mineral reserves'  <i><u>'Mineral reserve(s) – those minerals that have a valid planning permission for extraction (also referred to as permitted reserves)'</u></i>	For information and clarity.
PM50	Glossary	131	Add definition of the term 'mineral resource'  <i><u>'Mineral resource(s) – natural deposits of minerals that are found in sufficient quantities to be of likely economic interest and could be worked in the future'</u></i>	For information and clarity.
<b>Appendix 2</b>				
PM51	Appendix 2 – site allocation development briefs	138	Include additional explanatory text at start of Appendix 2 to clarify that 'target habitats' are those priority habitats which are identified within the Local Biodiversity Action Plan (LBAP).	For information and clarity to explain what is meant by 'target habitats'.  To aid understanding and explain that a range of habitats are presented to

Ref.	Part of Plan	Page	Proposed Modification	Reason
			<p>Add text to explain that a range of possible habitats are presented to allow flexibility depending on specific site proposals.</p> <p>The Council will also consider whether the wording at the start of each Brief can be simplified.</p>	provide necessary flexibility the most suitable habitat may vary according to the depth, type, and extent of the proposed working and the availability of suitable restoration materials
PM52	Appendix 2 – site allocation development briefs	138	Amend relevant development briefs to advise applicants to discuss water abstraction issues with the Environment Agency prior to making a planning application.	For information.
PM53	MP2k Bawtry Road West	139	Amend penultimate sentence under Quarry Restoration to refer to Bawtry Road West instead of Bawtry Road North.	Factual correction to clarify that the restoration scheme could also include an element of acid grassland to tie in with the existing area of acid grassland found within the former quarry.
PM54	MP2k Bawtry Road West	140	Delete first bullet point under 'Water and flooding' sub-heading	The Appropriate Assessment ruled out any potential hydrogeological links to the Hatfield Moor SAC.
PM55	MP2I Scrooby Thomson Land		Amend first bullet point under 'Environmental and cultural designations' sub-heading to refer to the Grade II listed buildings Scrooby Top Farmhouse Restaurant and Scrooby Top Cottages and attached buildings.	For clarity and information.
PM56	MP2I Scrooby Thomson Land	141	Delete penultimate bullet point under sub-heading 'Environmental and cultural designations'	The Appropriate Assessment ruled out any potential hydrogeological links to the Birklands and Bilhaugh SAC and Sherwood Forest ppSPA.
PM57	MP2I Scrooby Thomson Land	141	Amend third bullet point under sub-heading 'Environmental and cultural designations' to refer to Scrooby Top Quarry, Mattersey Hill Marsh and River Idle Washlands SSSIs.	For clarity and information.
PM58	MP2m Scrooby North	143	Amend first bullet point under 'Environmental and cultural designations' sub-heading to refer to the Grade II listed buildings Scrooby Top Farmhouse Restaurant and Scrooby Top Cottages and attached buildings.	For clarity and information.

Ref.	Part of Plan	Page	Proposed Modification	Reason
PM59	MP2m Scrooby North	143	Delete penultimate bullet point under sub-heading 'Environmental and cultural designations'	The Appropriate Assessment ruled out any potential hydrogeological links to the Birklands and Bilhaugh SAC and Sherwood Forest ppSPA.
PM60	MP2n Langford Lowfields North	146	Include additional bullet point under 'Environmental and cultural designations' sub-heading to refer to high quality agricultural land.	For information.
PM61	MP2n Langford Lowfields North	146	Amend text under 'Amenity' sub-heading to clarify that screening should be provided to mitigate possible noise, dust and visual impacts.	For clarity and information.
PM62	MP2o Besthorpe East	148	Include additional bullet point under 'Environmental and cultural designations' sub-heading to refer to high quality agricultural land.	For information.
PM63	MP2p Mill Hill near Barton in Fabis	150	Include additional bullet point under 'Environmental and cultural designations' sub-heading to refer to consider effects on the Green Belt.	For information.
PM64	MP2p Mill Hill near Barton in Fabis	150	Include additional bullet points under 'Environmental and cultural designations' sub-heading to refer to the Trent Valley Green Infrastructure Corridor and Attenborough Nature Reserve	For information.
PM65	MP3d Bestwood 2 North	152	Amend first bullet point under Environmental and cultural designations' sub-heading to refer to 'partial loss' of LWS	The Development Brief for this site erroneously refers to the total loss of the LWS.
PM66	MP3d Bestwood 2 North	152	Include additional text under 'Environmental and cultural designations' sub-heading to require a survey for nightjar or woodlark if trees are less than 20 years old and creation of replacement habitat if these species are nesting.	For clarity and information.
PM67	MP3d Bestwood 2 North	152	Include additional bullet point under 'Environmental and cultural designations' sub-heading to refer to the need to consider effects on the Green Belt.	For information.

<b>Ref.</b>	<b>Part of Plan</b>	<b>Page</b>	<b>Proposed Modification</b>	<b>Reason</b>
PM68	MP3d Bestwood 2 North	152	Amend reference in final bullet point under 'Environmental and cultural designations' sub-heading to refer to Habitats Regulation Assessment 'screening' report instead of 'scoping' report.	To correct typographical error.
PM69	MP7c Bantycok Quarry South	157	Include additional bullet point under 'Water and flooding' sub-heading to refer to the need to consider water quality in relation to the aquifer.	For information.
<b>Appendix 3</b>				
PM70	Policies Map		Simplify map by removing items/layers which are not policy and including these separately.	For clarity.
PM71	Policies Map		Add explanatory text in relation to the HS2 Phase 2b Safeguarded Area.	For information.
PM72	Policies Map		Amend Policies map to show the Archaeological Resource Area at South Muskham.	For clarity.
PM73	Policies Map		Amend to show safeguarded wharves correctly	For information and clarity.