



**FAIR OAKS RENEWABLE
ENERGY PARK**

**SUPPLEMENTARY
GREEN BELT
CONSIDERATION**

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Executive Summary

This report provides a comprehensive analysis of the elements required to consider the acceptability of the Proposed Development within the Green Belt. It outlines legal principles and relevant case law regarding Green Belt policy, the fundamental aim of which is to prevent urban sprawl by keeping land permanently open. Importantly, it is for a local authority to define and maintain Green Belt in its local area. Whether or not Very Special Circumstances will exist in a given case is a matter for the decision maker.

In depth analysis of the history of the Nottingham – Derby Green Belt identifies that:

- The principal function of this Green Belt is to prevent development taking place between Nottingham and Derby and therefore the areas of land which help achieve this purpose are of relatively higher importance to this purpose of including land within the Green Belt; and
- The main function of the Green Belt to the south of Nottingham is to prevent the coalescence of West Bridgford with settlements including Ruddington and Tollerton.

The Proposed Development would not materially conflict with either of these aims and as identified through consideration of Rushcliffe Borough Council's own site boundary reviews, is located in an area of relatively lower value in Green Belt terms.

A temporary and porous spatial loss of openness along with the ability for local receptors on public rights of way to continue enjoying existing foreground views of agricultural land with retained longer distance views to hills beyond, would be set in context of existing electricity pylons, gypsum works, a railway line and the Ratcliffe on Soar Power Station Chimney. Views of the Proposed Development would be progressively screened as the proposed boundary planting matures.

The Proposed Development has a temporary lifespan of 40 years after which it will be decommissioned. Accordingly, any harm would be temporary and reversible and would not result in the permanent loss of openness in the Green Belt. The degree of activity generated by the Proposed Development when operational would be very limited.

In this case, harm caused to the Green Belt by virtue of inappropriateness and any other limited identified harms would clearly be outweighed by the substantial environmental benefits from the generation of renewable energy that will flow from the granting of planning permission along with the other identified social and economic benefits (such as benefits to the local economy, agricultural land and farming practises, biodiversity net gain and domestic energy security).

For the reasons outlined in this document, it is the Applicant's consideration that these significant environmental, social and economic benefits mean that Very Special Circumstances have been demonstrated. The Proposed Development is therefore in accordance with the requirements of section 13 of NPPF and Policy 21 (Green Belt) of the Rushcliffe Local Plan Part 2: Land and Planning Policies.

As a result and in line with paragraph 11 of NPPF, planning permission should be granted without delay.

1 Introduction

- 1.1.1 This report has been prepared by Fair Oaks Renewable Energy Park Ltd (the Applicant), a project company owned by Ridge Clean Energy Ltd, CMS Cameron McKenna Nabarro Olswang LLP (for legal input), ELG Planning (for planning input) and H:B:A Environment (for Landscape and Visual Impact (LVIA) input), in consideration of the Fair Oaks Renewable Energy Park (the Proposed Development) (application reference 23/00254/FUL) submitted to Rushcliffe Borough Council (RBC).
- 1.1.2 The Planning Statement submitted in support of the Proposed Development (dated January 2023) included a Green Belt assessment. However, following representations submitted by the public and a neighbouring Ward Councillor, the opportunity has been taken to provide supplementary information in relation to consideration of the Green Belt. This report should be read in conjunction with the submitted Planning Statement.
- 1.1.3 This report identifies the legal principles of the Green Belt, including the fundamental aims, purposes and relevant case law. It then considers the history and evidence base of the Nottingham – Derby Green Belt and considers the impact to the openness of the Green Belt in spatial and visual terms.
- 1.1.4 The Proposed Development is then assessed against the 5 purposes of the Green Belt, followed by consideration of ‘other harm’ and then the wider benefits and case for ‘very special circumstances’.
- 1.1.5 The following structure is applied:
- **Section 2** Legal Principles (prepared by CMS)
 - **Section 3** Policy overview (prepared by ELG Planning)
 - **Section 4** Contribution of the application site to the Green Belt (prepared by ELG Planning)
 - **Section 5** Other harm from the Proposed Development (prepared by Ridge Clean Energy)
 - **Section 6** Other considerations including wider benefits (prepared by Ridge Clean Energy)
 - **Section 7** Summary and conclusion (prepared by all authors)

2 Legal Principles

2.1 Introduction

- 2.1.1 The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It is for a local authority to define and maintain Green Belt land in its local area. The Government expects local planning authorities (LPAs) with Green Belts to establish Green Belt boundaries in their Local Plans, which can be altered as part of the plan review process.
- 2.1.2 Government policy on protection for the Green Belt is currently set out in chapter 13 of the National Planning Policy Framework (NPPF), which opens by stating that the Government attaches great importance to Green Belts. On protecting the Green Belt, the NPPF urges Local Planning Authorities (LPAs) to maximise the use of suitable brownfield sites before considering changes to Green Belt boundaries.
- 2.1.3 From the first guidance in 1955 through its current expression in the NPPF and Planning Policy Guidance (PPG) there have been ‘purposes’ for which Green Belt has been able to be designated and used, and land can only be included in Green Belt to achieve these purposes. The five purposes of Green Belt in the NPPF are:
- to check the unrestricted sprawl of large built up areas
 - to prevent neighbouring towns from merging into one another
 - to assist in safeguarding the countryside from encroachment
 - to preserve the setting and special character of historic towns
 - to assist in urban regeneration by encouraging the recycling of derelict and other urban land
- 2.1.4 The NPPF demands that there should be “exceptional circumstances” before Green Belt boundaries can be changed and says that inappropriate development is harmful to the Green Belt by definition and should be approved only in “very special circumstances”.
- 2.1.5 In turn, the PPG addresses questions about the factors that can be taken into account when considering development’s potential impact on the openness of the Green Belt. It also addresses how plans might set out ways in which the impact of removing land from the Green Belt can be offset by compensatory improvements and how the local authorities can ensure that compensatory improvements to the environmental quality and accessibility of the Green Belt will be secured.

2.2 Legal Principles and Case Law

- 2.2.1 Unsurprisingly, policy and guidance in relation to Green Belt has given rise to litigation in the Courts. As set out in more detail in Appendix 1, the leading authorities are as follows:
- (1) R (on the application of Samuel Smith Old Brewery (Tadcaster) v North Yorkshire County Council [2020] UKSC 3;
 - (2) Hook v Secretary for Housing, Communities and Local Government [2020] EWCA Civ 486; and
 - (3) R (Liverpool Open and Green Spaces Community Interest Company) v Liverpool City Council [2020] EWCA Civ 81

2.2.2 Drawing from this caselaw (with particular emphasis on what the Supreme Court determined in the Samuel Smith Old Brewery (Tadcaster) litigation) the legal principles relevant to this case can be summarised as follows:

- The concept of “openness” is a broad concept of policy and not one of law;
- The meaning of “openness” is to be derived from the words used by the policy maker and read sensibly and in their “proper context”;
- Applying the policy imperative of preserving “openness” requires realism and common sense and involves the exercise of planning judgment;
- In deciding whether the decision maker has exercised a lawful planning judgment in applying a planning policy, the court will not be taken beyond its limited role in a public law challenge;
- Visual effects of a development can be relevant to the question of “openness”; whether they are is a matter of planning judgment;
- The concept of “openness” means the state of being free from built development, the absence of buildings but this does not mean that harm to “openness” cannot be caused by forms of development other than buildings or cannot be caused by a development’s visual impact on “openness”;
- The word “openness” is open-textured and a number of factors are capable of being relevant when it comes to applying it to the particular facts of a given case; and
- The fact that there may be other harms with a visual dimension apart from harm to the openness of the Green Belt does not mean that the concept of openness of the Green Belt has no visual dimension itself.

3 Policy Overview

- 3.1.1 The planning policy context is set out in the accompanying Planning Statement prepared by ELG Planning and, as such, it is not considered necessary to re-iterate it in full. However, relevant planning policies and guidance are referenced below where appropriate.

4 Contribution of the Application Site to the Green Belt

4.1 Contribution of the Application Site

- 4.1.1 This section of the response has been prepared by ELG Planning expanding on the Green Belt Assessment already provided within the Planning Statement submitted with the planning application.

4.2 History of Nottingham – Derby Green Belt

- 4.2.1 The Nottinghamshire Green Belt Local Plan published in 1989 provides guidance on what is a Green Belt. It advises:
- 4.2.2 “A Green Belt is an area of land, near to and sometimes surrounding a town, which is kept open by permanent and severe restriction on building” (Ministry of Housing and Local Government, “The Green Belts”, HMSO, 1962). In this context ‘open land’ means land generally free of buildings. The purpose of keeping land undeveloped will vary in detail from area to area, but broadly will be to prevent the merging of built-up areas and to minimise urban expansion. Normally the only new buildings allowed are those associated with agriculture or other uses which need a large open area or by their very nature need a countryside location.”
- 4.2.3 This has now developed into the definitions and guidance which can be found in the NPPF. Paragraph 137 of NPPF advises that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence and Paragraph 138 of NPPF outlines the five purposes of the Green Belt which will be considered further later in this statement.
- 4.2.4 The sketch plan green belt for Nottinghamshire was produced in 1956, only a short time after the ‘Green Belts’ circular 42/55. The sketch plan of the Green Belt sought to contain the growth of Nottingham and to prevent neighbouring towns from merging into one another. The sketch plan green belt was largely the same shape as it is today. It surrounded the Nottingham conurbation for a distance of between 8 kilometres (five miles) to the east and south and 12 kilometres (seven miles) to the north. To the west, it extended up to the County boundary with Derbyshire and Leicestershire where it met with the sketch plan green belt for south-east Derbyshire.
- 4.2.5 The Nottingham-Derby Green Belt, within Rushcliffe, has essentially remained as defined since the Nottinghamshire Green Belt Local Plan was approved in 1989.

4.3 Review of Evidence Base

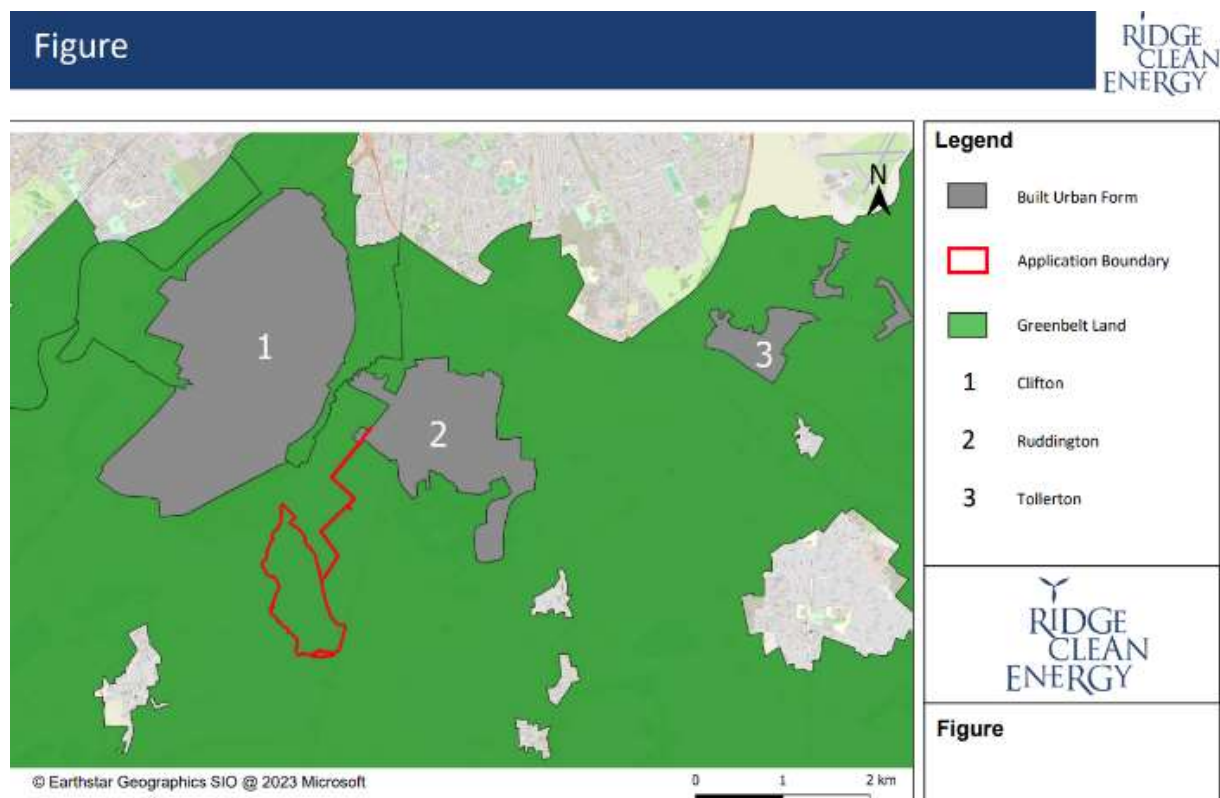
- 4.3.1 In 1999, Baker Associates were commissioned by the East Midlands Local Government Association and the Government Office of the East Midlands (GOEM) to develop an approach to how the Nottingham-Derby Green Belt could take into account the principles of sustainable development. One of the key conclusions of this report (the Sustainability Assessment of the Nottingham-Derby Green Belt) was that:
- 4.3.2 “The main intent of the green belt is to prevent development taking place between Nottingham and Derby but the extent of the green belt is greater than is required for this purpose and it serves to prevent peripheral development to the north, east and south of Nottingham, and north of Derby”.
- 4.3.3 There has been a significant number of Green Belt Reviews and Assessments undertaken over the last 20 years considering the role and function of the Nottingham - Derby Green Belt. However, the majority of these assessments consider these matters either at a strategic scale or at a very local scale predominately looking at Green Belt on the edges of existing settlements.
- 4.3.4 The 2006 Nottingham-Derby Green Belt Review was produced in support of the production of the East Midlands Regional Plan. This strategic review was undertaken to consider the relative importance of different areas of Green Belt around Greater Nottingham. The conclusions of the study were, amongst other things, as follows:
- The area between Nottingham and Derby and the areas immediately north are generally the most important areas of Green Belt. To the south and east of Nottingham the Green Belt serves fewer of the purposes set out in PPG2 because while supporting the containment of the urban area it is not separating major areas of development
 - Areas for growth to the east and south of Nottingham might impact on the Green Belt less than the areas of growth to the west of Nottingham; and
 - Extending Nottingham to the south (within Rushcliffe Borough) recognises that this area either contains less important Green Belt land than elsewhere or has no Green Belt at all.
- 4.3.5 These conclusions re-iterate those reached by Baker Associates in their 1999 report namely that the principal function of this Green Belt is to prevent development taking place between Nottingham and Derby and therefore the areas of land which help achieve this purpose are of relatively higher importance to the purpose of the Green Belt.
- 4.3.6 In 2013, Rushcliffe Borough Council undertook a detailed Green Belt Review as part of the preparation of their new Local Plan. The Review included a part 1 providing a Strategic Review of the Nottingham – Derby Green Belt within Rushcliffe and a part 2 which included a Detailed Review of the Nottingham - Derby Green Belt within Rushcliffe Adjoining the Main Urban Area of Nottingham.
- 4.3.7 The Part 1 Review did consider the area of Green Belt which includes the Application Site but only in relation to whether existing settlements within that area should be inset from the Green Belt. The Review did not assess the contribution the wider area of land makes to the role and function of the Green Belt. The Part 2 of the Review does consider land to the south of Ruddington and Clifton in more detail but does not extend to include the Application Site. The relevance of this assessment is considered further below.
- 4.3.8 The Rushcliffe Green Belt Review 2013 provides clarity on the role and function of the Green

Belt in Rushcliffe. It states at paragraph 1.1:

“It extends from West Bridgford and Clifton out as far as Bingham in the east and East Leake in the south. Further land was included within the Green Belt at Lady Bay in the 1996 Rushcliffe Local Plan. It prevents the coalescence of West Bridgford with settlements including Ruddington and Tollerton, restricts the expansion of villages within it and protects the countryside around Nottingham where there is greatest pressure for development. It also helps to retain countryside which is accessible to the urban population for recreational purposes and contributes to the amenity of adjoining towns and villages”.

- 4.3.9 The Review therefore suggests that the main function of the Green Belt to the south of Nottingham, in terms of coalescence, is to prevent the merging of West Bridgford (on the south side of Nottingham) with settlements including Ruddington and Tollerton. These three settlements sit immediately on the urban fringe of Nottingham itself and therefore suggest that the most sensitive location in terms of coalescence in this part of the Green Belt is the band of land immediate to the south of Nottingham and that this area of land is higher functioning Green Belt than the land around the Application Site as shown below on plate 1 below:

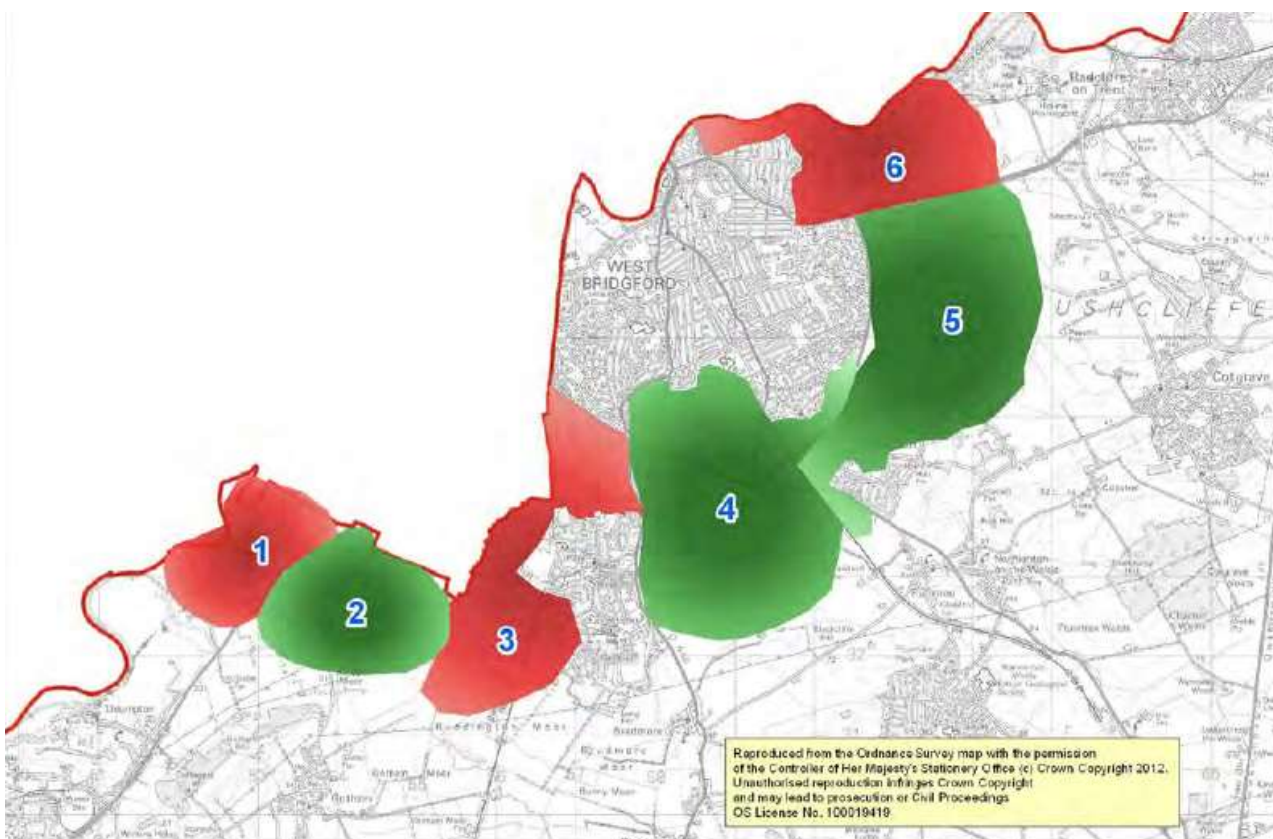
Plate 1 – Nottingham – Derby Green Belt at the Application Site



- 4.3.10 The most recent Green Belt Review was undertaken in December 2022 by the Greater Nottinghamshire Planning Partnership and, as with earlier reviews, focuses on assessing the land immediately adjacent to settlements and therefore does not extend to the Application Site.

- 4.3.11 A review of the history of the Nottingham – Derby Green Belt and the raft of Reviews and Assessments that have been undertaken since its designation highlight that the principal function of this Green Belt is to prevent development taking place between Nottingham and Derby and therefore the Green Belt to the south of Nottingham, or the merging of Ruddington and Tollerton with Nottingham is of relatively less importance. On a strategic level the more important part of the Green Belt is that which prevents Nottingham and Derby merging and this should be taken into consideration when assessing the impact of proposals on the Green Belt purposes. The Application Site is located to the south of Nottingham and development upon it would not therefore contribute to the merging of Nottingham and Derby.
- 4.3.12 In terms of the part of the Green Belt which the Application Site itself sits within, as outlined above, the Applicant is not aware of any previous Green Belt Reviews considering this area of land in its entirety. However, the Green Belt Review undertaken by Rushcliffe Borough Council in 2013 does assess the land immediately to the north of the Application Site with one of the parcels also including an area of land within the Application Site itself.
- 4.3.13 As part of the 2013 Review, it was identified that land at the Proposed Development (known as ‘Broad Location 3: East of Clifton and North and West of Ruddington’) should not be taken forward for further consideration in the assessment primarily due to the risk of coalescence, as it serves to prevent Ruddington from merging with Clifton (see plate 2 below):

Plate 2 – Extract from the 2013 review



4.3.14 'Broad Location 3' covers the northern half of the Application Site and the assessment of the broad location against the 5 purposes of the Green Belt is provided below.

| | | | | | | | |
|---------------------|---|--|---|--|--|--|--|
| RBC 2013 assessment | Sprawl would be limited by the presence of Ruddington | Most sensitive area of Green Belt in coalescence terms as it serves to prevent Ruddington from merging with Clifton and West Bridgford | Areas between West Bridgford and Ruddington - largely consist of agricultural fields that are flat in nature. | Possible impact upon the setting of Ruddington Conservation Area | Does not involve the recycling of derelict land. Household projections and objectively assessed need mean that greenfield development in areas currently identified as | Willwell Cutting SSSI, Ruddington Golf Course and Rushcliffe Country Park within area. | <u>The area should not be carried forward into part 2 (a) of the assessment primarily due to risk of coalescence. This conclusion should not rule out part 2 b of the assessment from identifying potentially suitable opportunities in Green Belt terms on the edge of Ruddington village itself.</u> |
|---------------------|---|--|---|--|--|--|--|

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| 3. East of Clifton and North and West of Ruddington. | To check unrestricted sprawl of large built up areas | To prevent neighbouring towns from merging into one another | To assist in safeguarding the countryside from encroachment | To preserve the setting of historic towns | To assist in urban regeneration, by encouraging the recycling of derelict and other urban land | Other comments including Absolute barriers to development, Green Infrastructure etc. | Overall conclusions |
|--|--|---|---|---|--|--|--|
| | | | | | Green Belt is necessary. | | |
| RBC SCORE | 3/25 | 5/5 | 2/5 | 3/5 | 3/5 | - | 16/25 MEDIUM-HIGH importance to Green Belt purposes. |

4.3.15 It is clear that the characteristics of 'broad location 3' are fundamentally different at its northern extent than the southern and the conclusion of the assessment would be considerably different if a finer grained approach was taken to assessing the role and function of the Green Belt in this location. The northern extent of the 'broad location 3' includes the land between Clifton and Ruddington (which forms a relatively narrow gap) which for the reasons outlined above is part of the high functioning Green Belt preventing the coalescence of the settlements on the urban fringe of Nottingham itself. It is therefore considered that if an assessment of the southern part of 'broad location 3' was undertaken in isolation, the conclusions would be more in line with those of 'broad location 2' in which the Review concludes the area is of low-medium importance to Green Belt purposes (score of 9/25).

4.3.16 Table 1 below provides an assessment of the contribution made to the Green Belt purposes (Paragraph 137 of NPPF) utilising the methodology from the most recent Rushcliffe Green Belt Review undertaken by the Greater Nottinghamshire Planning Partnership in December 2022. In terms of purpose 5, the assessment methodology confirms, "it is considered that all land in the Green Belt assists in urban regeneration to the same extent and therefore no criteria are proposed to distinguish between the values of various locations". A separate assessment of the Proposed Development against the same purposes is provided later in this report further enhancing the Assessment already undertaken in the submitted Planning Statement.

Table 1 – Application Site's contribution to the Green Belt

| NPPF Purpose | Site Analysis | Site Contribution | | Score |
|--|---|-------------------|--|-------|
| To check the unrestricted sprawl of large built-up areas | The Application Site is part of an agricultural landscape and is divorced from any built up areas. | Limited | | 2 |
| To prevent neighbouring towns merging into one another | The Application Site is separate from nearby settlements and development on it would not result in neighbouring town merging into one another. | Limited | | 2 |
| To assist in safeguarding the countryside from encroachment | <p>The Application Site being open agricultural land does contribute to this purpose in planning terms.</p> <p>However, the wider context of the Application Site includes large 400kV pylons, a British Gypsum facility, artex facility, railway line and the Ratcliffe on Soar Power Station chimney and the Application Site is not therefore considered to be as representative as more rural parts of the Borough.</p> | Moderate | | 3 |
| To preserve the setting and special character of historic towns | The Application Site is not within the setting of any historic towns. | None | | 1 |
| To assist in urban regeneration, by encouraging the recycling of derelict and other urban land | Whilst not directly contributing to urban regeneration it is not considered that the development of the Application Site would hinder nor discourage urban regeneration in the settlements of Nottinghamshire. | None | | - |

4.3.17 The Application Site scores favourably against the other sites considered in the Rushcliffe Green Belt Review 2022 and the impact of the Proposed Development would only occur to an

area of land which makes a moderate contribution to one of the Green Belt purposes defined by the NPPF. This further demonstrates that the area of Green Belt in which the Application Site sits is relatively lower functioning than other areas for the reasons outlined above.

4.3.18 The two key conclusions from the review previous Green Belt Reviews and Assessments are:

- The principal function of this Green Belt is to prevent development taking place between Nottingham and Derby and therefore the areas of land which help achieve this purpose are of high importance to the purpose of the Green Belt; and
- The main function of the Green Belt to the south of Nottingham is to prevent the coalescence of West Bridgford with settlements including Ruddington and Tollerton.

4.3.19 The Proposed Development will not materially conflict with either of these aims and is located in an area of relatively lower value in Green Belt terms.

4.4 Openness

4.4.1 Planning Practice Guidance (PPG) provides guidance on what factors can be taken into account when considering the potential impact of development on the openness of the Green Belt (Paragraph: 001 Reference ID: 64-001-20190722) and advises:

“Assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgment based on the circumstances of the case. By way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:

- openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;
- the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and
- the degree of activity likely to be generated, such as traffic generation”.

Spatial Impact

4.4.2 The Application Site extends to approximately 82 hectares and is predominately in agricultural use. The Proposed Development will consist of solar panels that are ground mounted in rows facing south, and ancillary infrastructure including inverters, transformers, grid connection cabling, CCTV, storage containers, a substation cabinet, and a temporary construction compound. In addition, a Battery Energy Storage System (BESS) will be located near to the substation. The solar arrays would occupy 27.9ha (34% of the total site area).

4.4.3 The solar panels will be mounted at a fixed angle of approximately 25 degrees and will have maximum height of 3m, with a minimum clearance from the ground of 0.9m. The other elements of the proposals including the transformer, storage container, battery storage, and security fence ranging from 1.8 metres to 2.5 metres in height. The tallest solid block elements of the substation compound are the DNO Control Room and Solar PV and BESS Substation building at 5 metres to the roof apex with busbars at 6.285m in height.

4.4.4 The Proposed Development would therefore result in spatial loss of openness within the Application Site for the duration of the development, albeit this would only be a temporary loss as outlined below. The panels would also not present a continuous mass across the Application

Site akin to buildings as there will be space between them as well as being lifted off the ground but would still represent a change to openness across the Application Site. Moreover, the openness of the Application Site and wider area has already been altered by the electricity pylons that cross the site along with other development in the area including a British Gypsum facility, artex facility, railway line and the Ratcliffe on Soar Power Station chimney.

- 4.4.5 As such, the overall scale of the Proposed Development from a height perspective is limited and the solar arrays are relatively modest in mass and footprint spaced at regulator intervals thereby reducing the overall scale of development.

Visual Impact

- 4.4.6 To consider the visual impact of the proposals further on the openness of the Green Belt, the viewpoints (VPs) and discussions within the submitted Landscape and Visual Impact Assessment (ES LVIA) and in the Further Environmental Information (FEI LVIA), in particular VPs 1, 2, 4, 5 and 6 (see Figure 9.1 of the ES) which represent users of Public Rights of Ways (PRoWs) in more immediate proximity to the Application Site have been utilised. Beyond this, and from all public highways in the LVIA study area, it is not considered that the Proposed Development could cause sufficient intrusion as to affect the perceived openness of the Green Belt due to intervening distance and screening effects of landscape fabric. The associated visualisations are located within Volume 4 (Visualisations) of the submitted ES and the FEI LVIA report.

Viewpoint 1: Footpath on northeastern boundary of the site & Viewpoint 4: Footpath off Asher Lane. Relevant Visualisations – ES Figures 9.5.1 and 9.5.4, updated in the FEI LVIA

- 4.4.7 These viewpoints represent users of 'Ruddington Footpath 6' (Ruddington FP6) running parallel to the railway line to the east of the Application Site. At its closest point at VP1, the Proposed Development (as amended) would be to the south-southwest, west and northwest beyond the immediate foreground which would remain in agricultural use. The longer distance views to the surrounding hills would be retained and the Proposed Development (perimeter fence and solar PV arrays) would be progressively screened as the proposed boundary planting matures. As footpath users continue southwards along the PRoW, they would experience similar views for a relatively short distance (for 400m) until the Fairham Brook is reached. South of the brook, solar panels are not proposed as a result of the original iterative site design process following feedback from the pre-application public consultation. From VP1 walking northwards, the open fields in the foreground would be retained as open farmland providing near and long distance open views to surrounding countryside, which includes pylons and the Ratcliffe on Soar Power Station chimney. As users continue northwards toward VP4, while the Proposed Development would remain a feature, the main appreciation would be one of increasing openness in the foreground as the separation distance between the Proposed Development and the PRoW increases.
- 4.4.8 From VP4 looking northwards there would be no views of the Application Site. As users look southwards, the main appreciation would be of open agricultural fields in the foreground, with the Proposed Development low down in the middle ground, partially screened by existing intervening vegetation, and open views to the surrounding hills in the longer distance (including clear views of the pylons and the Ratcliffe on Soar Power Station chimney). Mitigation planting would progressively screen the Proposed Development as it matures. As users travel

southwards, the Proposed Development would become increasingly closer in the view until close to VP1 where the above description would become applicable.

- 4.4.9 In summary, users of the PRoW Ruddington FP6 would be able to appreciate open agricultural land in the foreground along the entire length of this PRoW. Views of the broader countryside and hills (and pylons and power station chimney) would still be afforded and the Proposed Development would be progressively screened as the proposed boundary planting matures.

Viewpoint 2: Footpath along Fairham Brook and Viewpoint 6: Footpath east of Gotham. Relevant Visualisations – ES Figures 9.5.2 and 9.5.6, updated as relevant in the FEI LVIA

- 4.4.10 VP2 represents the users of 'Gotham Footpath 5' (Gotham FP5), which runs on the southern bank of Fairham Brook, parallel to the southern boundary of the Application Site. As users look southwards and westwards from the VP, there would be no view of the Proposed Development and walkers would have a clear view and appreciation of open agricultural countryside in the near ground, with clear views to the surrounding countryside and hills beyond. As users look northwards and northeastwards, the Proposed Development (as amended) would be beyond the immediate foreground, which would remain in agricultural use, and the Proposed Development (perimeter fence and solar PV arrays) would be progressively screened as the proposed boundary planting matures. These views would apply for a 500m section of this PRoW, from VP2 to the railway line, as users walk eastwards. Beyond the railway line the views would be of open agricultural land as users continue eastwards.
- 4.4.11 From VP6, there would be no view of the Application Site in a north, west or southerly direction. When looking northeastwards towards the Proposed Development (as amended), there would be open agricultural land in the fore and near ground with long distance views of the surrounding countryside and hills retained. The Proposed Development would be in the middle distance, partially screened by intervening vegetation along the railway line. Views to the Application Site would become progressively more screened as the proposed boundary planting matures and longer distance views to the countryside and hills beyond would still be retained. As users walk eastwards, the Proposed Development would become progressively closer in the view until just west of the railway line where the above description for VP2 would become applicable.
- 4.4.12 In summary, users of Gotham FP5 and the PRoW to the east of the railway line would be able to appreciate open agricultural land in the foreground along the entire length of these PRoWs. Views of the broader countryside and hills (and pylons and power station chimney) would not be obscured and the Proposed Development would be progressively screened as the proposed boundary planting matures.

Viewpoint 5: Footpath on edge of Fairham Pasture Site. Relevant Visualisation – ES Figure 9.5.5

- 4.4.13 This VP represents the users 'Barton in Fabis Footpath 5' adjacent to the Fairham Pastures housing development. Views to the north would be screened by the new housing development, while views to the west, south and southwest would provide a clear and open appreciation of agricultural land with the hills beyond. Looking westwards and southeastwards toward the Application Site, there would be an appreciation of open agricultural land in the near ground with long distance views of low hills beyond. The middle distance would include views of the Proposed Development. Views of the Application Site would become progressively screened by the proposed boundary vegetation as this matures. However, views of the surrounding

agricultural land and the longer distance views to the hills beyond would still be retained.

- 4.4.14 In summary, walkers along this PRoW would still be able to appreciate views of open countryside and the longer distance views to the surrounding hills.
- 4.4.15 This section of the appraisal has considered the duration of, and activity generated by the Proposed Development and the effects on the openness of the Green Belt. It has identified that views experienced by visual receptors on the local PRoW network would still include a clear and obvious appreciation of open countryside in the near ground, coupled with retained views of the hills in long distance views.

Duration of Development

- 4.4.16 As outlined at paragraph 137 of NPPF, the essential characteristics of the Green Belt are their openness and their permanence. The Proposed Development only has a temporary lifespan of 40 years after which it would be decommissioned, so any harm arising will be temporary and reversible and will not result in the permanent loss of Green Belt. The Applicant would be happy to agree to a suitably worded planning condition to control this should Rushcliffe Borough Council be minded to approve the application.

Degree of Activity

- 4.4.17 The degree of activity generated by the Proposed Development when operational will be very limited. During normal operations, personnel will visit the Proposed Development approximately once a month, in a light van or four-wheel drive vehicle and the panels will be cleaned once or twice a year.

Assessment Against Green Belt Purposes

- 4.4.18 The Proposed Development has been assessed against the 5 purposes of the Green Belt set out at paragraph 138 of NPPF below, with further justification provided in addition to the Planning Statement where considered necessary.

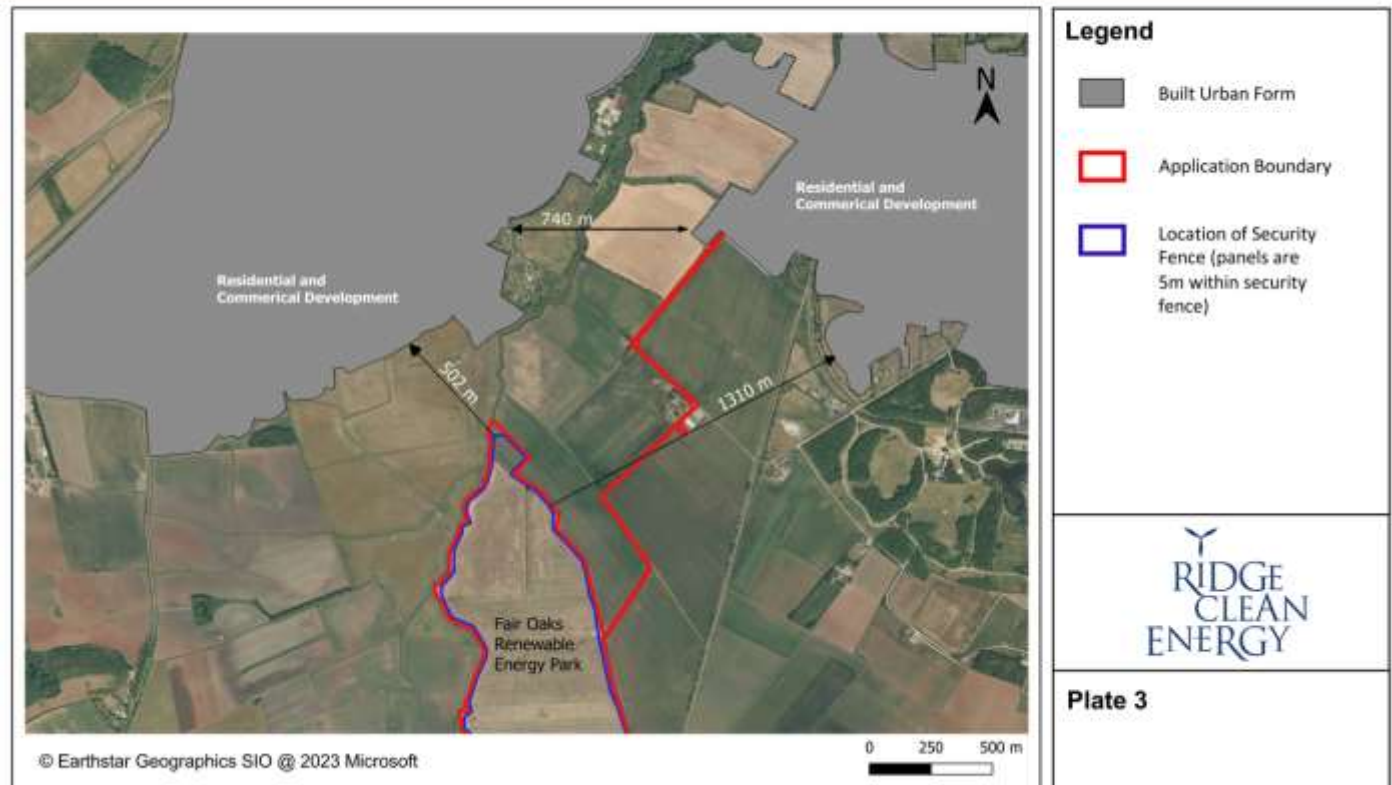
To check the unrestricted sprawl of large built-up areas

- 4.4.19 The Application Site is not located adjacent to a built up area.
- 4.4.20 The Proposed Development would not result in unrestricted sprawl of large built up areas as shown on Plate 3. The Proposed Development is not of a type which would result in the type of sprawl which purpose a) is trying to prevent. Moreover, it is only often possible to locate renewable energy parks of the scale proposed (and needed to increase the amount of green energy generated in this way) on greenfield land in the countryside. As such, large scale renewable energy parks are no longer an unusual feature in the countryside as opportunities to place them anywhere else are limited.

To prevent neighbouring towns merging into one another

- 4.4.21 The Application Site is physically detached from the settlements of Ruddington and Clifton. Whilst the Proposed Development will be located in the gap between these settlements, the nature of the development and remaining gaps ensure that the towns will not merge into one another as demonstrated by the Plate 3 below.

Plate 3 – Application Site and Built Urban Form



4.4.22 There is a substantial distance retained between the Proposed Development and the built urban form of Ruddington and Fairham Pastures (under development). As shown in Plate 3 above, 1.3km of undeveloped open land is retained between the Proposed Development and Ruddington, whilst 502m is retained between the Proposed Development and the extent of new housing at Fairham Pastures.

4.4.23 Moreover, the nature of the Proposed Development itself, with the majority of the elements proposed being less than 3 metres in height, will be well screened by proposed trees and hedgerow planting ensuring that there will be no perception of merging. The Application Site is also not located within close proximity of any roads and therefore the experience of people travelling between the closest settlements will not change further demonstrating that there will be no perception of merging.

To assist in safeguarding the countryside from encroachment

4.4.24 It is acknowledged that the introduction of man-made structures into what is currently open agricultural fields would change the character of the land and would represent an encroachment of 'development' into the countryside. However, the wider context of the site includes large 400kV pylons, a British Gypsum facility, artex facility, railway line and the Ratcliffe on Soar Power Station chimney.

- 4.4.25 Moreover, the Proposed Development has a temporary lifespan of 40 years and will be decommissioned unless a further permission is sought, so any harm arising will be temporary and reversible and will not result in the permanent loss of the Green Belt.
- 4.4.26 In addition, the degree of activity generated by the Proposed Development when operational will be limited. During normal operations, personnel will visit the site approximately once a month, in a light van or four-wheel drive vehicle and the panels will be cleaned once or twice a year.

To preserve the setting and special character of historic towns

- 4.4.27 It is not considered that the Proposed Development impacts upon the setting or special character of any historic towns.

To assist in urban regeneration, by encouraging the recycling of derelict and other urban land

- 4.4.28 Whilst not directly contributing to urban regeneration it is considered that the Proposed Development would neither hinder nor discourage urban regeneration in the settlements of Nottinghamshire.
- 4.4.29 It is considered that the harm to the openness of the Green Belt has been kept to a minimum and will be reduced further by the landscape enhancements that will be implemented as part of the Proposed Development. Therefore, in addition to the harm arising from the fact that the development would be inappropriate, there is a degree of harm arising from the loss of openness albeit the proposals are only temporary as set out above. It is considered for the reasons above that the level of harm to openness of the Green Belt, as a result of the nature of the proposals and enhancements proposed, will be relatively low.

5 Other Harm from the Proposed Development

- 5.1.1 The NPPF requires that for 'Very Special Circumstances' to exist, the potential harm to Green Belt by reason of inappropriateness, and any other harm resulting from the Proposed Development, is clearly outweighed by other considerations. This section of the report summarises the other harm from the Proposed Development as reported within the Environmental Statement and Further Environmental Information report.

Landscape and Visual Impact

- 5.1.2 It was concluded that there would be short-term significant adverse effects during the construction phase on the SN02: Ruddington Alluvial Fringe DPZ. During years 1-5 there would be some medium-term significant adverse effects however these would not extend beyond the railway line to the east of the Application Site, more than approx. 850m north and west or more than 400m south. From year 5 onwards, owing to boundary vegetation, significant effects would be confined to the site and immediate surroundings, extending no more than 50m from perimeter vegetation.
- 5.1.3 The Environmental Statement and Further Environmental Information Report concluded significant effects on views and visual amenity of Fields Farm cottages and Ruddington Farm during construction and early operational phases, however effects would not be significant following establishment of proposed boundary vegetation. Significant effects on the visual amenity of walkers on the PRoW east and south of the Application Site were concluded during the construction and operational phases. Walkers on the PRoW from Clifton to Gotham, around the periphery of the Rushcliffe Country Park and across Bradmore and Bunny Moor would have significant visual amenity effects during the early operational phase, but not during construction or the remainder of operational or decommissioning phases.
- 5.1.4 The Environmental Statement and Further Environmental Information Report concluded no impacts to Landscape Fabric, or other Landscape and Visual Impacts. It noted that effects were limited by the use of a temporary steel plate access track, use of existing farm access tracks, protective measures during construction, avoiding the need for removal of vegetation and use of existing drainage crossing points, locating the Battery and Substation Compound away from PRoWs, use of underground services, not proposing permanent lighting and restoration after the temporary operational period. Furthermore, the measures included within the outline Landscape and Biodiversity Mitigation and Enhancement Plan (to be secured by way of planning condition) include:
- 75ha of new species rich meadow across the site;
 - 3.2km of new native hedgerow planting;
 - 0.14ha of new native woodland planting;
 - Grassland between the perimeter fence and the site boundary; and
 - 1ha of new Lapwing habitat.

6 Other Consideration Including Wider Benefits and Case for Very Special Circumstances

6.1 Other Consideration and Wider Benefits

Contribution to targets, renewable energy generated and carbon offset

- 6.1.1 As reported in the Environmental Statement, the Proposed Development would provide a substantial contribution to meeting the UK's legally binding target of achieving zero net carbon emissions by 2050 under the obligations of the Climate Change Act 2008 and international Paris Agreement 2015. Furthermore, it contributes to Rushcliffe Borough Council's (RBCs) aims of achieving net zero carbon, following RBC declaring a Climate Change Emergency in 2019. Therefore, the urgent need for projects such as that proposed, to reach necessary targets is accepted at international, national and local levels.
- 6.1.2 The Proposed Development would generate sufficient energy to offset the equivalent annual electricity needs of approximately 11,200 Nottinghamshire homes, this calculation has taken account of output of the Proposed Development and is therefore an accurate figure. It would also offset approximately 9,270 tonnes of CO₂ per annum which is a substantial contribution towards the legally binding national targets.
- 6.1.3 The BESS units address the intermittent nature of solar energy by storing energy generated as necessary, whilst also smoothing excess electricity flow in the local electricity grid system. Energy storage is a significant part of the domestic energy supply strategy.

Urgency

- 6.1.4 The Committee on Climate Change's March 2023 report *Progress in adapting to climate change* highlighted that only incremental steps have been made over the period of the Second National Adaptation Programme (NAP). Significant opportunities to embed climate change adaptation within critical broader policy areas have largely been missed, resulting from a lack of ambition and that the Government did not embed a focus on adaptation delivery to drive an effective overall response to the challenges of climate change.
- 6.1.5 It clearly states that climate change adaptation is an urgent issue that must be tackled now, and for the next NAP period to be effective it should have a clear focus on delivery. It is vital that Climate adaptation is integrated across objectives and should not compromise efforts to reduce greenhouse gases to Net Zero and protect biodiversity. Without such changes and increase in ambition, the effects of climate change will be significantly more deadly and costly to the UK population. The Proposed Development would actively and tangibly contribute to addressing this urgency and need.

Consideration of Alternative Sites

- 6.1.6 Appendix 2 to this report demonstrates that the Proposed Development site is the most suitable site to deliver the primary objectives (generating 49.9MW of solar capacity (export) with battery energy storage within proximity to the secured point of connection to the local electricity distribution network), and that no other viable alternatives exist outside of Green Belt land.

Domestic Energy Supply and Cost of Living Benefits

- 6.1.7 Following Russia's invasion of Ukraine in 2022, and subsequent pledges to reduce reliance on Russian oil and gas, developments like the Fair Oaks Renewable Energy Park are vital to contribute to the security of the UK's domestic electricity supply in a way which supports the ambitions to reduce the effects of climate change.
- 6.1.8 In April 2022, the UK Government published the British Energy Security Strategy in response to the global energy price rise and conflict between Russia and the Ukraine. The Prime Minister set out that "we're going to take advantage of Britain's inexhaustible resources of wind and – yes – sunshine".
- 6.1.9 Energy generated from solar resource in the UK is cheap – securing a strike price of £45.99 per MWh for projects due online in 2023/24 and 2024/25. Chris Hewett, chief executive of Solar Energy UK, hailed the announcement of over 2GW of solar capacity secured in CfD4 "cements solar as a major part of the solution" to Britain's energy security crisis.
- 6.1.10 He said solar and wind are now "undeniably" the cheapest, as well as the cleanest, ways to power the country. The volatile price of imported gas has caused immense pressure and difficulty on the UK population in recent years. Increasing the use of cheap and predictable solar energy in the UK energy mix, combined with battery storage to smooth energy flow and reduce energy wastage, will assist in reducing energy costs for consumers and securing domestic energy supply.

Benefits to Local Economy

- 6.1.11 As reported in the submitted Socio-economic statement, the local economy will benefit through the opportunity to secure contracts for some construction materials, labour, equipment and services, with the creation of a local supplier database to allow local businesses to benefit directly and indirectly from the Proposed Development. The total construction cost is estimated to be approximately £46 to £50 million, of which the Balance of Plant component is expected to be approximately £9 million.
- 6.1.12 During operation, business rates would be retained by the communities in which they are paid. Such a figure would be generated at the appropriate point in time following planning consent.

Biodiversity Net Gain

- 6.1.13 The Proposed Development's submission was supported by an outline Landscape and Biodiversity Mitigation and Enhancement Plan, a detailed version of which would be secured by way of planning condition. This was prepared in collaboration between the project ecologist and landscape architect, such as to enhance ecological connectivity across the site and to local ecological features, whilst doing so in a way which is mindful of, and in keeping with, the local landscape context. The broad aims of this plan would be to deliver:
- 75ha of new species rich meadow across the site;
 - 3.2km of new native hedgerow planting;
 - 0.2ha of new native woodland planting;
 - Grassland between the perimeter fence and the site boundary; and
 - 1ha of new Lapwing habitat.
- 6.1.14 The plan would deliver a net gain of 110 habitat units (an increase of 66.7%) and 24.6

hedgerow units (there are no hedgerows in this area currently). This 66.9% increase is a substantial over delivery against the minimum 10% that will be required under the Environment Act 2021.

- 6.1.15 Albeit this was a called-in application related to a housing proposal, in the Sun Lane and Ilkley Road decision (Planning Appeal ref: APP/W4705/V/18/3208020) the biodiversity net gain proposed was given great weight in the planning balance in paragraph 29 as stated below:

“...the Secretary of State agrees that the application proposal would give rise to an overall positive impact on ecology, and that great weight should be given to this net gain for biodiversity.”

Benefits to Agricultural Land and Farming Practises

- 6.1.16 With the long term temporary cessation of cultivation and use of farm chemicals comes a return towards a higher equilibrium of soil organic matter, resulting in land that is more fertile, easier to cultivate, holds more water, slows surface water run off and permits more rapid infiltration. Overall, the extended fallow period will enhance the soils functional capacity for supporting agricultural production. The Applicant also intends to enter into a sheep grazing licence at the appropriate time to allow continued agricultural use of the site.
- 6.1.17 Defra's United Kingdom Food Security Report is clear that the most significant threats to our food security are climate change and soil degradation. The Proposed Development will act to limit climate change, enable recovery of degraded soil and would not have a significant impact on UK yield of combinable crops.

Co-location of Technology

- 6.1.18 The co-location of the solar development and the BESS development helps to maximise the technology utilising a single connection to the local electricity distribution network. By co-locating these technologies together in one renewable energy park, it optimises two necessary developments into one, reducing impacts to the countryside by preventing the need for further development elsewhere to deliver the same benefit and maximising the limited available grid connections.

6.2 Case for Very Special Circumstances

- 6.2.1 Lord Justice Sullivan in his judgment in R. (Chelmsford BC) v First Secretary of State [2003] EWHC Admin 2978) advises that the decision-maker must first decide whether VSC exists before then determining whether those VSC outweigh the potential harm to the Green Belt. Moreover, other established case law (Sullivan J. in R (Basildon DC) v FSS [2004] EWHC 2759 (Admin)) confirms that a number of factors, none of them “very special” when considered in isolation, may when combined together amount to very special circumstances. The judgement goes on to say that “there is no reason why a number of factors ordinary in themselves cannot combine to create something very special”.
- 6.2.2 The VSC relevant to this case are considered to be:
- The presumption in favour of the Proposed Development as a sustainable renewable energy scheme;
 - The urgent need for renewable energy projects to contribute towards meeting the legally binding and challenging net zero targets, as recognised at a national and local level; and

- The wider environmental, social and economic benefits associated with the Proposed Development.
- High quality technology and design
- Location

Presumption in Favour of Sustainable Development

- 6.2.3 Paragraph 11 of the NPPF outlines the presumption in favour of sustainable development. Renewable energy can be recognised inherently as a form of sustainable development and in this case fulfils all three of the limbs of economic, social and environmental elements of sustainable development as set out within the NPPF.
- 6.2.4 The Proposed Development benefits from a presumption in favour of sustainable development at a national and local level and as a clean renewable energy project, it is a form of development which is supported in principle for the reasons set out earlier in this report.

Urgent Need for Renewable Energy

- 6.2.5 The accompanying Environmental Statement provides a detailed summary of the policy and guidance which underpins the urgent need to reduce greenhouse gas emissions and reduce reliance on fossil fuels. This is accepted at international, national and local levels, with the Council having also declared a climate emergency and acknowledged the part it is required to play in contributing towards meeting those targets.
- 6.2.6 It has been predicted that the proposed renewable energy park will generate sufficient energy to offset the equivalent annual electricity needs of approximately 11,200 Nottinghamshire homes (based on average domestic consumption per household of 3 900kWh (DBEIS, 2020). This level of renewable energy generation is significant and itself justifies very special circumstances.
- 6.2.7 From the displacement of electricity generated from fossil fuels, the Proposed Development would offset the emission of a significant quantity of pollutants, particularly carbon dioxide, into the atmosphere. This reduction in emissions would contribute to the national legislation of achieving zero net carbon emissions by 2050 and international reductions required under the legally binding obligations of the Climate Change Act 2008 and international Paris Agreement 2016. It also contributes to the Council's aims of achieving net zero carbon and its commitment to supporting local residents and businesses reduce their own carbon footprints following the Council's declaration of a Climate Emergency in 2019.
- 6.2.8 Calculations undertaken by Engena and set out in the accompanying Environmental Statement advise that on a conservative basis, the electricity produced by the solar array will offset approximately 9,270,000kgCO₂ /annum or 9,270 tonnes CO₂ per annum (to 3 S.F.). As such, the Proposed Development would significantly contribute towards reducing CO₂ emissions and the Government meeting its net zero carbon target by 2050.
- 6.2.9 In addition to the clear environmental benefits associated with the reduction of CO₂ emissions, the development of such facilities will help ensure energy security which has become a much more pertinent issue since the Russian invasion of Ukraine in February 2022 and the pledges made to reduce reliance on Russian oil and gas. It will also reduce the impact of volatile and high gas prices if we are able to use less gas. In April 2022, the UK Government published the British Energy Security (BES) Strategy in response to the global energy price rise and conflict

between Russia and the Ukraine. The Prime Minister set out that “we’re going to take advantage of Britain’s inexhaustible resources of wind and – yes – sunshine” (DBEIS and Prime Ministers Office, 2022a).

- 6.2.10 For solar the BES Strategy reported that there is currently 14GW of solar capacity in the UK and as the cost has fallen a five-fold increase in deployment is expected by 2035. It goes on to state, “we will continue supporting the effective use of land by encouraging large scale projects to locate on previously developed, or lower value land, where possible, and ensure projects are designed to avoid, mitigate, and where necessary, compensate for the impacts of using greenfield sites.”
- 6.2.11 The Proposed Development will deliver enough electricity annually to power approximately 11,200 Nottinghamshire homes (based on average domestic consumption per household of 3 900kWh (DBEIS, 2020). This is a significant amount from one development and will further assist the UK in meeting its energy needs in a clean and sustainable manner.

Wider Environmental, Social and Economic Benefits

- 6.2.12 In addition to the clear benefits arising from the Proposed Development as a renewable energy scheme outlined above, the following site specific benefits will also arise from the Proposed Development:
- socio-economic benefits to local and national UK based contractors, including the supply of construction materials, accommodation and food for construction workers, and on construction, the owners of the land where the panels are located will benefit from rental payments helping to support rural business diversification, as well as service personnel for site maintenance, with further local demands for equipment and materials, and the payment of business rates for the completed renewable energy park. The total construction cost for the Fair Oaks Renewable Energy Park is estimated to be approximately £46 to £50 million which is a significant investment.
 - a range of biodiversity benefits including a significant biodiversity net gains of 110 habitat units (an increase of 66.9%) and 24.4 hedgerow units (an increase of 100%) arising from the restoration of lowland meadow, native hedgerow planting, native woodland planting and the provision of 1ha plot on the southern edge of the site (outside the area in which the solar panels would be located, for ground nesting birds (including lapwing and skylark)). The provision of bird (owl and songbird) and bat boxes around the site.
 - economic benefits in the form of job generation over the construction, operational and decommissioning phases. Though not quantified, there will be jobs generated in respect of the construction and decommissioning phases for work including civil engineering design, geotechnical ground investigations, civil works, onsite electrical network design, installation and commissioning, aggregate supply, haulage, plant hire and ancillary and tertiary sectors relating to supplies, accommodation, catering etc.

High Quality Technology and Design

- 6.2.13 The use of the battery storage facility is considered to reinforce the power generation of the solar farm. Energy will be stored at times of low demand and released when there is higher demand or when there is less power being produced in cloudy conditions.

Location

- 6.2.14 The Application Site was chosen following a selection procedure. It is accepted that proximity of a site to the point of connection to the Local Distribution Network is critical for viable and successful renewable energy deployment. The Applicant has secured such a grid connection in

close proximity as identified and considered within the Environmental Statement.

7 Summary and Conclusion

- 7.1.1 This report has provided comprehensive analysis of the varying elements required to consider the acceptability of the Proposed Development within the Green Belt.
- 7.1.2 The legal principles of and relevant case law regarding the Green Belt have been outlined. Importantly, it is for a local authority to define and maintain Green Belt in its local area. Whether or not Very Special Circumstances will exist in a given case is a matter for the decision maker. Furthermore, a review into the history and purpose of the Nottingham-Derby Green Belt has identified that the principle function is to prevent development between Nottingham and Derby, and that the main function of the Green Belt to the south of Nottingham is to prevent the coalescence of West Bridgford, Ruddington and Tollerton – neither of which the Proposed Development materially conflicts with.
- 7.1.3 Whilst there would be a temporary spatial loss of openness from the Proposed Development it would be porous and set in context of existing detracting features within the landscape. Similarly, whilst the Proposed Development would be temporarily visible from nearby receptors, an appreciation of existing agricultural land would be retained in the foreground along with longer distance views, again set against the context of existing detracting features in views.
- 7.1.4 The limited harm from the Proposed Development would be set against wider benefits, of the presumption in favour as a sustainable renewable energy scheme, the urgent need for renewable projects that contribute to meeting the legally binding net zero targets, wider environmental, social and economic benefits, high quality technology and design and location.
- 7.1.5 It is therefore considered that harm to the Green Belt by virtue of inappropriateness and other harms (which in this are limited) are clearly outweighed by the substantial environmental benefits from the generation of renewable energy that will flow from the granting of planning permission along with the other identified social and economic benefits. For the reasons outlined above, it is the Applicant's consideration that these significant environmental, social and economic benefits amount to very special circumstances. The proposals therefore accord with the requirements of section 13 of NPPF and Policy 21 (Green Belt) of the Rushcliffe Local Plan Part 2: Land and Planning Policies.
- 7.1.6 As such and in line with paragraph 11 of NPPF, planning permission should be granted without delay.

Appendix 1

1. Introduction

- 1.1 The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It is for local authorities to define and maintain Green Belt land in their local areas. The Government expects local planning authorities (LPAs) with Green Belts to establish Green Belt boundaries in their Local Plans, which can be altered as part of the plan review process.
- 1.2 Government policy on protection for the Green Belt is currently set out in chapter 13 of the National Planning Policy Framework (NPPF), which opens by stating that the Government attaches great importance to Green Belts. On protecting the Green Belt, the NPPF urges Local Planning Authorities (LPAs) to maximise the use of suitable brownfield sites before considering changes to Green Belt boundaries.
- 1.3 From the first guidance in 1955 through its current expression in the NPPF and Planning Policy Guidance (PPG) there have been ‘purposes’ for which Green Belt has been able to be designated and used, and land can only be included in Green Belt to achieve these purposes. The five purposes of Green Belt in the NPPF are:
 - to check the unrestricted sprawl of large built up areas
 - to prevent neighbouring towns from merging into one another
 - to assist in safeguarding the countryside from encroachment
 - to preserve the setting and special character of historic towns
 - to assist in urban regeneration by encouraging the recycling of derelict and other urban land
- 1.4 The NPPF demands that there should be “exceptional circumstances” before Green Belt boundaries can be changed and says that inappropriate development is harmful to the Green Belt by definition and should be approved only in “very special circumstances”.
- 1.5 In turn, the PPG addresses questions about the factors that can be taken into account when considering development’s potential impact on the openness of the Green Belt. It also addresses how plans might set out ways in which the impact of removing land from the Green Belt can be offset by compensatory improvements and how the local authorities can ensure that compensatory improvements to the environmental quality and accessibility of the Green Belt will be secured.

2. Legal principles and caselaw

- 2.1 Unsurprisingly, policy and guidance in relation to Green Belt has given rise to litigation in the Courts. The leading authority is *R (on the application of Samuel Smith Old Brewery (Tadcaster) v North Yorkshire County Council* [2020] UKSC 3. In that case, the issue of “openness” arose in the context of a challenge to the extension of the Jackdaw Crag Quarry in the Green Belt and the application of the former paragraph 90 of the initial National Planning Policy Framework which is now paragraph 150 of the current NPPF (2021 version).

- 2.2 Disagreeing with the approach taken by the Court of Appeal], the Supreme Court held that for the purposes of the NPPF, the visual quality of the landscape was not in itself an essential part of the "openness" for which the green belt was protected (see para.5 of judgment). The concept of "openness" was a broad policy concept. Naturally read, it referred back to the underlying aim of the green belt policy "to prevent urban sprawl by keeping land permanently open". It was not necessarily a statement about the visual qualities of the land, though in some cases that might be an aspect of the planning judgement involved.
- 2.3 Accordingly, Lord Carnwath, with whom the other justices agreed, concurred with Lindblom LJ (and the claimant) in his conclusion that visual impact was a potentially relevant factor when considering the question of openness of the Green Belt. However, the fact that it was a potentially relevant factor did not imply that it was a matter which was required to be explicitly addressed by a decision-maker. On the facts of the particular case, Lord Carnwath held that the "relatively limited visual impact which the development would have fell far short of being so obviously material a factor that failure to address it expressly was an error of law". As a result, the appeal was therefore allowed and the planning permission upheld.
- 2.4 The Court of Appeal revisited the issue in *Hook v Secretary for Housing, Communities and Local Government* [2020] EWCA Civ 486. The context, here, was a statutory appeal under Section 288 of the TCPA 1990 against an Inspector's finding that alterations to a building amounted to inappropriate development within the Green Belt because it was not a "building for agriculture", in consequence of which he had not needed to consider the imposition of an agricultural occupancy condition. Addressing the issue, Lindblom LJ set out a number of basic points from the relevant cases as follows:
- (1) The concepts referred to in NPPF policy for the Green Belt – "inappropriate development", "very special circumstances", the preservation of the "openness" of the Green Belt, the impact of development on "the purposes of including land within it", and so on – are not concepts of law. They are broad concepts of planning policy, used in a wide range of circumstances (see the judgment of Lord Reed in *Tesco Stores Ltd. v Dundee City Council* [2012] UKSC 13; [2012] 2 P. & C.R. 9, at paragraph 19). Where a question of policy interpretation properly arises, understanding those concepts requires a sensible reading of the policy in its context, without treating it as if it were a provision of statute. Applying the policy calls for realism and common sense.
- (2) In dealing with the "threshold" question of whether a proposal is for "inappropriate development" in the Green Belt, and then in deciding whether the proposal is acceptable and ought to be given planning permission, the decision-maker must establish relevant facts and exercise relevant planning judgment. If called upon to review the decision, the court will not be drawn beyond its limited role in a public law challenge (see the speech of Lord Hoffmann in *Tesco Stores Ltd. v Secretary of State for the Environment* [1995] 1 W.L.R. 759, at p.780G-H). The interpretation of planning policy falls ultimately within that role, but the decision-maker's application of policy will only be reviewed on traditional public law grounds (see the judgment of Lord Reed in *Tesco v Dundee City Council*, at paragraphs 18 and 19). As this court has emphasized more than once, excessive legalism must be avoided (see, for example, *East Staffordshire Borough Council v Secretary of State for Communities and Local Government* [2017] EWCA Civ 893, [2018] P.T.S.R. 88, at paragraph 50). The court will not second-guess the decision-maker's findings of fact unless some

(3) The nature of the decision-maker's task will differ from one kind of development to another. For example, whether a proposal is for "buildings for agriculture and forestry" – the first category of "new buildings" that are not to be regarded as "inappropriate development" under the policy in paragraph 89 of the NPPF – will be largely if not wholly a matter of fact. There is no proviso in that category (see *Lee Valley*, at paragraph 19). By contrast, assessing whether a proposed "[facility] for outdoor sport" – the second category in paragraph 89 – would "preserve the openness of the Green Belt" is largely a matter of planning judgment. The same applies to proposals for "mineral extraction" or "engineering operations" – two categories of "other forms of development" that are potentially "not inappropriate" under the policy in paragraph 90, which are subject to the same proviso. The requisite planning judgment will turn on the particular facts. It is not predetermined by the general statement in paragraph 79 that one of the "essential characteristics" of Green Belts is their "openness" – meaning, in that context, the mere presence of buildings, regardless of any visual impact they might have (see *Lee Valley*, at paragraph 7). In the context of a development control decision, as *Sales L.J.* observed in *Turner* (at paragraph 14), "[the] word 'openness' is open-textured and a number of factors are capable of being relevant when it comes to applying it to the particular facts of a specific case", and (at paragraph 15) "[the] question of visual impact is implicitly part of the concept of [the] 'openness of the Green Belt' as a matter of the natural meaning of the language used in para. 89 of the NPPF.

2.5 However, Lord Carnwath's judgment in *Samuel Smith* was published on 5th February 2020 shortly after *Hook* had been heard in the Court of Appeal on 28th January 2020. The Court of Appeal further considered the concept of "openness" in *R (Liverpool Open and Green Spaces Community Interest Company) v Liverpool City Council* [2020] EWCA Civ 81. Although in the context of a permission to build 39 dwellings on land within a "green wedge" the Court acknowledged that, although local rather than national, the policy position was analogous to situations concerned with national policy for green belts. The points identified in *Hook* could be extended to include that the imperative of preserving the "openness" of the green belt was not a concept of law but a broad policy concept with its meaning to be derived from the words used by the policy-maker in their context.

2.6 Lindblom LJ summarised the current case law principles as follows:

"22. To enlarge on the basic points recently identified by this court in *Hook v Secretary of State for Housing, Communities and Local Government* [2020] EWCA Civ 486 (at paragraph 7):

(1) The imperative of preserving the "openness" of the Green Belt – a basic component of government policy for the Green Belt in the NPPF, as in previous statements of national policy – is not a concept of law; it is a broad concept of policy (see *Hook*, at paragraph 7(1)). As with other formulations of planning policy, its meaning is to be derived from the words the policy-maker has used, read sensibly in their "proper context", and not as if they were the provisions of a statute or contract (see the judgment of Lord Reed in *Tesco Stores Ltd. v Dundee City Council* [2012] 2 P. & C.R. 9, at paragraphs 18 and 19).

(2) Applying the policy imperative of preserving the "openness" of the Green Belt requires realism and common sense. As was emphasised both by this court in *Samuel Smith* (at paragraphs 33, 38 to 40 and 50), and by the Supreme Court (at paragraphs 22 and 25), it involves the exercise of planning judgment by the decision-maker. When it considers whether the decision-maker has exercised a lawful planning judgment in applying a planning policy, the court will not be taken beyond its limited role in a public law challenge (see the speech of Lord Clyde

in *City of Edinburgh Council v Secretary of State for Scotland* [1997] 1 W.L.R. 1447, at p.1458G to p.1459D). As this court has often said, an unduly legalistic approach must be avoided (see, for example, *East Staffordshire Borough Council v Secretary of State for Communities and Local Government* [2018] P.T.S.R. 88, at paragraph 50; and *Hook*, at paragraph 7(2)). But if an error of law is shown – such as a misinterpretation of policy leading to a failure to exercise a planning judgment that the policy requires – the court will intervene.

(3) The courts' reasoning in *Lee Valley*, *Turner* and *Samuel Smith* dispels the fallacy that the visual effects of a development cannot be relevant to the question of whether it will preserve the "openness" of the Green Belt. In both *Turner* (at paragraphs 13 to 18 and 26) and *Samuel Smith* (at paragraphs 19 to 22) the Court of Appeal accepted that, in principle, such effects can be relevant to this question, as a matter of planning judgment. And this was accepted by the Supreme Court in *Samuel Smith* (see paragraphs 22, 25 and 40).

(4) Those three cases demonstrate the importance of context to a true understanding of the policy being considered. Context governs the policy's meaning. Thus, for example, the aim of preserving the "openness" of the Green Belt was not limited by the proposition in paragraph 79 of the NPPF that one of the "essential characteristics" of Green Belts is their "openness" – a concept whose meaning, in that context, goes to the mere physical presence, or otherwise, of buildings, regardless of any visual impact they might have (see *Lee Valley*, at paragraph 7; and *Hook*, at paragraph 7(3)). As this court said in *Lee Valley* (at paragraph 7), specifically in the context of paragraph 79, "[the] concept of "openness" here means the state of being free from built development, the absence of buildings – as distinct from the absence of visual impact". But this does not mean that, in the context of the development control policies in paragraphs 87 to 90, harm to "openness" cannot be caused by forms of development other than buildings – such as those referred to in paragraph 90, which contains a proviso that they "preserve the openness of the Green Belt"; or cannot be caused by a development's visual impact on "openness". If it were otherwise, those policies would not make sense.

(5) There was no indication in paragraphs 87 to 90 of the NPPF that the aim of preserving the openness of the Green Belt excludes consideration of visual as well as physical or spatial impact. On the contrary, as Sales L.J. said in *Turner*, "[the] word "openness" is open-textured and a number of factors are capable of being relevant when it comes to applying it to the particular facts of a specific case" (paragraph 14); "[the] question of visual impact is implicitly part of the concept of [the] "openness of the Green Belt" as a matter of the natural meaning of the language used in para. 89 of the NPPF" (paragraph 15); and "it does not follow from the fact that there may be other harms with a visual dimension apart from harm to the openness of the Green Belt that the concept of openness of the Green Belt has no visual dimension itself" (paragraph 16). The correctness of those observations was not doubted by the Supreme Court in *Samuel Smith*".

Current position

2.7 Drawing the above points together, the following propositions are relevant in this case:

- The concept of "openness" is a broad concept of policy and not one of law
- The meaning of "openness" is to be derived from the words used by the policy maker and read sensibly and in their "proper context"
- Applying the policy imperative of preserving "openness" requires realism and common sense and involves the exercise of planning judgment

- In deciding whether the decision maker has exercised a lawful planning judgment in applying a planning policy, the court will not be taken beyond its limited role in a public law challenge
- Visual effects of a development can be relevant to the question of “openness”; whether they are is a matter of planning judgment
- The concept of “openness” means the state of being free from built development, the absence of buildings but this does not mean that harm to “openness” cannot be caused by forms of development other than buildings or cannot be caused by a development’s visual impact on “openness”
- The word “openness” is open-textured and a number of factors are capable of being relevant when it comes to applying it to the particular facts of a given case
- The fact that there may be other harms with a visual dimension apart from harm to the openness of the Green Belt does not mean that the concept of openness of the Green Belt has no visual dimension itself

Appendix 2



**FAIR OAKS RENEWABLE
ENERGY PARK**

**ALTERNATIVE SITE
APPRAISAL**

June 2023

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Executive Summary

- This Alternative Site Appraisal has been prepared by Fair Oaks Renewable Energy Park Ltd (the Applicant) to provide further information as to why the Proposed Development site was selected in preference to other potential sites.
- The objective of the Proposed Development is to deliver a renewable electricity and battery storage project in a location near to an available grid connection on land that can accommodate a commercially and physically viable project without causing unacceptable environmental harm.
- To meet the objective of the scheme, a three stage process was adopted:
 - Stage 1 – Identify potentially suitable sites;
 - Stage 2 – Gather information on potentially suitable sites;
 - Stage 3 – Appraise the potentially suitable sites against criteria including:
 - Proximity to the Point of Connection;
 - Viable access route(s) to the site for construction;
 - Availability of existing farm tracks and site entrances;
 - Physical separation from ecological, historic and landscape designations;
 - Consideration of agricultural land classification gradings;
 - Physical and visual separation from settlements; and
 - Consideration of topography.
- Five sites were identified as being able to meet the objective of the scheme, of which Site 5 (Fields Farm Ruddington) was considered the best.
- While not part of the initial site identification and appraisal criteria, interest from a willing landowner is necessary to progress a viable scheme and ultimately to achieve the objective. Interest of the relevant landowner at Fields Farm Ruddington (the preferred site) was established before a detailed site survey commenced.

1 Introduction

- This Alternative Site Appraisal has been prepared by Fair Oaks Renewable Energy Park Ltd (the Applicant) to provide further information as to why the Proposed Development site was selected in preference to other potential sites.
- A description of how the Proposed Development site was identified and then chosen is provided under Chapter 3 Site Selection and Design of the Environmental Statement (ES) and the Design and Access Statement (DAAS) submitted as part of the planning application.

1.1 Development Context and Objective

- The Proposed Development has come forward following the Government setting legally binding targets: to reduce emissions by 78% by 2035 (compared to 1990 levels) and to reduce emissions to net zero by 2050. The Government had also released The Energy White Paper: Powering our Net Zero Future to set out how net zero emissions can be achieved.
- As stated in The Energy White Paper (pg.41-42) a four-fold increase in clean electricity generation would be needed to decarbonise the UK power system and to deliver net zero emissions. A decarbonised power system is expected to be made up of predominately solar and wind generation paired with complementary technologies including battery storage.
- To be most effective in contributing to the 2035 and 2050 targets, proposals need to come forward that combine both renewable electricity generation and battery storage, and to be done at a scale that supports the continued expansion of these sectors over the coming decades.
- Whilst there is no requirement to demonstrate the overall need for renewable or low carbon energy, the accompanying ES and Planning Statement provide further information in this regard.
- The announced phase out of coal-fired power generation at the Ratcliffe-on-Soar Power Station, (a two-Gigawatt (GW) hard coal-fired power plant), led the Applicant to apply for an available grid connection in the surrounding area. Subsequently, the Applicant secured a 49.9 MW grid connection with export and import capacity (to also charge the Battery Energy Storage (BESS)) element on the 132kV overhead powerline south-east of Clifton, known as the Point of Connection (see Figure 1).
- The objective of the Proposed Development is to deliver a renewable electricity and battery storage project in a location near to the available grid connection, on land that can accommodate a commercially and physically viable project (requiring 60 ha of land or more) without causing unacceptable environmental harm.

1.2 Further Information

- This report expands on the high level descriptions provided in the ES and the DAAS which describe the initial site identification and appraisal process that was followed.

2 Appraisal Overview

2.1 Description of the process followed

- To identify and then select a preferred site which would enable the Applicant to meet the objective of the project, a three stage process was undertaken as summarised below:

Stage 1 – Identify potentially suitable sites

- Identify land proximate to the Point of Connection able to accommodate 49.9 MW of solar PV and 100 MWh of battery storage capacity. Hosting a scheme on land near the Point of Connection reduces the scale of the grid connection works and associated disruption while minimising electrical losses. It is important to host a scheme on land extensive enough to deliver the Proposed Development which requires a contiguous land holding of 60 ha.
- Identify land considered to be unavailable for development – to avoid land that could not accommodate a viable scheme due to existing development or other physical limitations.

Stage 2 – Gather information on potentially suitable sites

- Identify viable access routes to the site for construction – to understand whether the land has an identifiable construction access route to site, free from obvious constraints.
- Identify the physical separation from ecological, historic and landscape designations – to understand whether the land can deliver a viable scheme while minimising or mitigating harm to an acceptable level.
- Identify the physical and visual separation from nearby settlements – to understand whether the land can deliver a viable scheme while reducing potential adverse impacts to amenity and local character.

Stage 3 – Appraise the potentially suitable sites against criteria identified in Stage 1 and 2

- Section 5 of this report details the appraisal process that was undertaken using the appraisal criteria outlined in Stages 1 and 2 (see below for further information).

3 Stage 1 - Identify potentially suitable sites

3.1 Site identification

- Rather than apply an arbitrary search radius around the Point of Connection, a pragmatic desktop review of land around the Point of Connection was undertaken.
- As shown in Figure 3, land in proximity to the Point of Connection lies within the Nottingham and Derby Green Belt. Whilst a solar farm is inappropriate development by definition, such development can be acceptable in planning terms if the harm caused by inappropriateness plus any other harm is clearly outweighed by other considerations. Accordingly, the presence of Green Belt was not identified as a constraint which would automatically preclude development. Further information which demonstrates the acceptability of the Proposed Development in the Green Belt has been submitted as part of the broader application.
- Rushcliffe Borough Council's planning database was used to identify land with an active planning submission such that it did not need to be considered further in this process.
- A review of physical barriers (between identified land parcels and the Point of Connection) was undertaken to identify obstacles that would make land significantly more complex to develop. Initially, land east of the Great Central Railway line was avoided because crossing such a feature with high voltage electrical cables adds cost and complexity to a development. Had it not been possible to identify land viable to the west of the railway, the area east of the rail line would then have been investigated.
- All areas identified as being unavailable for development were then grouped by common land use and considered together as identified on Figure 2. A description of categories of land considered unavailable for development is shown below:
 - Fairham Life (Housing Development): A permitted residential and employment development south of Clifton, originally referred to as 'Fairham Pastures'. Note, the boundary drawn to show the extent of the development on Figure 2 is approximate.
 - Urban Area: Outlines the built up residential and commercial area of the City of Nottingham, the town of Beeston, Clifton, Nottingham and Ruddington Village.
 - Screening Request for Proposed Solar Farm: A screening request for a proposed solar farm and battery storage facility on this land was validated 23 July 2021.
 - Land east of railway line: As above, due to there being commercial complexity with crossing a rail line with electric cables (compared to land without this obstacle), land east of the Great Central Railway line was initially discounted.
- Together, these categories formed the 'land unavailable for development' as shown in Figure 3.
- The sites that satisfied the stage 1 criteria and which were identified to take forward for appraisal are outlined in Table 1 below and shown in Figure 4:

Table 1 – Potentially suitable sites

| Site | Contiguous Area (ha) |
|--------|----------------------|
| Site 1 | 75.05 ha |
| Site 2 | 65.68 ha |
| Site 3 | 76.87 ha |
| Site 4 | 114.01 ha |
| Site 5 | 236.31 ha |

- For the reasons outlined in Section 2.1 above, sites identified in closer proximity to the Point of Connection were preferred to those further away. The appraisal process favorably scored sites within 1 km of the Point of Connection (See **Appraisal Criteria (AC) 1** in section 5 below).

4 Stage 2 – Gather information on potentially suitable sites

Viable access route to the site for construction

- Satellite mapping software was used to locate a viable access route (VAR) for construction leading to each site.
- To locate a VAR, the number of potential routes between the wider highway network and likely site entrance was considered. Having at least one VAR was necessary. However it was considered to be favorable if a site had multiple VARs for reasons of optionality (see **AC 2 and 3**).
- Furthermore, sites with existing farm tracks and field entrances were considered to be advantageous over those without, as this reduced likely impacts to the environment and construction (including traffic movement) requirements. It was assumed that existing agricultural access points and tracks could accept agricultural vehicles and therefore heavy goods vehicles (HGVs) as used in construction of the Proposed Development (see **AC 4**).

Physical separation from environmental designations and higher grade agricultural land

- As stated in the ES (para 3.37) the Applicant considered the proximity to designated sites within the locality, including:
 - National Parks, Areas of Outstanding Natural Beauty;
 - National Nature Reserves, Local Nature Reserves, Ramsar sites and Special Protection Areas, Sites of Special Scientific Interest, Special Areas of Conservation;
 - Registered Parks and Gardens, Scheduled Ancient Monuments, World Heritage Sites, and Registered Battlefields.

- To evaluate the proximity of each site to ecological, historic, and landscape designated sites, all relevant environmental constraints were mapped as shown in Figure 5.
- Those sites that did not have a designated site on the land were considered to be preferable. Furthermore, those sites with a separation distance of 500m or more to a designated site were considered to be better performing still owing to reduced likelihood of environmental impacts (see **AC 5 and 6**).
- To evaluate the grade of agricultural land at each site, Natural England's Agricultural Land Classification (ALC) data were mapped as shown in Figure 6.
- The sites that had more than 60 ha of Grade 3 (or less) land were considered favourable to those which did not, allowing the objective to be met whilst reducing the temporary loss of higher grade agricultural land (see **AC 7**).

Physical and visual separation from settlements

- Satellite mapping software was used to measure the approximate distance of sites from settlements.
- Those sites that were more than 500m from settlements were considered to be favourable owing to reduced potential impacts on amenity and local character (see **AC 8**).

Topography

- Generally, flatter and more stable slopes are considered to be more suitable for solar development, as well as requiring less engineering works (cut and fill) to facilitate construction. Therefore, sites which were flatter were considered to be favourable over sites on sloped topography (see **AC 9**).

5 Stage 3 - Site Appraisal

- A scoring exercise was used to compare the sites identified. The appraisal criteria used in the scoring exercise are described in the previous section and listed below:

AC1 - sites within 1 km of the Point of Connection were given a score of 1

AC2 - sites with one VAR were given a score of 1

AC3 - sites with multiple VARs were given a score of 1

AC4 - sites that have visible farm tracks/field entrances were given a score of 1

AC5 - sites that do not have a designated site on the land were given a score of 1

AC6 - sites with more than 500m from designated sites were given a score of 1

AC7 - sites that have more than 60ha of Grade 3 (or less) land were given a score of 1

AC8 - sites that are more than 500m from settlements were given a score of 1

AC9 – sites with a flatter topography were given a score of 1

- The table below summarises the results of the scoring exercise:

| Site | AC1 | AC2 | AC3 | AC4 | AC5 | AC6 | AC7 | AC8 | AC9 | Total Score |
|--------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------------|
| Site 1 | 1 | 1 | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 4 |
| Site 2 | 0 | 1 | 1 | 1 | 0 | 0 | 0 | 1 | 1 | 5 |
| Site 3 | 0 | 1 | 1 | 1 | 1 | 0 | 1 | 0 | 1 | 6 |
| Site 4 | 1 | 1 | 0 | 1 | 0 | 0 | 1 | 0 | 1 | 5 |
| Site 5 | 1 | 1 | 1 | 1 | 1 | 0 | 1 | 0 | 1 | 7 |

- Site 5 (Fields Farm Ruddington) was considered to be the preferred site based on its performance against the appraisal criteria:
 - The site was within 1km to the Point of Connection;
 - Multiple access routes able to direct construction traffic to the site were identifiable;
 - Farm tracks and field entrances were easily detectable;
 - No designated sites were identified within the land holding; and
 - It had over 60ha of grade 3 land;
- Also, while not part of the criteria, the large extent of the site (236ha) was considered a distinct and unique advantage of Site 5 compared to others, allowing the flexibility within the site to locate infrastructure further away from nearby settlements and designations. This would effectively give Site 5 an additional point against AC 8 and further demonstrate its preferred status.
- While not part of the appraisal criteria, agreement from the landowner is needed before a development can be considered viable to take forward for detailed design work. Without this, the objective could not be met. Following identification of the preferred site, contact was made with the relevant landowner to establish interest which was subsequently secured. Given the preferred site gained landowner interest, no further work in relation to alternative sites was undertaken and detailed site surveys commenced.

6 Green Belt

- Section 2 to 5 of this report describes how the Proposed Development site was identified and then chosen as the preferred site to develop, including recognition of its Green Belt designation.

- There is no specific guidance in relevant planning policy documents which determines the geographic area that should be considered in an alternative site appraisal. In this case, the search area was defined as 3km from the Point of Connection, which is considered to be a reasonable distance to allow a viable grid connection.
- Figure 7 demonstrates that there are no additional available opportunities for alternative sites outside of the Green Belt within or immediately beyond 3km from the Point of Connection.

7 Conclusion

- To find sites that could meet the objective of the scheme, a set of criteria were identified which formed the basis of the site identification and site appraisal process.
- Fields Farm Ruddington was selected as the preferred site (against four other potentially suitable sites) following the site appraisal process and landowner interest was secured. Given this, the preferred site was taken forward for further detailed development work and site surveys were commenced.
- As set out above, within a radius of 3km from the Point of Connection no additional available opportunities for alternative sites exist on land which is outside of the Green Belt.

Figure 1 – Point of Connection to local electricity distribution network



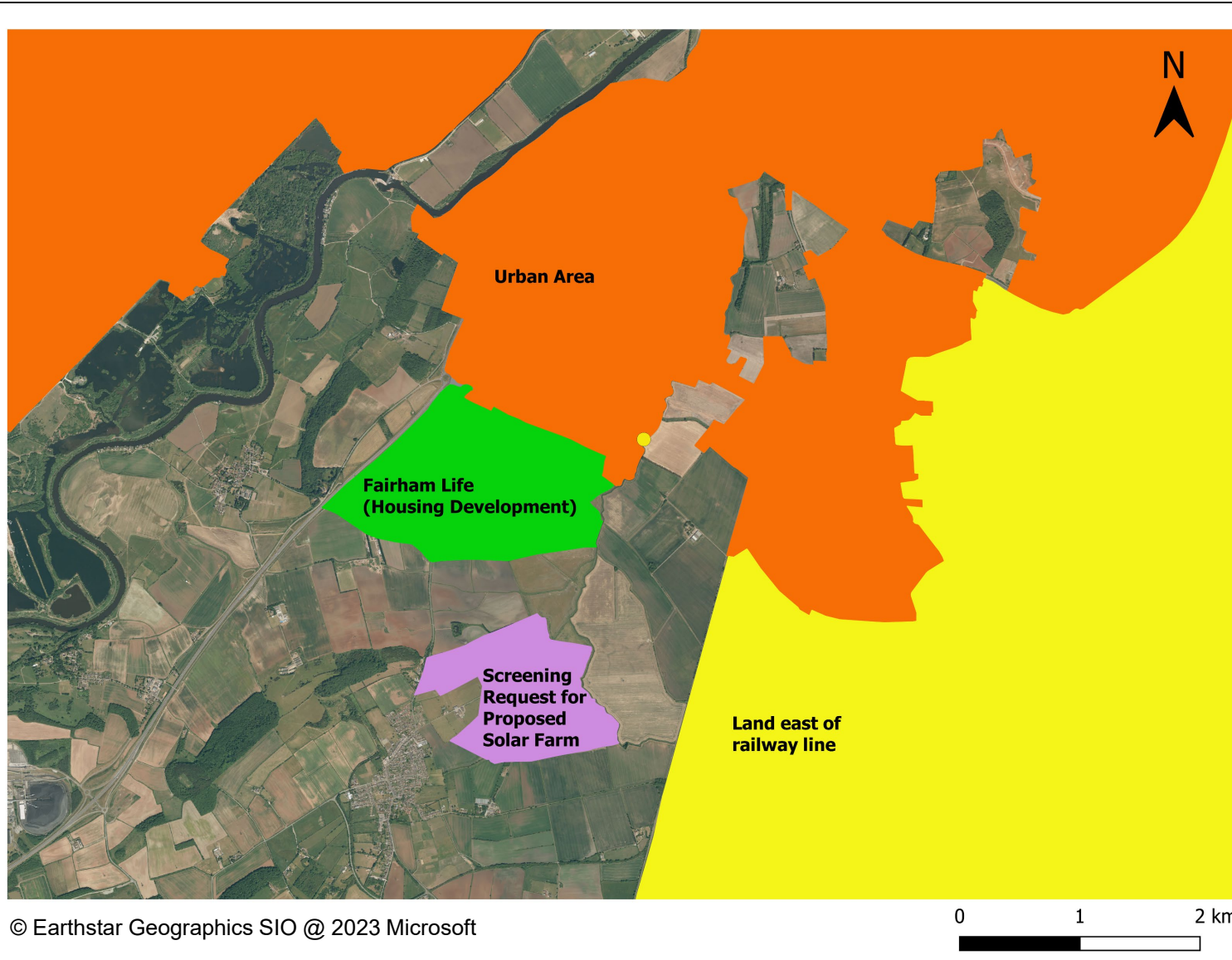
Legend

- Point of Connection to local electricity distribution network



Figure 1
Point of Connection to local electricity distribution network

Figure 2 – Categories of land unavailable for development



Legend



Point of Connection to
local electricity
distribution network

Categories



Fairham Life (Housing
Development)



Urban Area



Screening Request for
Proposed Solar Farm



Land east of railway line

Figure 2
Categories of land
unavailable for development

Figure 3 – Land unavailable for development



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0 1 2 km

Legend




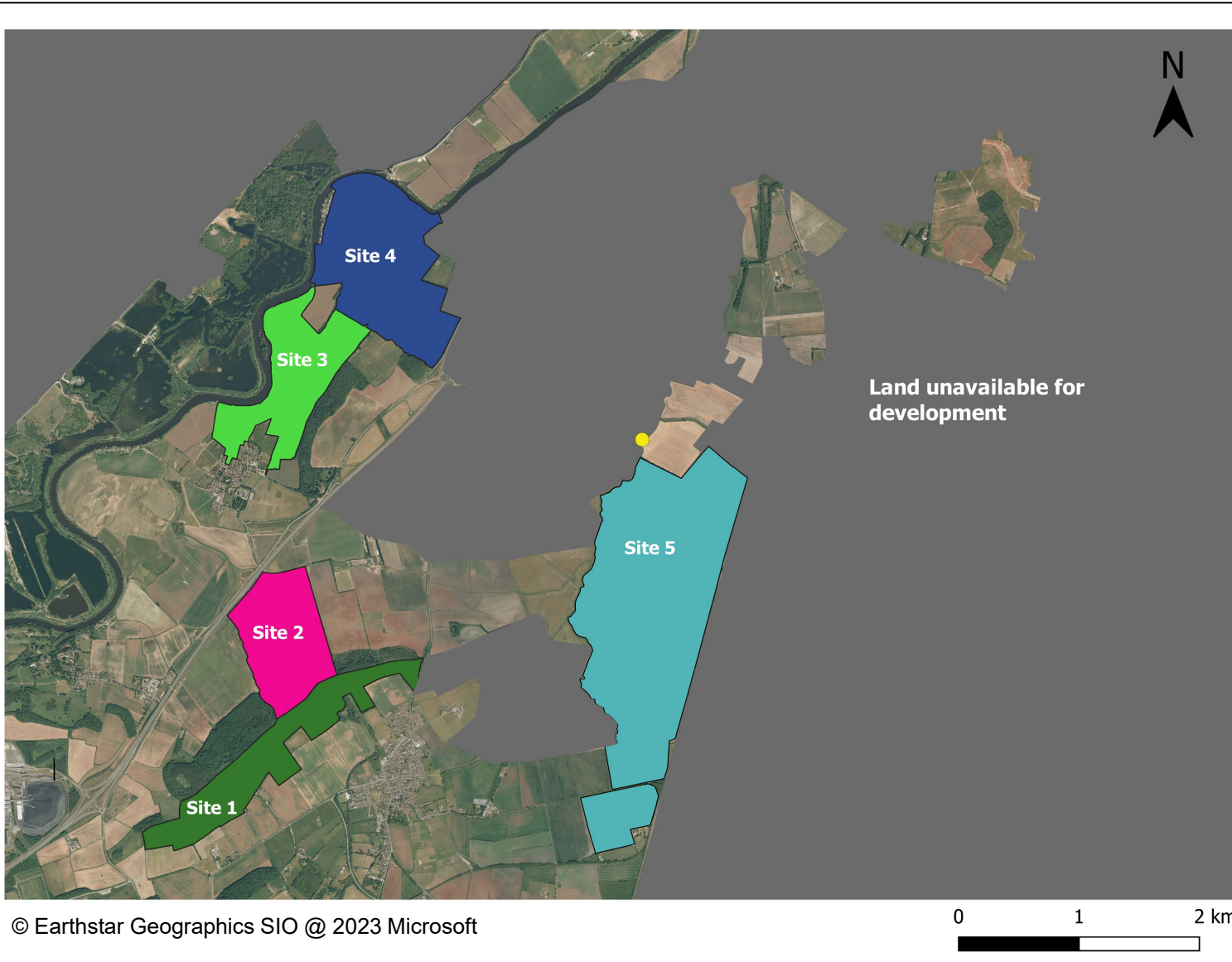


-  Point of Connection to local electricity distribution network
-  Land unavailable for development
-  Green Belt Land

Figure 3
Land unavailable for development

Figure 4 – Landholdings identified for consideration



Legend

-  Point of Connection to local electricity distribution network
-  Land unavailable for development

Landholdings Identified






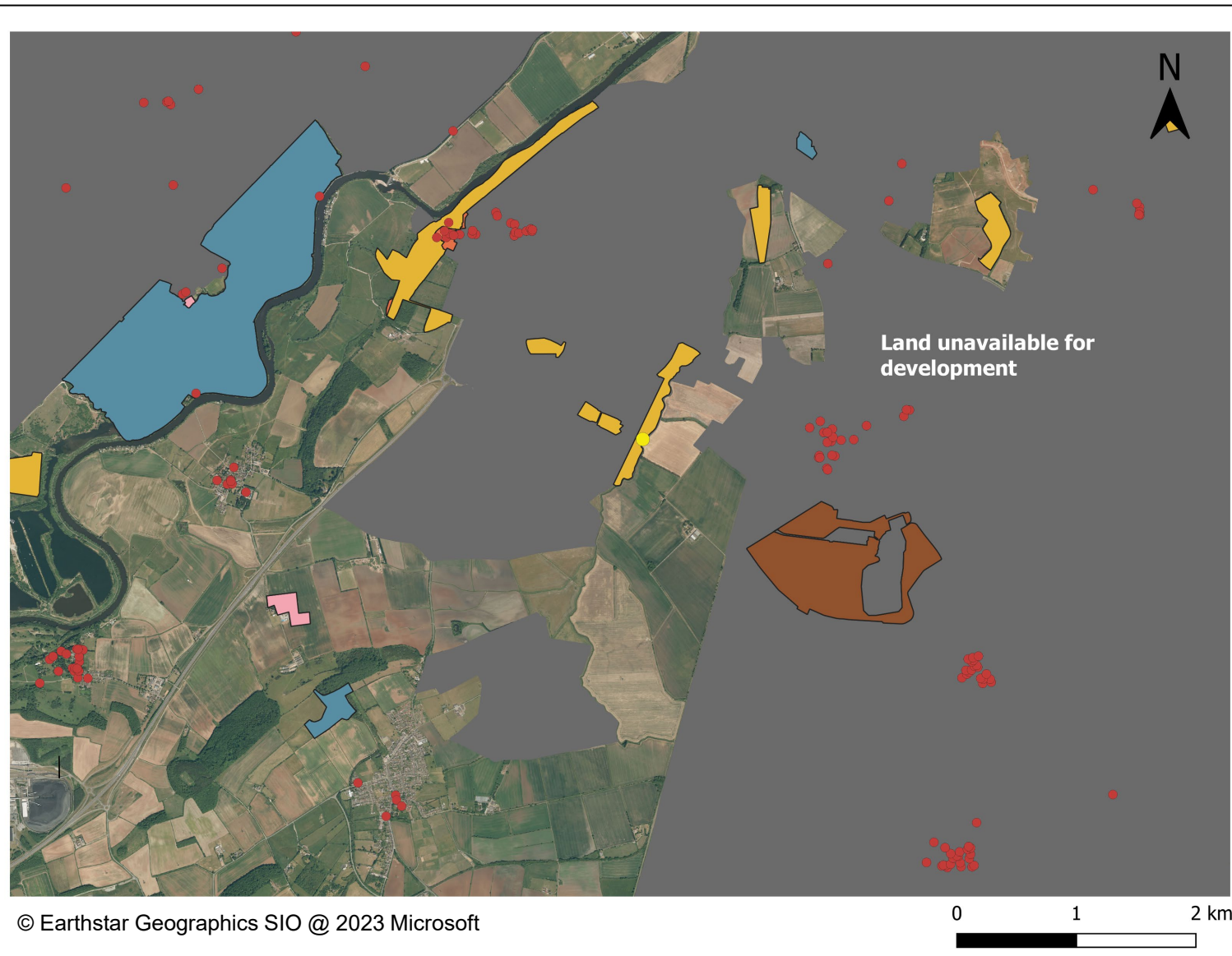








- | | |
|--|--|
|  Site 1 |  Site 4 |
|  Site 2 |  Site 5 |
|  Site 3 | |

Figure 4
Landholdings identified for consideration

Figure 5 – Environmental constraints



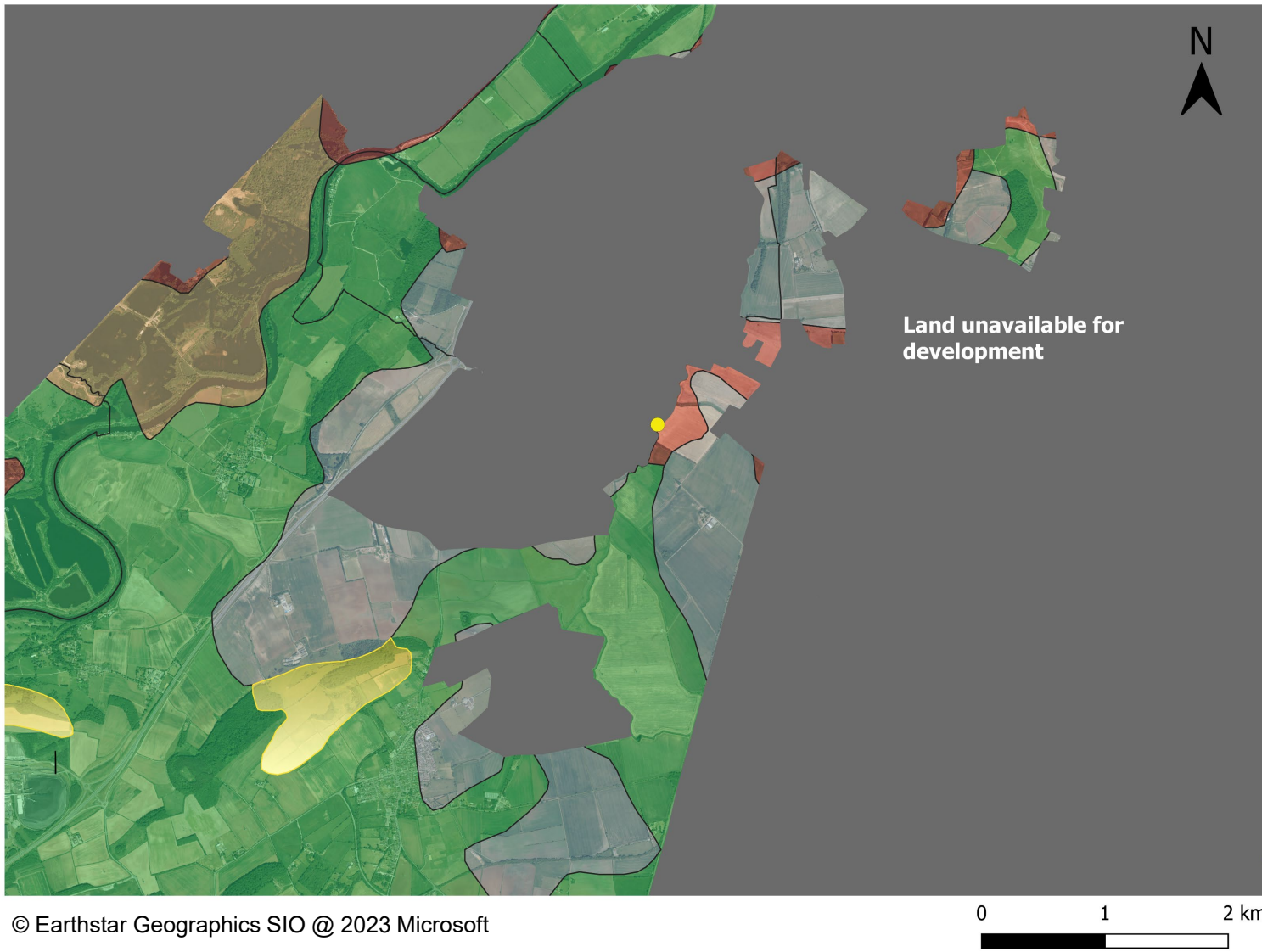
Legend

-  Point of Connection to local electricity distribution network
-  Land unavailable for development
- Environmental Constraints**
 -  Local Nature Reserves
 -  Country Parks
 -  Registered Parks and Gardens
 -  Sites of Special Scientific Interest
 -  Scheduled Ancient Monuments
 -  Listed Buildings



There are no Areas of Outstanding Natural Beauty, National Nature Reserves, National Parks, Ramsar Sites and Special Protection Areas, World Heritage Sites, and Registered Battlefields in the map extent.

Figure 5
Environmental Constraints

Figure 6 – ALC Grades (as provided by Natural England*)



Legend

-  Point of Connection to local electricity distribution network
-  Land unavailable for development

ALC Grades






-  Urban
-  Non-agricultural
-  Grade 2
-  Grade 3
-  Grade 4

Figure 6
ALC Grades (as provided
by Natural England*)

Figure 7 – Green Belt Land

