

**From:** [Emily Greenwood](#)  
**To:** [Emily Greenwood](#)  
**Subject:** FW: [EXTERNAL]:RE: APP/P3040/W/23/3330045: Land East of Hawksworth and Northwest of Thoroton, Thoroton  
**Date:** 15 July 2024 11:10:58  
**Attachments:** [Robert Browne Note on Additional Landscape and Visual Effects.pdf](#)  
[Robert Browne Note on the Rushcliffe Solar Farm Landscape Sensitivity and Capacity Study.pdf](#)  
[ET PlanningProposal\[1\]\[2\].pdf](#)  
[JB Statement - Notes on Towers.pdf](#)

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**From:** PlanningAppealsAdmin  
**Sent:** 12 July 2024 16:24  
**To:** 'Brown, Kerr' <KERR.BROWN@planninginspectorate.gov.uk>  
**Cc:** Claire Chamberlain <claire.chamberlain@res-group.com>; Helen Hamilton <marchesplanning@gmail.com>; Michelle Dunne <MDunne@rushcliffe.gov.uk>; kgarvey@kingschambers.com; Emily Temple <Emily.Temple@etplanning.co.uk>; Bobby Browne <robert.browne@w-wa.co.uk>; James Bate <jbate@rushcliffe.gov.uk>; Helen Knott <hknott@rushcliffe.gov.uk>  
**Subject:** RE: [EXTERNAL]:RE: APP/P3040/W/23/3330045: Land East of Hawksworth and Northwest of Thoroton, Thoroton

Hi Kerr,

Please see below and attached the response of the Planning Authority on the various matters requested by Inspector Woolcock.

**Written statement about the effects of the development shown on Figures 12a and 12b.**

Please find attached landscape and heritage statements about the effects of development shown on Figures 12a and 12b.

In light of the additional harm identified, this reinforces the Great and Significant weight I afford to Heritage and Landscape matters respectively, in the planning balance.

**Written statement setting out how the WMS applies to this appeal.**

The WMS is a material consideration in the determination of this appeal. The weight to be given to it is a matter for the decision maker, but it weighs against the proposal.

**Written statement on the Landscape Capacity Study**

Please refer to attached report.

**Written Statement to the Inspector's without-prejudice questions on various scenarios**

The Inspector will need to decide the appropriate approach to distinguishing, on the basis of capacity, between an NSIP scheme and one which is not.

The first question is whether this could be achieved by means of a suitably worded planning condition?

Yes, the LPA considers it can. However, if the Inspector were to determine the proposal is an

NSIP then the proposal would need to be reconsidered under the NSIP regime.

IF the answer is no - would the proposed development then meet the criteria for an NSIP scheme that would require development consent, and if so would that preclude granting planning permission?

N/a

IF the answer is yes - would it be the case that 'overplanting' <sup>[1]</sup> would no longer be a consideration that was relevant to answering the NSIP question - irrespective of the dc/MEC ratio for a scheme?

Yes - If the appeal scheme is found to constitute overplanting its irrelevant as not above threshold.

IF that is correct whether overplanting should nonetheless be taken into account in considering the planning merits of the proposal?

The LPA does not take a point on this matter as they do not have the resources to assess in such detail, but the LPA does consider overplanting should be taken into account because it results in landscape, heritage and character impacts, making the scheme larger in area than perhaps it would otherwise need to, to generate the same capacity.

IF so would the extent of overplanting be a consider likely to affect the area of land occupied by PV panels?

Yes – the LPA's understanding is that overplanting means covering larger area than otherwise required.

IF the PV panels in the local context would be likely to result in some harm to relevant planning considerations would there be more harm with more overplanting?

Yes, as site area under operational development is larger.

IF so would additional overplanting increase the quantum of harm in the planning balance?

Yes, as site area under operational development is larger.

IF overplanting would be likely to utilise the available grid connection more effectively by exporting at the MEC for a greater proportion of the time, would that increase the MWhr / year of renewably generated electricity exported to the grid above that which would be exported from a scheme with less overplanting?

Either potential to generate securing energy which cannot be utilised at beginning but as panels degrade over time it would increase generation closer to 49.9MW for longer.

IF so would that increase the quantum of benefit in the planning balance?

Yes, but given the amount cannot be quantified it is too notional to factor into the planning balance. We just don't know how much extra it would generate. As such it just reinforces the weight already ascribed by each of the parties.

In that scenario would the appropriate planning balance weigh any overall harm from the scheme over the duration of the development, along with any legacy harm, against the overall benefits of the scheme, including the addition to the grid of x MWhr / year of renewably generated electricity for the duration of the development, along with any legacy benefit?

The planning balance must be equal on both sides, so however harm is included for assessment, so the benefits of the same should be assessed too.

IF so how would that approach to the assessment of overplanting square with Footnote 92 of EN-3?

Inspector to decide if scale of overplanting proposed is “reasonable” as per footnote and whether the appeal development is “considered acceptable in a planning context so long as it can be justified”. There must be threshold point of providing more than is reasonable for what is required to generate the 49.9MW. It is the LPA’s case that the harm is disproportionately large for the unquantified benefit that the overplanting would provide.

**Written Statement to the Inspector’s Additional Question 5**

Views about the climate change allowance that would be appropriate here for flood risk assessment [CD1.24 p4.79 applies 100 year + 20%]”

The Council has obtained advice from the Environment Agency which is attached.

If you could ask the inspector what INQ docs I should number these that would be great.

Kind Regards

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Rushcliffe Borough Council

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