

VIA EMAIL:

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Dear Jayne,

Solar Farms in Newark and Sherwood – Cumulative Affect

I write with reference to the above, and further to your letter received on the 3rd December 2024 within which you posed a number of points in relation to solar farms within the district and the potential for cumulative impacts. I have replied to each of the specific questions posed, alongside some general commentary on the way in which the Council has a duty to consider as a decision-maker or consultee with such proposals. I am hoping this will not only provide some clarity on cumulative impacts (applicable to many developments beyond solar farms) but also allow the Parish to share this letter to a wider audience should you so wish.

It is worth stating at the outset that the Council, as the LPA, has a duty to consider any planning applications which is duly 'made' to it – which in simple terms is an application which is accompanied by the relevant [validation requirements](#). Save for very specific circumstances (such as an appeal scheme being resubmitted without any amendments to it) the Council is not able to turn away planning applications. If something is unacceptable in planning terms the route to determine this is to decide the planning application within the defined time limits. I make this point for two reasons. First, it is not lost on the Council that there remains a strong commercial interest in schemes being promoted for solar development and thus an increase in not only planning applications to the Council but also to Central Government, via the Secretary of State with Nationally Significant Infrastructure Projects (NSIPS). Something similar did occur previously with windfarm developments, which only ceased ultimately given an effective moratorium for onshore wind following a change in national government and policy. Second, the Council cannot impose a cap or limit applications for solar farm development it will consider or accept given each and every scheme must be considered and decided on its merits in accordance with the adopted Development Plan and other material planning considerations. What the Council can do is set out the expected information needed and the policy landscape to assess solar farm developments.

The Council is doing this, having recently consulted on a [Solar Energy Supplementary Planning Document \(SPD\)](#). Following the end of the Amended Allocations & Development Management DPD hearing sessions in December 2024 we are now considering responses to the SPD consultation, including your own, and will prepare a finalised SPD.

Cumulative Impact

Cumulative impact is understandably often raised when it comes to development proposals. This can be for various reasons including a propensity of similar type of development (solar) or lots of differing development proposals close to a single geography (such as the expansion of the South of Newark around Balderton, Fernwood and Middlebeck).

Legislation and case-law is clear that a decision maker (the LPA or Secretary of State via the Planning Inspectorate for NSIPs) must have regard to cumulative impacts. The challenges are at what stage a proposal is sufficiently advanced to be something that a decision-maker has enough detail to be able to make a considered judgement. It is clear that if a development proposal has planning permission or a planning application/NSIP is pending that it should rightly be considered in a cumulative way before a decision is made. Equally, it is clear that rumors of development without any detail cannot. There are then schemes 'in-between.' This may be ones that are going through the NSIP stages (which in the case of our district includes the A46 widening scheme, the One Earth Solar Farm, and the Great North Road Solar Farm). Where the Council is aware of the proposed details of a scheme through a formal process (such as an EIA Screening Request or an NSIP pre-consultation process) it will have regard to its cumulative effects. What the Council, as an LPA cannot do is delay or refuse to determine a planning application it has before it. If it were to do this an applicant can exercise their right to an appeal against non-determination, where the scheme is then decided by the Planning Inspectorate, mirroring an appeal process.

I trust this makes clear how and when cumulative effects must be considered. I now answer your specific questions below.

1. *NMPC ask that the actual cumulative effect and impact of solar developments attached to the Staythorpe grid connection hub and its associate Battery Energy Storage Systems (BESS) as well as other potential developments within the NSDC will be considered by officers and members?*

I can confirm that cumulative impacts and the resulting effects are and will continue to be considered by officers in respect of proposals for solar farms, Battery Energy Storage Systems (BESS) and associated infrastructure. Where applications are put before the Planning Committee, members are and will continue to be advised on this topic in the form of a Committee Report, so that the issues can be understood and weighed in the planning balance when making a final decision.

2. *As a parish heavily affected by the some of these developments, especially in relation to the lengthy construction phase/s, we seek your clarification and assurances on the following points.*

Can assurance be given that the development of multiple solar farms/parks in Newark and Sherwood are coordinated in general and in particular with regards to traffic?

Both this Council as the LPA and Nottinghamshire County Council as the Local Highway Authority (LHA) have a role to play irrespective of the decision-maker. We always seek the views of the LHA on these projects when there is a planning application to the Council. We also consult the LHA in imposing and discharging any traffic management conditions. The process is mirrored by the Planning Inspectorate with regard to NSIPs. Most planning permissions for large-scale solar farms have a Traffic Management Plan conditioned, the details of which will be shared with and reviewed by the LHA. The LHA also have a role in granting licenses to work on public roads, ensuring the need to coordinate not just across solar farms but all needs to work on or temporarily close roads (including utility providers for example).

The coordination of activity, including traffic management is an issue which has necessitated a coming together of public bodies in other circumstances, such as the developments to the south of Newark (Fernwood and Middlebeck particularly). Here we host an ongoing forum for all developers, the local school and Fernwood Parish Council to share intel and management so that we are all coordinated. This is something we intend to repeat for solar farm developments if, as and when they are consented.

3. *This is particularly important as the large GNR Solar Park is being determined by the Planning*

Inspectorate and Foxholes Holes, and other solar developments (below 50MW), will be determined by NSDC.

Agreed. The applicants for the GNR scheme have been asked to consider Foxholes and other solar developments within the district (including NSIPs) as part of their formal duty to consider cumulative impacts within their Environmental Impact Assessment (EIA) Work. This will all be available for public scrutiny in due course.

4. *The Foxholes development N/22/01983/FULM for instance, is not actually in the parish of North Muskham yet associated construction traffic will affect this parish significantly and arguably much more than even the hosting parish/s. To that end we would ask that NMPC be consulted on all aspects relating to traffic for this application.*

This is noted and understood. When it comes to formal consultations, we do have a duty to follow the regulatory requirements, but I do not see an issue in ensuring that NMPC are added to the consultee list for this proposal. We will also ask the applicant to engage directly with NMPC as part of any consultation process. Please note that at the time a proposal is received we will not as an LPA necessarily understand all of its impacts and thus may not identify a parish council as needing to be consulted immediately. We therefore always suggest reviewing the weekly list of planning applications [[Weekly List](#)] for completeness.

5. *There are of course no definitive timescales given for any of these developments as they remain undetermined. There is therefore a risk that the two developments take place at the same time or overlap for some period. Overall Traffic volumes would therefore need to be considered rather than in isolation.*

It is true that a planning or NSIP consent does not guarantee when a proposal will come forward or be completed. It is clear how long a development has to start as a consent comes with a time limit to implement it. That does not control the date by which a development needs to be completed. That said, the aforementioned need for traffic management will address such matters of coordination from a cumulative traffic impact perspective.

6. *The volumes of HGV traffic for any one development are certainly challengeable given the real status of the roads, proximity to the East Coast Main Line (ECML) and its associated crossings etc. Any overlap would increase the risk of accident, disruption, and inconvenience exponentially.*

Noted, highway safety is one of a number of key considerations for these forms of development and we will always seek detailed advice from the LHA as the responsible body for highway matters, so the risks to highway safety are properly understood. We consult them at the planning application stage and when it comes to detailed proposals for construction traffic management as part of the discharge of planning conditions. Again, we will also be looking to convene a traffic management forum across affected parishes and stakeholders as has successfully worked with developments to the South of Newark.

7. *The alternative to the two developments taking place at the same time is of course that they occur sequentially with an undetermined gap. This means the local villages, particularly North Muskham, are affected adversely, not by the developers optimistically stated 6 months and 24 months (for Foxholes and GNR respectively) but by a minimum of 30 months This must be considered and taken fully into account.*

Noted. I would only qualify that with the GNR project we are not the decision maker and therefore the construction impacts of this scheme would be considered by Planning Inspectorate (the appointed Examining Authority) but the Council have and will continue to make representations on the potential cumulative impacts of the project in its capacity as a statutory consultee. As mentioned, we have asked the applicant to consider the cumulative impacts of GNR as a whole alongside Foxholes and other solar developments.

8. *In addition, there is no guarantee that these two developments will be the last solar farms/parks in the immediate area. In particular potential Infill, in an around the GNR development could well be tempting for developers and landowners.*

Agreed, I would refer you back to my earlier point that the Council must consider all 'valid' planning applications, but that of course does not mean they will all receive planning permission. I would also add that the capacity of the grid and a connection agreement is something that a prospective developer must typically secure also and there is not 'unlimited' capacity in the network in this regard without costly reinforcement.

9. Whilst the solar industry is happy to quote only 0.6% of farmland is necessary to achieve government targets the figure locally will be considerably more. NMPC therefore ask NSDC to provide an indication of what the maximum number of solar park/farms or acreage covered would be acceptable in any given area and how much construction traffic would be.

I am afraid I am unable to give you a specific answer on this point, as this would form an arbitrary consideration that would pre-judge any development that may come forward. Moreover, the nature of impacts and the acceptability of those is influenced not only by each site and its characteristics, but the nature of the development proposed. There would be no policy basis (either nationally or locally) to set limits on the number of solar farms and/or the coverage of land. Notwithstanding this, please be assured that we always seek to scrutinise each and every project, in the context of all relevant planning policy considerations, including the potential for cumulative impacts.

Notwithstanding this, as mentioned earlier, the ability to secure a connection to the grid is a key consideration for a developer and there is not unlimited capacity, which may in itself offer a constraint to the number of solar developments that can secure connection to the grid. You wish to review 'indicative' information on grid capacity in the district, via the following website [National Grid - Network capacity map](#).

I do hope this letter offers clarity on your points of concern, however unpalatable this may be. It is clear that the LPA and local communities have ahead of them many debates and discussions given pending and expected planning and NSIP processes. We remain committed to maintaining dialogue and are always happy to attend a gathering of Parish representatives to share and/or repeat the processes involved. This is something Oliver Scott (Business Manager, Development) and I have done on multiple other occasions for developments such as to the South of Newark or Gypsy and Traveler Development. Please do reach out if you would find this valuable and we can arrange.

Should you have any further questions, please do not hesitate to contact me.

Yours sincerely



Matt Lamb
Director – Planning & Growth