



Cabinet

Tuesday, 11 November 2025

Ratcliffe on Soar Local Development Order

Report of the Director – Development and Economic Growth

Cabinet Portfolio Holder for Planning and Housing, Councillor R Upton

1. Purpose of report

- 1.1. In July 2023, the Council adopted a Local Development Order (LDO) for the former Ratcliffe on Soar Power Station to streamline the planning process and to specify the types of uses which would be permitted on the site. The LDO allows for the creation of an industrial park focused on advanced manufacturing (including technology needed to transition to net-zero), green and low-carbon energy generation, and energy storage. The LDO grants planning permission for the site's development in accordance with the conditions applied to the Order and the other provisions contained within it.
- 1.2. The site's owner, Uniper, has requested that the Council considers making a limited number of amendments to the LDO and that these are dealt with separately and ahead of the formal LDO review process that is due to take place in mid-2026. The proposed amendments are in respect of three matters:
 - a) to allow data centre uses to be located on the southern part of the site (land south of the A453);
 - b) to allow environmental mitigation works to come forward early with Council agreement; and
 - c) to allow Local Labour Agreements to be agreed on a plot-by-plot basis.
- 1.3. This report seeks Cabinet's approval to progress work to review these proposed amendments to the LDO, including to undertake statutory public consultation on the changes in draft. Cabinet's approval is also sought to agree that the Local Development Framework (LDF) Group considers and comments on the draft amendments ahead of public consultation.
- 1.4. Taking into account the comments made by the LDF Group, delegated authority to the Director – Development and Economic Growth is sought, in consultation with the Cabinet Portfolio Holder for Planning and Housing, to make alterations to the draft amendments prior to them being published for consultation. The public consultation would commence as soon as practicable following the LDF Group meeting.
- 1.5. The approval of Cabinet is also sought for the decision-making process following public consultation. It is proposed that the decision to adopt any

amendments to the LDO should be taken by Cabinet and will be the subject of a future report(s).

2. Recommendation

It is RECOMMENDED that Cabinet:

- a) approves commencement of a review to amendments to the Ratcliffe on Soar Local Development Order (LDO) relating to data centres, environmental mitigation works and Local Labour Agreements and that they be published in draft for public consultation;
- b) agrees that the Local Development Framework Group considers and comments on the draft LDO amendments ahead of public consultation;
- c) delegates authority to the Director – Development and Economic Growth in consultation with the Cabinet Portfolio Holder for Planning and Housing to make appropriate alterations to the draft LDO amendments prior to them being published for consultation; and
- d) agrees that approval of proposed amendments to the LDO will be a decision for Cabinet and subject to future reports.

3. Reasons for Recommendation

- 3.1. The key issue with the LDO at present is that, while it identifies data centres as an appropriate use on site, by restricting their delivery to the northern part of the site only, it is not possible to accommodate a major data centre on any part of the site in the short term. This is because the northern part retains the power station buildings, which first need to be demolished, and British Gypsum is seeking to bring forward an open cast gypsum mine on the northern hillside. By comparison, the southern site is less constrained and development on this part of the site can be brought forward more quickly. An amendment to the LDO to allow data centres on the southern part of the site would therefore enable both the site overall and the LDO's planning framework to respond to major data centre opportunities and initiatives arising now or in the near future.
- 3.2. To enable the LDF Group the opportunity to review the proposed LDO amendments ahead of public consultation. The proposed amendments have been drafted to respond to changing economic and national policy circumstances regarding data centres; to allow greater flexibility to bring about appropriate environmental mitigation works; and to address limitations within the LDO condition relating to Local Labour Agreements.

4. Supporting Information

- 4.1. In July 2023, the Council adopted a Local Development Order (LDO) for the former Ratcliffe on Soar Power Station to streamline the planning process and to specify the types of uses which would be permitted on the site. The LDO allows for the creation of an industrial park focused on advanced manufacturing (including technology needed to transition to net-zero), green and low-carbon

energy generation, and energy storage. The LDO grants planning permission for the site's development in accordance with the conditions applied to the Order and the other provisions contained within it.

- 4.2. The site's owner, Uniper, has requested that the Council considers making a limited number of amendments to the LDO and that these are dealt with separately and ahead of the formal three year LDO review process that is due to take place in mid-2026. The proposed amendments are in respect of three matters:
 - a) to allow data centre uses to be located on the southern part of the site (land south of the A453);
 - b) to allow environmental mitigation works to come forward early with Council agreement; and
 - c) to allow Local Labour Agreements to be agreed on a plot-by-plot basis.
- 4.3. The context for and rationale for these proposed amendments is set out more fully in a paper prepared by Uniper's consultants, Arup, at Appendix 1.
- 4.4. While it is a condition of the LDO that the Council will review the LDO's progress on the third anniversary of its adoption (i.e. July 2026) and at five yearly intervals thereafter, local planning authorities can legally review, modify or revoke an adopted LDO at any time in order to respond to issues that arise. This could include, for example, text changes or responding to changing policy, market demands or technology.
- 4.5. The LDO does not prescribe a process for review or revision and the legislation that would apply does not distinguish between original drafting and revising LDOs. There is, therefore, flexibility in when and how reviews are undertaken and the scope of any LDO revisions.

Data centre and the southern site area

- 4.6. The LDO already identifies data centres as an appropriate use, which aligns with the LDO's overall vision and aims for the site. However, the LDO currently restricts data centres to the northern part of the site (the land to the north of the A453). This situation arose from the original drafting of the LDO, when gigafactory type manufacturing uses (such as for battery and electric car manufacture) and green energy uses were central to the vision for the site. These were identified as suitable uses for the more visually and environmentally sensitive southern part of the site (south of the A453).
- 4.7. Since approval of the LDO, market conditions have evidently changed, as has the political situation, and there is nationally now a major initiative to bring forward data centre development quickly to help drive economic growth. In respect of national planning policy, changes to the National Planning Policy Framework (NPPF), which post-dates adoption of the LDO, specifically highlight and emphasise the importance of data centres for the national economy.

- 4.8. Specifically, NPPF paragraph 86 states: *“Planning Policies should: ...c) pay particular regard to facilitating development to meet the needs of a modern economy, including by identifying suitable locations for uses such as laboratories, gigafactories, data centres, digital infrastructure, freight and logistics”.*
- 4.9. Further to this, NPPF paragraph 87 states that: *“Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for: ...a) clusters or networks of knowledge and data-driven, creative or high technology industries; and for new, expanded or upgraded facilities and infrastructure that are needed to support the growth of these industries (including data centres and grid connections)”.*
- 4.10. Additionally, in September 2024, Government categorised data centres as Critical National Infrastructure, placing them in the same category as energy and water infrastructure. This means that data centres will benefit from government support in terms of security in the event of critical incidents, and also in recognition of the significant economic and employment benefits that they bring.
- 4.11. From a market and economic development perspective, the paper at Appendix 1 (at its Appendix A) prepared by Uniper’s consultant, Arup, highlights some associated economic benefits of data centres. Additionally, Arup has prepared a briefing paper (at Appendix 2) which identifies economic benefits for Rushcliffe and the wider area that potentially could arise from securing a major data centre development at Ratcliffe. The content of these papers would form part of the assessment of the LDO review.
- 4.12. Arup has also set out a case to support the principle that constructing data centres on the Ratcliffe site is already established and the LDO’s permitted uses would not need to change. Stating that in the LDO, the primary mechanism for controlling uses on particular areas of the site are the ‘Permitted Uses’ Parameter Plan, Section 2.4 of the LDO and the Design Guide. They propose amendments to these sections as set out in Appendix 3 (section 1). In summary these comprise:
- text changes to Section 2.4 to add an additional characteristic for acceptable uses to follow the wording in paragraph 87 of the NPPF and support the government ambition for developing AI and data centre growth;
 - the inclusion of additional text within the LDO’s statement of reasons (Sections 7.3 and 7.4) to support the changes made, including to highlight government initiatives and policy changes to support and bring about data centre development;
 - a text change to the key of the Permitted Uses Parameter Plan;
 - equivalent changes to the Permitted Uses Plan and table in the Design Guide; and
 - equivalent text changes within Design Principles LU3 and LU6.
- 4.13. Arup further suggests it would not be necessary to make other amendments as it is expected that data centres would comply with existing LDO conditions,

Parameter Plans and the Design Guide in all other respects. This includes compliance with the existing height restrictions for the Southern Site as controlled by the Maximum Heights Parameter Plan and Principles BH1 and BH2 of the Design Guide, and the requirement to provide strategic landscape buffers at the site perimeters, as set out in the existing Strategic Landscape Parameter Plan and Design Guide Principle SL1.

- 4.14. Arup also set out its view that the likely effects of allowing data centres on the southern area of the site would be no more significant to those uses already allowed for within this area, including in respect of highway matters. As such, there is no requirement to revisit and update any of the LDO's supporting evidence, including its environmental impact assessment. Additionally, this means that the very special circumstances originally demonstrated to justify the proposed development in the Green Belt remain relevant and do not need to be revisited.
- 4.15. All of these assertions would be tested and considered as part of the LDO review and consultation.

Biodiversity Net Gain and other environmental migration proposals

- 4.16. While mandatory targets for achieving Biodiversity Net Gain (BNG) do not apply to LDOs, the adopted Ratcliffe on Soar LDO aims to achieve a target of at least 10% gain, reflecting the mandatory target set for planning applications. As part of delivering this requirement, included within the LDO is a hierarchy of delivery for BNG – see Appendix 1, section 2.1. Third in the hierarchy is the ability to deliver other environmental mitigation proposals as agreed with the Council, which would be equated to equivalent BNG units based on cost incurred. Developers are required to demonstrate how they apply this hierarchy in Certificate of Compliance (CoC) applications; approval of which is required before detailed development schemes can go ahead.
- 4.17. The LDO as drafted requires CoC applicants to evidence that they are unable to deliver the previous options in the hierarchy before a lower order mitigation can be accepted. A caveat is included in the final paragraph of the LDO's Section 3.3, to allow the provision of environmental schemes falling into option 3 ahead of option 2, with the agreement of the Council.
- 4.18. In practice, this wording has created an unforeseen difficulty. A potential environmental scheme was identified which could be enabled by the LDO. This involved the purchase and enhancement of the nearby Strawberry Wood at Gotham, which would deliver a significant environmental benefit. The idea had the support of the local community. This proposal would fall under option 3 of the BNG hierarchy, however the difficulty is that, as there is currently no individual plot developer ready to make a CoC application, there is no means to evidence that options 1 and 2 cannot be met. This prevented delivery of what would be a significant, and popular, environmental gain which could have been provided through the LDO.
- 4.19. It is proposed that an amendment is incorporated to allow suitable mitigation schemes falling within option 3 to be delivered ahead of options 1 and 2, subject

to the agreement of the Council. This would address the situation above and environmental mitigation proposals, such as the Strawberry Wood proposal to come forward. The proposed modifications to the LDO are set out in section 2 of Appendix 3.

Local Labour Agreements

- 4.20. Condition 9 of the Ratcliffe LDO requires applicants to submit a Local Labour Agreement (LLA) to demonstrate that the development offers employment opportunities for local people during the construction phase. The condition requires the LLA to be submitted for approval prior to the commencement of development on any part of the site. The current wording of the condition is set out at section 3.1 of Appendix 1.
- 4.21. This wording is considered ambiguous and can be interpreted as requiring a single LLA to be submitted and approved prior to the commencement of the first development and thereafter to be adhered to by all plot developers. For practical reasons this interpretation would be difficult to comply with. Development is likely to come forward in a number of phases or on a plot by plot basis, with each plot developer employing its own contractors and methods of working. It would therefore be extremely difficult to draft a LLA that could be applied to all such developments over the lifetime of redeveloping the whole site. To remove any ambiguity, it is proposed that the condition wording is adjusted to make clear that individual LLAs are to be submitted for each individual plot, prior to commencement. The proposed amendments to the condition are set out in section 3 of Appendix 3.

5. Alternative options considered and reasons for rejection

The Council could choose to not consider making amendments to the LDO at this stage. However, it is considered that amendments should be progressed in order to respond to important and relevant changing circumstances and thereby enable the LDO to continue to provide the best possible planning framework to support and help bring about the redevelopment and regeneration of the former Ratcliffe on Soar Power Station site.

6. Risks and Uncertainties

There is a risk that the Ratcliffe on Soar Power Station site remains undeveloped following its decommissioning. The LDO was adopted in 2023 to help mitigate this risk and, by allowing it to evolve and change over time where necessary and appropriate, this should help further in managing this risk.

7. Implications

7.1. Financial Implications

- 7.1.1 There are limited financial costs associated with the work required to amend the LDO. Most of the supporting work prepared to date has been undertaken by consultants Arup who have been appointed and paid for by the site owners, Uniper. There will be Council officer time required to

support the process of making LDO amendments, which can currently be contained within existing resources. The Council is; however, negotiating with Uniper for it to reasonably cover any associated costs of the Council.

- 7.1.2 Any costs that will need to be borne by the Council should, however, be considered and balanced against the longer term benefits of facilitating significant and sustainable economic growth.

7.2 Legal Implications

Local Planning Authorities (LPA) can grant planning permission for development specified in an LDO. The legislative procedures that must be followed in order to bring forward and adopt an LDO (or in this case make amendments to an existing LDO) are set out in sections 61A to 61D and Schedule 4A of the Town and Country Planning Act 1990, as amended, and Articles 38 and 41 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Schedule 4A(3) of the 1990 Act specifies that an LDO (or in this case amendments to an existing LDO) is of no effect unless it is adopted by resolution of the LPA. The legislation does not distinguish between original drafting and revising, and therefore the same procedures apply (e.g. a requirement for a minimum 28 days consultation on draft proposals with prescribed bodies and other bodies, as per a conventional planning application).

7.3 Equalities Implications

A key reason for preparing an LDO was to deliver new development to help achieve the aims of the East Midlands Freeport. Inclusive growth is a key theme for the Freeport and the Government's intentions for its Freeport Policy, ensuring that, as far as possible, the Freeport brings benefits for all; supporting the national economy and, as well as creating jobs, the focus is on the quality as well as the accessibility of those jobs.

7.4 Section 17 of the Crime and Disorder Act 1998 Implications

There are no crime and disorder implications associated with this report.

7.5 Biodiversity Net Gain

See sections 4.16 to 4.19 of this report.

8. Link to Corporate Priorities

Quality of Life	The development of the former Ratcliffe on Soar Power Station site has the potential to benefit local residents' quality of life through the provision of new jobs and improved infrastructure, including blue and green infrastructure.
Efficient Services	There are no implications.
Sustainable Growth	The development of the Ratcliffe site through an LDO could attract a significant number of new businesses and jobs. The

	Order sets appropriate parameters and conditions to ensure that development is acceptable in planning and sustainability terms.
The Environment	The vision for the Ratcliffe site is to move towards becoming a zero-carbon technology and energy hub for the East Midlands. The emerging plans for the site have the potential to create jobs based around modern industrial and manufacturing uses, with sustainable onsite energy generation providing a local source of low carbon heat and power.

9. Recommendation

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For more information contact:	Richard Mapletoft Planning Policy Manager 0115 914 8457 rmapletoft@rushcliffe.gov.uk
Background papers available for inspection:	The Ratcliffe on Soar Local Development Order and associated documents are available at: https://planningon-line.rushcliffe.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=REUKMZNL0CB00
List of appendices:	Appendix 1: Ratcliffe on Soar Local Development Order Proposed Amendments Appendix 2: Data Centre Opportunity at Ratcliffe-on-Soar Briefing Paper Appendix 3: Ratcliffe on Soar LDO – Schedule of Proposed Amendments