

**Appendix 3: Ratcliffe on Soar Local Development Order Proposed
Amendments (consultation version)**

Ratcliffe-on-Soar Local Development Order

Proposed Amendments

November 2025

Preamble

There are three consultation documents for the proposed revisions to the Ratcliffe on Soar Local Development Order:

1. Ratcliffe on Soar Local Development Order – Proposed Amendments (which is this document);
2. Ratcliffe on Soar Local Development Order – Schedule of Proposed Amendments; and
3. Data Centre Opportunity at Ratcliffe on Soar Briefing Paper.

Ratcliffe-on-Soar Local Development Order

Proposed Amendments

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Recognising that the Ratcliffe Site will play a vital role in delivering on the Government's ambition to meet the needs of a modern economy, to support growth in Artificial Intelligence and identify locations for data centres, it is proposed that amendments are made to the Ratcliffe-on-Soar LDO to ensure that the LDO is fully aligned with this ambition and can allow development to come forward quickly. Two other procedural improvements are also proposed to improve the implementation of the LDO. It is proposed that these amendments are treated separately from the formal LDO review process scheduled to take place in 2026.

This paper sets out the context and rationale for the proposed amendments and identifies the changes to the LDO documents. It also sets out the legislative basis for implementing these amendments and the relationship to the formal LDO review process.

The Arup 'Ratcliffe on Soar Local Development Order – Schedule of Proposed Amendments' paper set out the proposed amendments in detail. Appendix A provides information on data centre developments and highlights their economic benefits.

1. Data Centres on Ratcliffe's Southern Site

1.1 Context and Government Policy

Since the adoption of the LDO, there has been a significant and continuing, world-wide, growth in demand for data centres, driven by the growth of Artificial Intelligence (AI) and Machine Learning (ML). This is a fast moving, globally competitive market, which offers major benefits for countries who can capture these multi-billion pound investments.

Government is actively working to ensure that the UK can attract this investment and benefit from the growth of AI. Government has published its AI Opportunities Action Plan¹ which seeks to establish Artificial Intelligence Growth Zones (AI Growth Zones) to help accelerate the delivery of data centres and AI infrastructure.

The Ratcliffe Site is very well placed to deliver on these aims and ambition, having unique characteristics which make it highly attractive to data centre developers and investors - power availability, access, land availability and the proximity to a skilled workforce. The LDO also allows planning consent for data centre uses which further increases the Site's attractiveness.

1.2 Planning Policy Changes

To support the delivery of data centres and AI technology, Government has recently introduced changes to the national planning policy framework (NPPF) to place significantly greater emphasis on promotion of data driven high technology and creative industries. These changes include

Section 6, paragraph 86 of the NPPF, **Building a strong, competitive economy**, states that:

Planning Policies should:

¹ <https://www.gov.uk/government/news/prime-minister-sets-out-blueprint-to-turbocharge-ai>

- 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;*

and 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**);*

From September 2024, Government categorises data centres as **Critical National Infrastructure**, placing them in the same category as Energy and Water. This means that data centres will benefit from government support in terms of security and in the event of critical incidents but also in recognition of the significant economic and employment benefits that they bring.

1.3 Data Centres and the Ratcliffe-on-Soar LDO

The Ratcliffe-on-Soar LDO identifies data centres as an appropriate use for the site, which aligns with the Council's overall aims and vision for the site. However, the LDO currently restricts data centres to the Northern Site.

This situation arose from the original drafting of the LDO, when gigafactories (such as for battery and electric car manufacture) and green energy uses were central to the vision for the site. The Council therefore identified these as suitable uses for the more visually and environmentally sensitive Southern Site.

As outlined above, since the approval of the LDO, market conditions and the political landscape have changed, and there is now a major initiative to bring forward data centre development quickly to help drive economic growth. These data centres are also getting larger and delivery programmes are becoming much shorter.

At Ratcliffe, on the Northern Site, plans are currently in-train to start the demolition of the power station complex and British Gypsum is seeking to bring forward an open cast gypsum mine on the northern hillside. These activities mean that major development on Northern Site cannot come forward in the short term.

The Southern Site at Ratcliffe is less constrained and development on this site can be brought forward more quickly. Therefore, in order to respond to the rapidly evolving national economic and planning policy landscape, it is proposed that the Ratcliffe-on-Soar LDO is modified to allow data centre uses to come forward on the Southern Site.

Data-centres on the Southern Site are considered to be compatible with the vision and principles of the LDO. These are significant investments (£billions) that create high-value employment and bring significant benefits to the local economy. Their buildings would be capable of fitting within the approved LDO parameters for the Southern Site, including their height, and would align with the Design Guide. Appendix A to this document provides details of the data centre market and provides examples of similar, large-scale, data centre developments and their economic impact.

1.4 Proposed Amendments

The principle of constructing data centres on the Ratcliffe Site is already established and the permitted uses would not need to change. The proposed amendment is to allow data centre uses to come forward on the Southern Site.

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. The proposed changes to these sections are set out in the 'Ratcliffe on Soar – Schedule of Amendments' paper. 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.
- 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
- Equivalent text changes within Design Principles LU3 and LU6

It would not be necessary to make other changes as it is expected that data centres will comply with LDO conditions, Parameter Plans and 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.

2. Providing Biodiversity Net Gain

2.1 Context

The Ratcliffe-on-Soar LDO sets out a commitment to deliver a high quality and sustainable development. Whilst mandatory targets for achieving Biodiversity Net Gain (BNG) do not apply to Local Development Orders, the adopted Ratcliffe LDO aims to achieve a target of at least 10% gain, reflecting the mandatory target set for planning applications.

The approach taken is set out in Section 3.3 of the LDO and Statement of Reasons document and broadly follows the statutory format, including establishing a hierarchy of delivery as set out below. Developers are required to demonstrate how they apply this hierarchy in Certificate of Compliance (CofC) applications (approval of which is required before detailed development schemes can go ahead):

- 1) *BNG units to be provided on-site (for example, areas of strategic landscaping, soft landscaping within development plots and green roofs on buildings).*
- 2) *BNG units to be provided off-site on land elsewhere in Rushcliffe Borough with a management agreement for 30 years.*
- 3) *Other environmental mitigation proposals as agreed with the Council may be implemented. Such proposals will be equated to BNG units.*
- 4) *BNG units to be provided off-site on land near Rushcliffe Borough.*
- 5) *A financial contribution in lieu of BNG payable to the Local Authority.*
- 6) *Purchase of equivalent credits under the Government's National Credits Scheme*

Option (3) above was introduced into the Ratcliffe LDO to allow environmentally beneficial schemes to come forward. An example of a suitable environmental scheme in this category is given as the proposed Fish Pass at Thrumpton Weir

The LDO as drafted requires CofC 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 Section 3.3, to allow the provision of environmental schemes falling into Option (3) ahead of Option (2), with the agreement of the Council.

In practice this wording has created an unforeseen difficulty. A potential environmental scheme has been identified which could be enabled by the LDO. This involved the purchase and enhancement of a nearby woodland - 'Strawberry Wood' in Gotham, which would deliver a significant environmental benefit. The idea had the support of the local community and local politicians. This proposal would fall under Option (3) of the BNG hierarchy, however the difficulty in planning is that, as there is currently no individual plot developer ready to make a CofC 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 be provided through the LDO.

2.2 Proposed Amendment

It is proposed that a 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 allow the Strawberry Wood proposal to come forward.

No amendment is being sought to the overall number of BNG units to be provided, nor are any changes proposed to the BNG hierarchy.

The suggested revisions to text within Section 3.3 of the LDO and Statement of Reasons, are set out in the 'Ratcliffe on Soar LDO – Schedule of Amendments' paper.

3. Local Labour Agreements

3.1 Context

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 condition wording is:

The development hereby permitted must not be commenced on any part of the Site until a Local Labour Agreement (LLA), for the Site's construction phase(s), has been submitted to and approved in writing by the Council. The LLA must show how opportunities for people living in the locality, including employment, apprenticeships and training, will be provided throughout the construction phase(s) of the Site. All development of specific plots or development areas within the Site must be carried out in accordance with the approved LLA.

The current wording is somewhat ambiguous and can be interpreted as requiring a single LLA to be submitted for approval prior to the commencement of the first development and thereafter to be adhered to by all plot developers.

For practical reasons this interpretation of the condition 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 a significant period of time.

3.2 Proposed Amendment

In order to remove any such 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 revised wording is set out in the ‘Ratcliffe on Soar – Schedule of Amendments’ paper.

4. Legislative Framework & Guidance for LDO Amendments

Good practice guidance produced by PAS² emphasises the need to build in flexibility to LDOs and allow for their review, stating, *“It is important that LDO’s do not constrain opportunities to respond to future development demands or to keep up to date with changes in technology or new standards”*.

Schedule 4A (2) of the 1990 Town and Country Planning Act states

“2 (1) The local planning authority may at any time prepare a revision of a local development order” ...

The Council is therefore able to amend or revise the LDO at any time, in order to respond to issues that arise. This would include, for example, the need for text changes or addressing other matters preventing or delaying delivery of development consented by the LDO, or to respond to changing policy, development demands or technology.

The Ratcliffe LDO does not prescribe a process for the review or revision, and the legislation does not distinguish between original drafting and revising. Guidance can be taken from Article 38 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO) which sets out the processes for preparing an LDO, the key stages of the drafting and adoption process being:

- Draft the (revised) LDO document
- Screen against EIA Regulations for any additional/new significant effects (There are no effective changes in terms of environmental impacts, so assumed this is negative)
- Consult with prescribed bodies and other bodies as per a traditional planning application (minimum 28 days)
- Publicise via notices on site and in the press
- Place the revised LDO on the Planning Register
- Consider representations
- Adopt the revised LDO by a Resolution of the LPA
- Send a copy to Secretary of State

The LDO incorporates a requirement for formal revision as described in section 5 below. However, given the rapid evolution of AI technology, the critical importance that the UK Government is placing on provision of data centres, it is argued that there is a strong case for a making ‘amendments’ to the LDO, ahead of the scheduled comprehensive review of the LDO in mid-2026. (as required by condition 1 of the LDO).

² <https://www.local.gov.uk/sites/default/files/documents/LDO%20Guidance%20Document%20March%202019.pdf>

It is proposed that the Council would undertake a 28-day consultation focused only on proposed wording changes (i.e. consultation focussed purely on the proposed changes outlined above).

5. Alignment with the formal LDO Review Process

Condition 1 of the Ratcliffe LDO sets out a requirement that the LDO is reviewed 3 years from its adoption, i.e. 13th July 2026 and thereafter at 5 yearly intervals. It is envisaged that this scheduled review would involve:

- A review of whether LDO is achieving its aims & facilitating development
- Providing other parties with the opportunity to comment about any other aspect of the LDO
- Options to introduce new/different concepts etc.
- Wider consultation – allowing parties to introduce or comment on other issues

This may be a wide-ranging review and involve input from many different stakeholders. This may take time, and may require additional technical work if changes to development parameters are proposed.

It is important that this Review is undertaken, however the changes that may be introduced could be more extensive than the amendments set out above. It is therefore proposed that the amendments set out in this paper are considered and processed separately, and ahead of the more comprehensive review scheduled for July 2026.

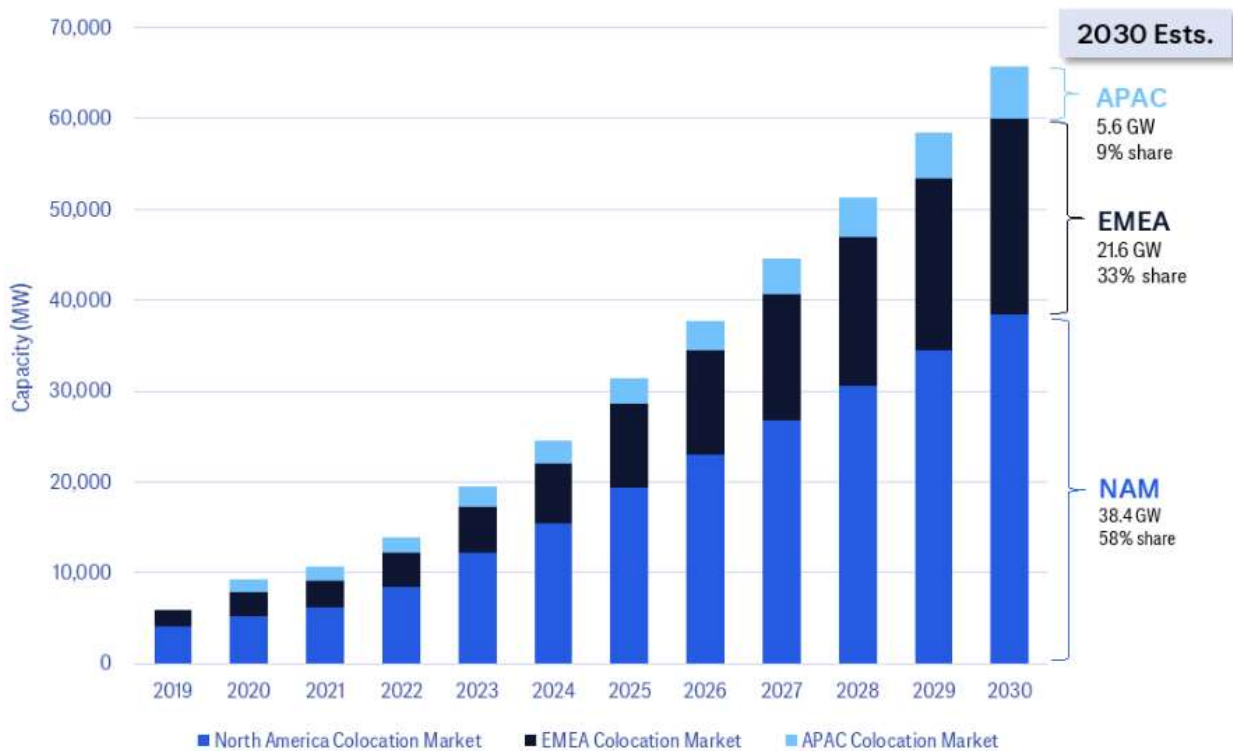
Appendix A

Data Centre Case Studies & Economic Benefits

Data Centre Market Conditions

The use of AI and machine learning has expanded dramatically during the past years. More data is being stored and shared across the world. Data-centre developers are responding to this change, investing £bn's to create global networks of linked data-centres which can respond to this demand.

The graph below outlines the forecast exponential growth in data centre capacity and highlights capacity more than tripling between 2023 (when the LDO was approved) and 2030.



Graph – Forecast global growth in data centre capacity (Source Citi Group)

This is fast-moving, global market. Operators are looking for large, available sites, with a large power supply and a supportive planning environment where they can deliver new, large-scale, data centres.

Data Centres – example projects (by Arup)



Equinix 24MW



Equinix 24MW



Hyperscale WXT 90MW



Hyperscale 60MW



Avalon UK 120MW



Hyperscale 96MW

Local economic benefits

Data centre development can generate significant indirect economic benefits for the local region (see Hertsmere case-study below). A data centre at Ratcliffe could support the growing gaming industry in Nottinghamshire (e.g. Games Workshop, Sumo Digital and Dambuster Studios). It would also support the local universities and research centres, including NTU's Confetti campus that focuses on creative and digital courses and an e-sports venue, and Nottingham University's 'Digital Nottingham', a new hub connecting University, communities and businesses.

Whilst not a planning consideration it is estimated that a datacentre on the Southern Site could potentially generate £2-£3m annually in rates³. Under Freeport legislation this income can be retained by the Local Authority. This will help mitigate the loss of rates income following the closure of the Power Station.

Unlocking the LDO Site

Unlocking major development projects often require significant infrastructure investment. This is the case for the Ratcliffe Site, where investment is required to help deliver capacity improvements on the highway network - in particular at M1 Junction 24. Whilst a large data centre development is unlikely to generate excessive vehicle trips, it could generate a significant s106 contribution which could partly be directed towards highway capacity improvements. The development could also provide robust business case for the public sector to borrow against future business rates income (as allowed under Freeport powers) to release additional funding for highway improvements.

A data centre development delivered in the coming years on the Southern Site, could therefore help unlock the wider development opportunity of the Ratcliffe Site.

³ Taken from a sample of existing data centres; actual figure will be based on rateable value of the building multiplied by the national multiplier figure and minus any rate relief (Applicable in Freeports for first 5 years)

Case Study - Hertsmere

In January 2025 Hertsmere Borough Council's planning committee gave outline permission ⁴for a data centre development that would provide 186,000 square metres of use class B8 (storage and distribution) floorspace, on 34.4-hectares of green belt agricultural land next to South Mimms services on the M1 in Hertfordshire. This was said to be Europe's largest data centre.

The Council considered that the site met the definition of Grey Belt and, in approving the scheme, the officer report stated that the harm to the Green Belt was outweighed by the substantial benefits of the proposal, including meeting a proven need for data centre and the economic benefits, including employment.

Economic projections estimate the construction value of the project at £3.75bn with a year-round generation of £21.4m in business rates once the data centre is operational, the statement added. The data centre would also create 500 skilled on-site jobs during the construction phase, 200 permanent, skilled jobs once operational and a further 10,900 indirect jobs, the Council said.

In making the announcement of data centres as Critical National Infrastructure the Technology Secretary, Peter Kyle, cited the investment of nearly £4 billion in Hertsmere - Europe's largest data centre. He said will support almost 14,000 jobs across the country⁵.



Visualisation of the Hertsmere data centre (Source - DC01UK)

⁴ Source: Planning Magazine online article 24th February 2024

⁵ [Data centres to be given massive boost and protections from cyber criminals and IT blackouts - GOV.UK](#)

Case Study – Abbots Langley

In May 2025 outline permission for a data centre comprising 2 buildings totalling 84,000sqm of floorspace on Green Belt land at Abbots Langley in Hertfordshire was approved on planning appeal⁶. The appeal was called in and determined by the Housing Minister where it was agreed that the land constituted ‘Grey Belt’ land. The Inspector attributed significant weight to “a clear and pressing need for new data centre capacity”, a lack of alternative sites, the economic and employment benefits and the creation of a country park.



Images of the Abbots Langley data centre (Source - Pegasus Group Design and Access Statement)

⁶ Source: Planning Magazine online article 13th May 2025