

Grey Belt Assessment for Nuneham Solar Farm.

Land at Nuneham Solar Farm.

On behalf of RES Ltd.

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Contents

1. Introduction.....	1
2. Description of the Proposed Development.....	5
3. National Policy and Guidance on Green/Grey Belt	6
4. Summary of South Oxfordshire Green Belt.....	9
5. Effects on the Green Belt Purposes and consideration of the Grey Belt Definition.....	11
7. Conclusion.....	19

1. Introduction

- 1.1. Pegasus Group have been instructed by RES Ltd to undertake a Grey Belt Assessment on land comprising the Nuneham Solar Farm site. The purpose of this report is to determine if the Site can be regarded as Grey Belt land and therefore suitable for renewable energy development based on the parameters established within the National Planning Policy Framework (December 2024) and the Green Belt Planning Practice Guidance (February 2025). The Government have released a revised National Planning Policy Framework on 16th December with a consultation running until March 2026. Whilst it is not yet formally adopted, it is considered that this is a clear direction of travel from the Government and attracts limited weight in the determination of this application.

- 1.2. The site lies to the North-West of Nuneham Courtenay and comprises approximately 56.87 hectares of agricultural land. The assessment considers the site's role in fulfilling the five purposes of the Green Belt as set out in paragraph 143 of the most recent version of the National Planning Policy Framework NPPF (December 2024) and Planning Practice Guidance (PPG, February 2025). Particular consideration is given to purposes (a), (b) and (d) identified as considerations within the definition Grey Belt set out in national planning policy.

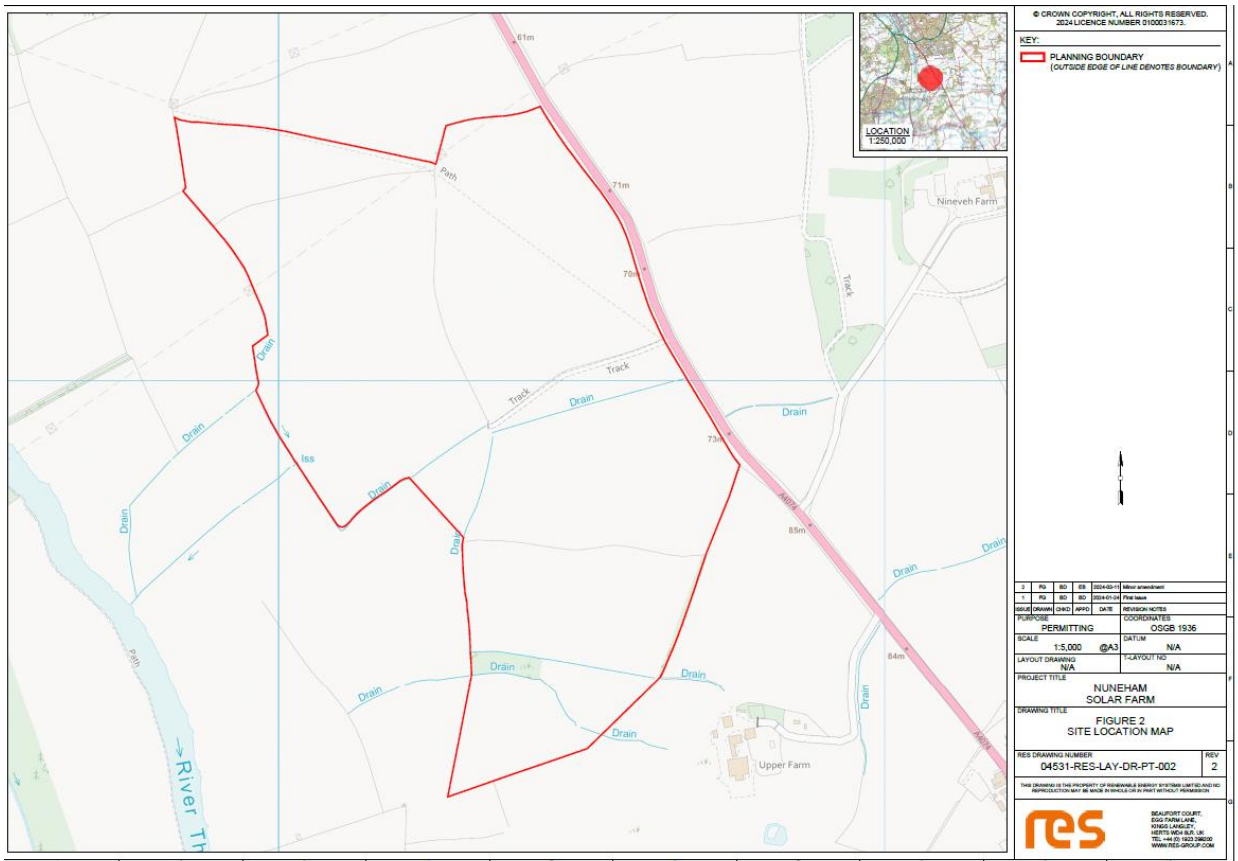


Figure 1- Site Location Plan

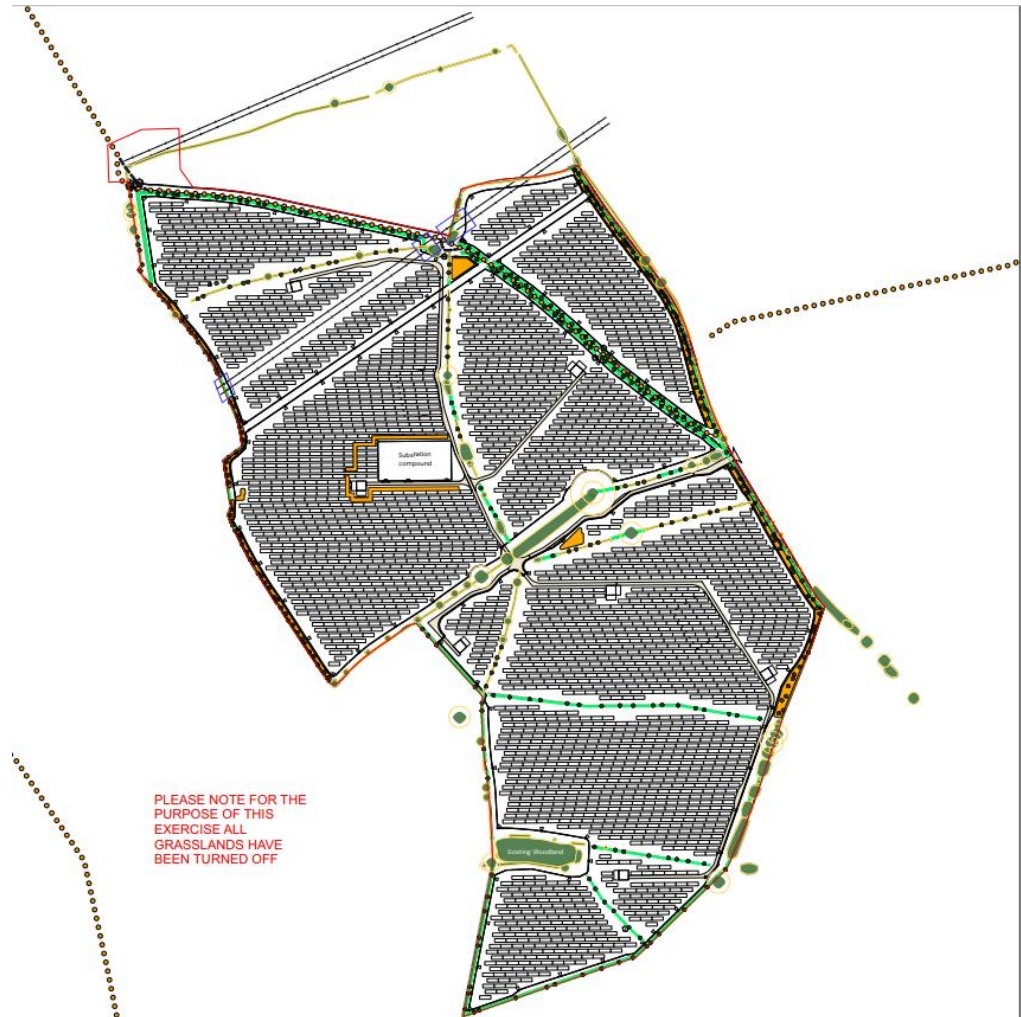
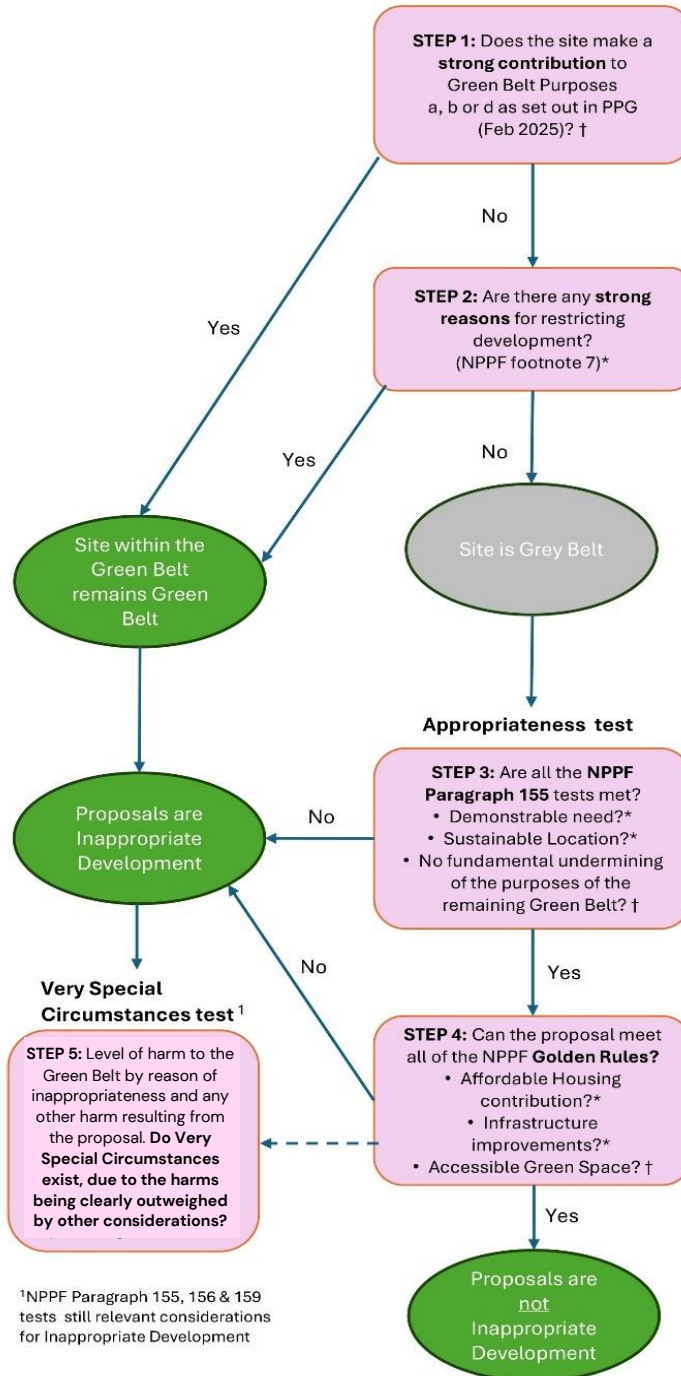


Figure 2–Proposed Site Layout Plan

- 1.3. Following the consideration of the contribution of the site to the Green Belt purposes falling within the Grey Belt definition, the second step in determining Grey Belt land is to consider whether any policies relating to the area or specific assets are of particular importance. This is established in Footnote 7 of the NPPF, which refers to nationally significant designations that may justify restricting development regardless of other considerations. These include protected habitats such as Sites of Special Scientific Interest and Natura 2000 Sites, land designated as Green Belt or Local Green Space, and nationally recognised landscapes including National Parks, National Landscapes (previously Areas of Outstanding Natural Beauty), or areas defined as Heritage Coast. Footnote 7 also covers irreplaceable habitats, designated and important non designated heritage assets, as well as areas that are at risk from flooding or coastal change.
- 1.4. A flow chart illustrating how Green Belt Sites for major development are assessed to be Grey Belt land and subsequent tests for Appropriateness and Very Special Circumstances is set out in Figure 2 below:

Green Belt Assessment: Indicative Flowchart for Major Development based on NPPF (2024)



*Assessed by Planning Consultant
 †Assessed by Landscape Consultant

Figure 3– Grey Belt assessment Flowchart

1.5. In summary, this Report addresses:

- The updated national policy context, including the introduction of Grey Belt in the NPPF and its implications for decision-making.
- The sites contribution to each of the five green belt purposes and accordance with the NPPF Grey Belt definition.
- Compliance with paragraph 155 of the NPPF, which confirms that development on Grey Belt land should not be regarded as inappropriate where it does not undermine the remaining Green Belt, meets unmet need, and is sustainably located.
- The urgent national need for renewable energy, as set out in the Clean Power 2030 Action Plan, which targets 45–47 GW of solar capacity by 2030 and emphasizes accelerating planning decisions for clean energy infrastructure.
- Local and national climate emergency declarations and energy security objectives, which carry substantial weight in the planning balance.

1.6. This report concludes that the Nuneham Courtenay site meets the definition of Grey Belt and therefore does not require demonstration of Very Special Circumstances and represents an appropriate and sustainable location for renewable energy development in line with UK national policy and recent appeal decisions.

2. Description of the Proposed Development

2.1. The proposal seeks planning permission for the construction and operation of a solar farm with associated infrastructure, delivering up to 49.9MW of renewable energy. The scheme includes:

- Solar Arrays: Rows of ground-mounted PV panels oriented south to maximize solar gain.
- Electrical Infrastructure: Inverters, transformers, and a substation to connect to the local distribution network. A grid connection offer has been secured with an energisation before 2030.
- Access and Security: Internal access tracks for maintenance, perimeter deer fencing, and pole-mounted CCTV cameras for security.
- Landscape and Biodiversity Enhancements: Hedgerow reinforcement, wildflower planting, and habitat creation to deliver biodiversity net gain.
- Operational Lifetime: 40 years, after which the site will be restored to agricultural use.

2.2. The site is well-contained by existing vegetation and topography, reducing visual impact. It is located within the Oxford Green Belt but outside any Area of Outstanding Natural Beauty (AONB) or other nationally designated landscapes.

3. National Policy and Guidance on Green/Grey Belt

3.1. In the December 2024 published version of the National Planning Policy Framework (NPPF), the Green Belt is outlined as having 5 purposes:

- a) To check to unrestricted sprawl of large built-up areas
- b) To prevent neighbouring towns merging into one another
- c) To assist in safeguarding the countryside from encroachment
- d) To preserve the setting and special character of historic towns; and
- e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

3.2. Paragraph 155 outlines that, the development of homes, commercial and other development in the Green Belt should also be regarded as inappropriate where all of the following apply:

- a) *The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan)*
- b) *There is a demonstrable unmet need for the type of development proposed*
- c) *The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of the Framework; and*
- d) *Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraph 156–157.*

3.3. Grey Belt it defined within the Glossary of the NPPF (Annex 2) as follows:

“For the purposes of plan-making and decision-making, ‘grey belt’ is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case does not strongly contribute to any of purposes (a), (b) or (d) in paragraph 143. ‘Grey belt’ excludes land where the application of the policies relating to the areas or assets in Footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.”

3.4. For the purpose of the definition of Grey Belt, Footnote 7 states:

‘The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 189) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change.’

- 3.5. Additional national guidance on Green Belts is published in the online National Planning Policy Guidance (NPPG) which was revised in February 2025 to reflect the new policy on Grey Belt introduced in the NPPF. The NPPG sets out that – *“An assessment of Green Belt will (alongside other considerations) inform the determination of applications which involve reaching a judgement as to whether proposals utilise Grey Belt land and whether development of the site would fundamentally undermine the purposes of the remaining Green Belt across the plan area.*

Where Grey Belt sites are not identified in existing plans or Green Belt assessments, it is expected that authorities should consider evidence, in light of this guidance, on:

- *Whether the site strongly contributes to the Green Belt purposes a, b or d; and*
- *Whether the application of policies to areas and assets of particular importance identified in footnote 7 to the NPPF (other than Green Belt) provide a strong reason to restrict development; and*
- *Whether development of the site would fundamentally undermine the purposes of the remaining Green Belt across the plan area, as set out in national policy and this guidance.*

- 3.6. The NPPG also sets out the circumstances where development should be approved on Grey Belt land. *“Where a site is judged to be Grey Belt, and to not fundamentally undermine the purposes of the remaining Green Belt across the plan area if released or developed, wider considerations will still be relevant to the consideration of development proposals on the site. These would include determining whether the development would not be inappropriate development in the Green Belt, as set out in paragraph 155 of the NPPF. That question would include consideration of whether a development is sustainably located, whether it would meet the ‘Golden Rules’ contributions (where applicable), and whether there is a demonstrable unmet need for the type of development proposed.*

Where a development is not inappropriate in the Green Belt, this does not itself remove the land from the Green Belt nor require development proposals to be approved. In accordance with section 38(6) of the Planning and Compulsory Purchase Act 2004, wider policies and considerations apply, including those in the area’s adopted Plan, and in the NPPF read as a whole.”

Consultation Draft NPPF (2025)

Green Belt and Grey Belt

- 3.7. The five purposes of the Green Belt are outlined in the current NPPF under Paragraph 143, these remain unchanged in Policy GB2 of the consultation draft. Similarly, the requirement to demonstrate very special circumstances for inappropriate development. It is stated under Policy GB6 that *‘substantial weight should be given to the harm to the Green Belt which would be caused, including harm to the openness.’*
- 3.8. Furthermore, the approach to renewable energy development remains unchanged and states that:

'In the case of proposed for renewable and low carbon energy development, very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.'

3.9. The principles of the Grey Belt detailed at Paragraph 155 of the current NPPF remain unchanged and are now listed at Policy GB7 (g) 'Development which is not inappropriate in the Green Belt'.

3.10. In terms of the definition of the Grey Belt and land to be included in it, the consultation draft NPPF states:

'Grey belt: For the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of the purposes (a), (b), or (d) in policy GB2'.

3.11. Whilst this is broadly similar to the current definition of the Grey Belt, there is a removal of the exclusion of land where the application of the policies relating to the area or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.

4. Summary of South Oxfordshire Green Belt Context

4.1. South Oxfordshire covers approximately 67,340 hectares, of which 28% (around 18,855 hectares) is designated Green Belt. The proposed development occupies 56.87 hectares, equating to approximately 0.3% of the District's Green Belt.

Additional Context from Oxford Green Belt Study (2015):

4.2. The Nuneham Solar Farm site falls within a wider parcel named **Broad Area 6** of the Oxford Green Belt, as assessed in the Oxford Green Belt Study (LUC, 2015). This broad area covers land south of Oxford, including Nuneham Courtenay and the Thames Valley corridor. The study concluded that Broad Area 6 makes:

- **No contribution to Purpose a)** (checking unrestricted sprawl of large built-up areas) because it is not adjacent to Oxford's urban edge.
- **Low contribution to purpose b)** (preventing neighbouring towns merging) as the green belt parcel does not sit between major towns and only plays a minor role in separating small rural villages.
- **High contribution to purpose c)** (safeguarding the countryside from encroachment) due to its rural character and openness.
- **High contribution to purpose d)** (historic towns) because of its role in Oxford's wider landscape setting, particularly views from Nuneham Park.

4.3. With regards to the conclusions of the 2015 Oxford Green Belt Study and the text supporting their conclusions for Purpose D, it is the case that this conclusion of a high contribution is made in relation to the entire Broad Area 6. This is an extensive parcel of land which covers a much larger area than that covered by the Site. As such, it cannot be considered as a robust assessment of the qualities and contributions to the purposes of Green Belt of the Site itself. The Site, whilst in proximity to the river Thames, is not adjacent to this and is not adjacent to any historic riverside settlements. The Site would not affect any of these elements.

Green Belt Study for South Oxfordshire District Council (2015)

4.4. The Nuneham Solar Farm site falls within Parcel 7 of the South Oxfordshire Green Belt, as defined in the South Oxfordshire Green Belt Study (2015). Parcel 7 extends from the southern edge of Oxford towards Berinsfield, Burcot, and Dorchester.

- The study found that this parcel makes **no contribution to Purpose (a)** (checking the unrestricted sprawl of Oxford) because it is well removed from the city edge.
- It performs **weakly against Purpose (b)**, as its role is limited to maintaining a narrow gap (approximately 300m) between Berinsfield and Burcot rather than preventing the merging of towns.

- Regarding the wider parcels contribution to purpose d, (preserving the setting and special character of historic Oxford) this is considered to be **weak**, with no significant views of Oxford's skyline and only a general association with the rural approach along the A4074.
- The parcel's strongest function relates to **Purpose (c)** (safeguarding the countryside from encroachment), reflecting its semi-enclosed farmland character, although this is already influenced by major roads and modern settlement edges.

Nearest Settlement and Local Plan Context

- 4.5. The closest settlement is Nuneham Courtenay village, which is not identified within the settlement hierarchy of the most recent South Oxfordshire Local Plan (Joint Local Plan 2041 evidence base). This confirms that the site does not play a role in accommodating strategic growth or forming part of a sustainable settlement network. There are no towns encroaching nearby, and the site is not adjacent to an urban area.
- 4.6. Other nearby settlements include Marsh Baldon (approximately 1.7 km from the site), Toot Baldon (approx. 2.3 km), Berinsfield (approx. 3.6 km), Chislehampton (approx. 3.9 km), Garsington (approx. 4.7 km), and Dorchester (approx. 5 km).
- 4.7. All of these are classified as villages within the Local Plan hierarchy, with Berinsfield identified as a larger village and the others as smaller villages. None are towns. This context reinforces that the site is not adjacent to an urban area, does not lie between towns, and is located in a predominantly rural setting. These factors confirm that even if the proposal were adjacent to the identified settlements, it is not considered that these constitute the scale of towns or large built-up areas referred to in purposes a) and b) in the NPPF. Therefore, the site makes no strong contribution to Green Belt purposes (a) and (b) and supports its classification as Grey Belt under the NPPF.

Heritage Considerations

- 4.8. The Site is located 1.2km north of the northern boundary of Nuneham Park, a Grade I Registered Park and Garden. The Site is also located approximately 580m north of the Nuneham Courtenay Conservation Area. The Site is over 5km from the centre of Oxford and is significantly separated from the historic aspects by modern development and open space. Views from Nuneham Park are identified in the 2015 Oxford Green Belt Study as forming part of the contribution to Purpose D of Green Belt however the Site is not located in Nuneham. It is located to the south. Whilst there are views containing the Site from the northern edge of the Nuneham RPG and the Conservation Area, these are views which oversail the Site and do not prevent any views of the city from these locations. Furthermore, the views from Nuneham, within which the Site is located, do not illustrate the historic aspects of Oxford. Whilst Nuneham Park may be considered to contribute to the setting of the historic town, the Site is not located within Nuneham Park.
- 4.9. The specific consideration of Grey Belt definition is assessed below.

5. Effects on the Green Belt Purposes and consideration of the Grey Belt Definition

Green Belt Purposes

- 5.1. Taken in turn, the land can be considered to form grey belt land in line with the definition contained within the NPPF (paragraphs 143 & 155). In reaching this conclusion, consideration has been given to the advice set out in the National Planning Policy Guidance on Green belts which outlines “*How should the contribution land makes to the relevant Green Belt purposes be assessed?*” (NPPG Paragraph: 005 Reference ID: 64-005-20250225).
- 5.2. It is noted that the NPPG confirms that consideration should be given to the contribution which the site or assessment area makes to purposes (a), (b) and (d) and that land may be considered Grey Belt where it “*does not **strongly** contribute*” to any of those purposes.
- 5.3. It is confirmed in the NPPG that where grey belt sites are not identified in existing plans or Green Belt assessments, the assessment process outlined in the NPPG should be applied to the proposal site.

Purpose (a) Unrestricted sprawl

- 5.4. The NPPG confirms that purpose (a) relates to the sprawl of large built-up areas and that villages should not be considered large built-up areas.
- 5.5. The site is not adjacent to Oxford or any major urban area and is physically separated by open countryside and mature vegetation. The nearest settlement is Nuneham Courtenay, which is a small rural village and not included in the settlement hierarchy of the most recent South Oxfordshire Local Plan (Joint Local Plan 2041 evidence base). This confirms that the site does not play a role in accommodating strategic growth or forming part of a sustainable settlement network.
- 5.6. It is confirmed in the NPPG that sites which “*are not adjacent to or near to a large built-up area*” would make only a weak or no contribution to purpose (a).
- 5.7. The site does not contribute to checking the unrestricted sprawl of large built-up areas The site therefore makes no contribution to Purpose (a).
- 5.8. It is also important to note that the site is located in a predominantly rural setting with no nearby towns or urban areas. The closest settlements—Marsh Baldon (1.7 km), Toot Baldon (2.3 km), Berinsfield (3.6 km), Chislehampton (3.9 km), Garsington (4.7 km), and Dorchester (5 km).

Purpose (b)- To prevent neighbouring towns merging into one another

- 5.9. The NPPG confirms that this purpose relates to merging of towns, not villages.
- 5.10. The NPPG advises that locations which perform weakly in respect of this purpose would include sites which *do not form part of a gap between towns, or form part of a gap*

between towns, but only a very small part of this gap, without making a contribution to visual separation.

- 5.11. The site does not lie close to or between towns and does not form part of any strategic gap. There are no towns encroaching nearby, and the site is not located within a corridor where coalescence is a risk. Its role in maintaining separation between towns is negligible.
- 5.12. The site does not lie between towns and plays no strategic role in preventing settlement coalescence. The surrounding area is characterised by small rural villages—Marsh Baldon (1.7 km), Toot Baldon (2.3 km), Berinsfield (3.6 km), Chislehampton (3.9 km), Garsington (4.7 km), and Dorchester (5 km)—none of which are classified as towns in the Local Plan hierarchy. The nearest urban centres, Oxford (8.3 km) and Didcot (8.6 km), are both well beyond the site and separated by extensive open countryside. This confirms that the site’s contribution to Purpose (b) is negligible and does not amount to a strong reason for restricting development under the NPPF.
- 5.13. It is concluded that the site does not contribute strongly to purpose (b).

Purpose (c)– To assist in safeguarding the countryside from encroachment

- 5.14. Effect on purpose (c) is excluded from the consideration of whether land meets the definition of Grey Belt in the NPPF. Nonetheless consideration of whether development constitutes inappropriate development in the context of Paragraph 155 of the NPPF requires consideration of whether the development would fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. Therefore, consideration has been given to the effect of development of the site on purpose (c).
- 5.15. The site is currently in agricultural use and development would introduce solar infrastructure, which represents a temporary change to the countryside. Their operation would be supported by other associated infrastructure. However, the solar arrays would be arranged with grass corridors between the arrays and would inevitably alter the appearance of the fields from a sequence of open green spaces to accommodating a solar farm within pastureland. Such an effect would result in encroachment and conflict with this particular purpose (c) of Green Belt. There would be a limited level of harm to encroachment.
- 5.16. There would continue to be a strong disconnection between the distant urban areas beyond the Green Belt with the scheme in place. The encroachment, as a consequence of the solar farm, would be solely limited to the application site itself, with the land beyond remaining countryside.
- 5.17. The scheme is fully reversible after 40 years, and mitigation measures (landscape planting, biodiversity enhancements) will maintain a rural character.
- 5.18. The site occupies only 0.3% of the District’s Green Belt, so any encroachment is limited in scale and does not fundamentally undermine the Green Belt as a whole.

Purpose (d)– Historic Towns

- 5.19. The NPPG confirms that purpose (d) relates to historic towns, not villages and it is considered that Oxford would be considered a historic town for the purposes of this assessment.

- 5.20. The NPPG confirms that locations which contribute strongly to purpose (d) include all of the following features:
- form part of the setting of the historic town
 - make a considerable contribution to the special character of a historic town. This could be (but is not limited to) as a result of being within, adjacent to, or of significant visual importance to the historic aspects of the town
- 5.21. Locations may perform moderately where they form part of the setting and/or contribute to the character of a historic town but include one or more features that weaken their contribution to this purpose, such as (but not limited to):
- being separated to some extent from historic aspects of the town by existing development or topography;
 - containing existing development;
 - not having an important visual, physical, or experiential relationship to historic aspects of the town.
- 5.22. The Site is significantly separated at a distance of over 5km from the historic aspects of Oxford (taken as the southern edge of the Central Conservation Area), with modern development and open space in between. It is not a source of or located within Oxford's view cones. The Site is not within, adjacent to or of significant visual importance to the historic aspects of the town. Whilst there are views from Nuneham RPG and Nuneham Courtenay Conservation Area towards Oxford which contain the Site, these views firstly oversail the Site and would not be blocked and secondly, do not contain any legible elements of the historic aspects of Oxford. No spires or historic fabric is visible of Oxford within these views.
- 5.23. The Site has no important no visual, physical or experiential connection with the historic aspects of the city.
- 5.24. It is concluded that the site makes, at best, a moderate contribution to purpose (d).
- 5.25. **Purpose (e)- Recycling of Derelict Urban Land**
- 5.26. Any effect on purpose (d) is excluded from the consideration of whether land meets the definition of Grey Belt in the NPPF.
- 5.27. Nonetheless for completeness and for consideration of the wider purposes of the green belt and Paragraph 155 of the NPPF, this has been considered.
- 5.28. Due to the large scale and specific grid connection requirements of the development, there are no derelict or other urban land sites available. This is also demonstrated within the submitted Alternative Sites Assessment. Therefore, there is no conflict with this purpose.
- 5.29. As stated previously, with regards to purpose (c) 'encroachment' it is acknowledged that the development will result in a limited degree of harm. However, Within the context of the South Oxfordshire District, it is noted from the Council's information (Appendix 1) that the district covers nearly 260 square miles, equating to 67,340 hectares. Of this some 70% is

either AONB or Green Belt and these designations do not overlap. The graphic presented within this document states that 42% of the district is AONB therefore it is calculated that 28% would be Green Belt, equating to some 18,855 hectares. The proposed development comprises 56.87 hectares therefore results in a temporary encroachment of only 0.3% of the Green Belt area in the district.

Footnote 7 Grey Belt Considerations

- 5.30. The definition of Grey Belt in the NPPF also excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development. This brings consideration of the development proposal into the consideration, and it is confirmed in the NPPG that determination of whether sites are grey belt may only be provisional in advance of more detailed proposals. (NPPG Paragraph: 006 Reference ID: 64-006-20250225)
- 5.31. In this instance the proposal is advanced, with the nature and effects of the proposal being clear from the planning application and an assessment of the scheme against the matters considered in footnote 7 is appropriate.
- 5.32. Footnote 7 of the NPPF confirms it relates to:
- “habitats sites (and those sites listed in paragraph 189) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change.”*
- 5.33. The only aspects within this list of relevance to the application site are Heritage Assets. An Archaeology and Cultural Heritage assessment within Chapter 8 of the Environmental Assessment has been provided in support of the planning application. This considers the potential degree of harm for the proposals to various assets, including Listed buildings, conservation areas including Nuneham Courtenay, scheduled monuments and the Nuneham Courtenay Registered Park and Garden.
- 5.34. It is concluded in the EIA where harm is identified this is less than substantial at either the low or medium level and that effects are not significant in EIA terms.
- 5.35. It is considered in the heritage and overall planning balance that the harm to the heritage assets is outweighed by the public benefits arising from the scheme.
- 5.36. The presence of Footnote 7 Heritage Assets such assets within or in the vicinity of a site does not mean that areas are necessarily excluded from grey belt. Rather, a recent Secretary of State decision suggests that where a development is proposed, the test is effectively the same as the public benefits test set out in paragraph 215 of the NPPF.
- 5.37. In his decision for Land Adjacent to A4155 Marlow Road and Westhorpe Farm Road, Marlow (Marlow Film Studios – APP/KO425/W/24/3351904), the Secretary of State concluded at paragraph 45 that:

'Given the Secretary of State's conclusions on the CNL at paragraphs 22-29 above, heritage impacts at paragraph 37 above, and the heritage test at paragraph 54 below, he considers that the application of policies in footnote 7 of the Framework would not provide a strong reason for refusing or restricting development.'

- 5.38. This is despite heritage appearing to have influenced the design of the scheme, with this not considered to represent Footnote 7 Heritage Assets comprising a strong reason for restricting development. The layout of that scheme was influenced by the consideration of the setting of designated assets. Residual harm to these heritage assets was considered within the planning balance and found to be outweighed by the public benefits of the proposed scheme (SoS para 54).
- 5.39. As such, even where Footnote 7 Heritage Assets have influenced design, yet the development proposed passes the paragraph 215 public benefits test, this is not to be considered a strong reason for restricting or refusing development. In such a circumstance, a site can be considered to be grey belt as per the NPPF definition
- 5.40. Consequently, for the purposes of the Grey Belt assessment it is concluded that the effect on heritage assets do not give rise to a strong reason for refusal and that the proximity to heritage assets does not preclude the site from meeting the definition of Grey Belt in this regard.
- 5.41. As discussed above at Section 3, the definition of the Grey Belt contained within the consultation draft NPPF remains largely unchanged. There is however removal of the exclusion of land where the application of the policies relating to the area or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.

6. Paragraph 155 of the NPPF and whether the proposal constitutes inappropriate development

6.1. Having concluded that , the site meets the definition of Grey Belt site falls to be considered under paragraph 155 of the NPPF which states:

The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where:

a) The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan

b) There is a demonstrable unmet need for the type of development proposed 56;

c) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework57; and

d) Where applicable the development proposed meets the ‘Golden Rules’ requirements set out in paragraphs 156–157 below.

6.2. In regard to the first sub paragraph (a) of paragraph 155, for the reasons set out in the consideration of the purposes of the green belt above, it is concluded that the site does not perform strongly against four of the five purposes. It is also noted that the site constitutes only approximately 0.3% of the green belt area in the district. Other areas of the Green Belt in the district which would perform strongly against the purposes would continue to do so. Consequently, the proposed temporary use of the site would not undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. Criterion (a) of paragraph 155 is met.

6.3. When considering criterion (b) and the unmet need for the type of development, whilst it is not required that need for renewable energy must be demonstrated, it is evident from recent national publications that there is a clear direction of travel towards a greater reliance on renewable energy generation. The NPPF at Paragraph 168 (a) confirms that LPAs should:

“Not require applicants to demonstrate the overall need for renewable or low carbon energy, and give significant weight to the benefits associated with renewable and low carbon energy generation and the proposal’s contribution to a net zero future”

6.4. With regards to part (c), transport sustainability, there are no objections from statutory Highways Authority consultees; accordingly, the proposal is satisfactory in this regard.

6.5. Paragraph 110 of the NPPF states that:

‘The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve

air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.'

6.6. The site itself once operational will not generate trips, with a smaller number of journeys to the site for maintenance purposes only. Therefore, the effects of the proposal on reducing congestion and emissions and improving air quality and public health as a result of traffic movements are likely to be very limited.

6.7. With regards to Paragraph 115 of the Framework, this states:

"In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;***
- b) safe and suitable access to the site can be achieved for all users;***
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code and***
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach."***

6.8. It is considered regarding paragraph 115 sub-paragraph (a) that the sustainable transport options have been prioritised, taking account of the nature of the proposal and its location.

6.9. In light of the above points, it is concluded that the proposal meets the requirements of Paragraph 155 (c) of the NPPF.

6.10. Finally, the Golden Rule are applicable more broadly to residential development and paragraph 155 sub-paragraph (d) is therefore not applicable to this development.

6.11. Noting the definition of Grey Belt, it is considered that the site meets this definition and in accordance with Paragraph 155 the proposal would not constitute inappropriate development and does not require demonstration of Very Special Circumstances

6.12. It is noted that the Council also reached this conclusion in the instance of a solar proposal considered in the recent Burcot Solar farm decision (Appeal Reference APP/Q3115/W/24/3350890). That proposal fell within the same parcels within the Green Belt study and lies to the immediate south the Nuneham Courtney RPG and Conservation Area. It is considered that the planning application proposal demonstrates very similar characteristics to the site considered at the Burcot appeal.

6.13. As discussed , there is a clear need for the development of solar farms and other renewable energy developments, which is driven by government legislation at both the local and



national level. Amongst others, following the issue of the revised NPPF in December 2024, the Government released the Clean Power 2030 Action Plan: A new era of clean electricity.

- 6.14. This Action Plan highlights that achieving clean power is now a broader goal and key to the growing economy and improving national security and standards of living. The document identifies urgency of enacting policy by '*sprinting to clean, homegrown energy*', placing delivering clean power by 2030 at the heart of one of the Prime Minister's five missions and the Plan for Change.
- 6.15. Clean Power 2030 identified that the strategy will also represent a significant area for economic growth through expanding employment opportunities in addition to ensuring energy security, affordability and price stability. The Action Plan stated that "*another of the key benefits of Clean Power 2030 and the scale up of clean energy sectors is the creation of new job opportunities*". It is the Government's intention that the new industrial strategy will include Clean Energy industries as a priority growth sector.
- 6.16. It is clear that in order for the UK to meet the ambitious target of reducing greenhouse gas emissions by 100% or "net zero" compared to 1990 levels by 2050, a presumption in favour of increasing the number and output of low carbon energy sources, such as the technology to be deployed in this scheme is entirely appropriate and necessary.
- 6.17. In summary therefore, it is concluded that the development meets the requirements of the criteria of paragraph 155 of the Framework and the proposal should also not be regarded as inappropriate development in the Green Belt and therefore falls under the appropriate definition of grey belt as described in NPPF paragraph 143.

7. Conclusion

- 7.1. This assessment demonstrates that the Nuneham Solar Farm site meets the definition of Grey Belt under Annex 2 of the NPPF (December 2024). The site does not strongly contribute to purposes (a), (b), or (d) and therefore qualifies as Grey Belt land. While there is some temporary encroachment under Purpose (c), this is limited in scale (0.3% of the District's Green Belt), reversible after 40 years, and mitigated through landscape and biodiversity enhancements.
- 7.2. The site is not adjacent to an urban area, and the nearest settlement—Nuneham Courtenay village—is not identified within the settlement hierarchy of the most recent South Oxfordshire Local Plan (Joint Local Plan 2041 evidence base). There are no towns encroaching nearby, and the site does not form part of any strategic gap. This confirms that development here would not fundamentally undermine the integrity of the Green Belt across the plan area.
- 7.3. Although the site lies near Nuneham Park, a Grade I Registered Park and Garden (Historic England List Entry 1000122), this does not equate to being adjacent to a historic town. The relationship is landscape-based rather than urban, and the proposed development includes mitigation measures to preserve the park's setting. The presence of this and other heritage assets do not create a strong reason for refusal under Footnote 7.
- 7.4. The proposal aligns with Paragraph 155 of the NPPF, which confirms that development on Grey Belt land should not be regarded as inappropriate where it does not undermine the remaining Green Belt, meets unmet need, and is sustainably located. The urgent national need for renewable energy, as set out in the Clean Power 2030 Action Plan, carries substantial weight in the planning balance. The site's proximity to Burcot Solar Farm (approved on appeal, APP/Q3115/W/24/3350890) reinforces the precedent that such sites can be considered appropriate for renewable energy development.

Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

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