PAP/2023/0071

Fillongley Solar Farm

Agricultural Land Impact Statement

Enviromena Project management UK Ltd

August 2023

Stantec

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Project Ref:	34573	
Status:	Draft	Final
Issue/Rev:	01	02
Date:	April 2023	June 2023
Prepared by:	AH	AH
Checked by:	JH	JH
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Ref: 34573/A5/AH
Date: June 2023

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1.0 INTRODUCTION

Background

1.1 This Statement has been prepared by Stantec, on behalf of Enviromena Project Management UK Ltd ('the Applicant') to support a planning application (ref: PAP/2023/0071) for a solar farm on land to the east of Meriden Road, Fillongley ('the Site') submitted to North Warwickshire Borough Council ('the Council').

1.2 The 'Proposed Development' comprises the construction, operation, management, and decommissioning of a grid-connected solar farm with associated infrastructure to provide a reliable source of clean, renewable energy (48.1MW) to the National Grid.

1.3 As the proposals are for non-agricultural development on agricultural land the planning application has been accompanied by an Agricultural Land Classification (ALC) report prepared by Roberts Environmental. The ALC report identified that the Site comprises predominantly of Best and Most Versatile (BMV) agricultural land. As national planning policy seeks to steer development towards land of lesser agricultural quality this Statement has been prepared to assist the Council in their determination of the planning application, by assessing the potential effects the Proposed Development would have upon the supply of BMV agricultural land in North Warwickshire.

1.4 This Statement should be read in conjunction with the drawings and information accompanying the planning application to fully understand the Proposed Development, its potential impacts and planning merits.

2.0 THE SITE AND PROPOSED DEVELOPMENT

Soil Quality at the Application Site

2.1 The Site is situated approximately 9km north-west of Coventry City Centre and circa 600m south-west of the village of Fillongley. It lies within the administrative boundaries of North Warwickshire Borough Council, within Warwickshire County.

Figure 2.1 Application Site

2.2 The Site extends to 66 hectares (163 acres) comprising of several agricultural fields currently in agricultural (arable) productive use.

2.3 The quality of land in England and Wales is assessed according to the Agricultural Land Classification (ALC) system, which provides a grading framework to determine how well land can support agricultural use, based on the type of crops that can be grown, the extent and consistency of yield, and costs of production.

2.4 The current guidelines and criteria for ALC were published by the Ministry of Agriculture, Fisheries and Food[1] (MAFF) in 1988; '*Agricultural Land Classification of England and Wales: Revised Guidelines and Criteria for Grading the Quality of Agricultural Land*'.

2.5 The ALC system uses quality grades for agricultural land, numbered from 1-5, with subdivisions into 3a and 3b, as follows:

- Grade 1: Excellent

[1] MAFF was merged with the part of the Department for Environment, Transport and the Regions that dealt with the environment to create a new government department, the Department for Environment, Food and Rural Affairs (Defra) in 2001.

- Grade 2: Very Good
- Grade 3: Good (3a) to Moderate (3b)
- Grade 4: Poor
- Grade 5: Very Poor

2.6 The higher graded land can typically be used for high value crops such as fruit, vegetables, and cereals, whilst the poorest may only support grassland or rough grazing of livestock. Grades 1, 2 and 3a are classified as 'Best and Most Versatile' (BMV) land for which there is policy preference against loss to non-agricultural development.

2.7 An Agricultural Land Classification Report has been prepared by Roberts Environmental and accompanies the planning application. The ALC Report found that soils on the Site were: 24.24% (16 Ha) ALC Grade 2 and 71.37% (47.1%) ALC Grade 3a. As such the Site comprises predominantly of BMV land. Figure 2.2 provides a full ALC breakdown of soils at the Site.

Figure 2.2 ALC Classification at application Site.

ALC Grade	Area (Ha)	Percentage
Grade 1	0.00	0.00%
Grade 2	**16.00**	**24.24%**
Subgrade 3a	**47.10**	**71.37%**
Subgrade 3b	**2.00**	**3.03%**
Grade 4	0.00	0.00%
Grade 5	0.00	0.00%
Non-Agricultural	**0.90**	**1.36%**
Total	**66.00**	**100%**
Total BMV	**0.00**	**95.61%**

The Proposed Development

2.8 The Proposed Development of the Site comprises of ground-mounted solar photovoltaic arrays together with ancillary infrastructure, landscaping, and biodiversity enhancements.

2.9 To achieve maximum solar gain the panels are laid out in east-west rows with space of approximately 5.3 metres between each row and at least 4 meters with site boundaries to prevent overshadowing and allow space for maintenance. The fixed modules will be tilted at an angle of c.25 degrees and mounted facing due south. The arrays are placed wholly within existing field boundaries, meaning existing trees and hedgerows are retained and will be subject to additional planting and 'gapping-up' to filter views and provide biodiversity net gains.

2.10 The solar array will be supported by a galvanised steel frame mounting system which will be secured via short pile foundations. As such the Development has a minimal footprint with over 95% of the ground un-effected by the proposals and is to be retained as mixed meadow grassland.

2.11 During the lifetime of the proposed development, across the main body of the Site, diverse meadow grassland mix will be sown under and around the arrays which will be subject to an appropriate maintenance regime to ensure complete green groundcover.

2.12 Biodiversity net gains will be delivered through the combination of several measures including the creation of diverse meadow grassland underneath the photovoltaic arrays, the retention of arable margins, neutral grass, and as well as boundary hedges and trees the planting of a new native hedge through the centre of the Site.

2.13 Overall, the landscape and ecological enhancements proposed will deliver biodiversity net gains equivalent to:

- +64.99% in habitat units; and
- +12.67% in linear units (i.e., hedgerows).

2.14 At the end of the temporary operational lifespan (40-years) the solar array and other ancillary infrastructure would be removed, and the Site will be fully reinstated and returned to full agricultural use.

2.15 The decommissioning process is intended to ensure that the land is restored to the same quality it was previously and can be secured through a suitable condition in the event planning permission is granted.

Why the Site is Appropriate for Solar Development

2.16 Solar farms have very specific locational requirements which means they cannot be located anywhere, with suitable locations severely limited around the country.

2.17 Principal requirements include:

- Grid Connection Capacity - The DNO must be able to offer a Point of Connection (POC) with capacity to accept the output of the solar park. Finding available capacity is one of the biggest challenges facing renewable energy development.
- Land Availability: Site options are heavily restrained by land availability. A willing landowner is a major challenge facing renewable energy development.

- Environmental considerations: A search considers proximity to ecological areas like SSSI, RAMSAR, LNR, Special Areas of Conservation, and Special Protection Areas. Development in such areas is to be avoided.
- Sustainable Development: All solar farms must be capable of multifunctional enhancements to support the economic, environmental, and social dimensions of sustainable development. A good site will be able to incorporate visual mitigation to protect and enhance PROWs, and to enable Biodiversity Net Gain.

2.18 In summary, there are very few sites where solar farms can be located when factors such as suitable grid connection, viability and feasibility and environmental designations are considered.

2.19 Whilst it is acknowledged that the Site comprises of BMV agricultural land, it was considered the use of BMV land is necessary in this case for the following:

- Connection to the national grid – There is sufficient capacity at the existing nearby substation and a financially viable and technically feasible route to the Point of Connection is achievable.
- Availability of land – The Site has an interested landowner, who is agreeable in principle to leasing their land for solar for the 40 year period.
- Topography – The Site has a gently undulating topography and open southwest aspect which makes it particularly suitable for solar.
- Accessibility – The Site has good connections to the Strategic Road Network to allow for construction and maintenance operations.
- Planning and environmental considerations – The Site is not subject to any statutory landscape, heritage, or ecological designations.

3.0 POLICY CONTEXT

Legislation

3.1 The Town and Country Planning (Development Management Procedure) (England) Order 2015 sets out the requirement for consultation with Natural England where development of agricultural land is proposed.

3.2 Natural England should be consulted where:

> **"development which is not for agricultural purposes and is not in accordance with the provisions of a development plan involves the loss of not less than 20 hectares of grades 1, 2 and 3a agricultural land which is for the time being used (or was last used) for agricultural purposes" or where the loss of less than 20 hectares of BMV agricultural land "is likely to lead to a further loss of agricultural land amounting cumulatively to 20 hectares or more" (bullet point 'y' of Schedule 4).**

National Planning Policy

National Planning Policy Framework

3.3 The NPPF (2021) sets out the Government's planning policies for England and how these should be applied including in respect of the development of agricultural land and renewable energy.

3.4 The NPPF emphasises the importance of sustainable development. Paragraph 7 states:

> "**The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs**"

3.5 Paragraph 38 goes on to state that local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

3.6 Paragraph 152, states:

> **"The planning system should support the transition to a low carbon future in a changing climate … It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; … and support renewable and low carbon energy and associated infrastructure."**

3.7 Paragraph 155 sets out the planning policy perspective with regards to increasing the use and supply of renewable and low carbon energy.

3.8 Paragraph 174 highlights that new development should be prevented from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability. It identifies how decisions should provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

3.9 Footnote 58 states "*Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be* ***preferred*** *to those of a higher quality"* (our emphasis).

3.10 Annex 2 of the Framework provides a glossary of terms and defines 'best and most versatile agricultural land' as land in grades 1, 2 and 3a of the Agricultural Land Classification.

Planning Practice Guidance

3.11 With regards to the location of solar farms, paragraph 013 (Ref: 5-013-20150327) cites the following factors that local planning authorities should consider:

- encouraging the effective use of land by focussing large scale solar farms on previously developed and non-agricultural land, provided that it is not of high environmental value;
- where a proposal involves greenfield land, whether the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land.

Local Planning Policy

Development Plan

3.12 The Development Plan comprises of the North Warwickshire Local Plan (September 2021). Relevant Policies include LP13 *Rural Employment* which supports farm diversification through the introduction of new uses onto established farm holdings subject to their being no significant impacts that are not able to be appropriately mitigated.

3.13 Policy LP14 *Landscape* requires development to conserve, enhance and where appropriate restore landscape character as well as promote a resilient, functional landscape able to adapt to climate change. Specific landscape, geo-diversity, wildlife, and historic features are to be protected and enhanced as appropriate.

Other Guidance

Natural England: Guide to assessing development proposals on agricultural land

3.14 The "Guide to assessing development proposals on agricultural land", (2018), notes that the aim is to protect BMV land and soils "*from significant, inappropriate or unsustainable development proposals*". It advises local planning authorities in section 6 to "*use ALC survey data to assess the loss of land or quality of land from a proposed development. You should take account of smaller losses (under 20 hectares) if they're significant when making your decision. Your decision should avoid unnecessary loss of BMV land*".

Soils Safeguarding Strategy

3.15 Aims and objectives for safeguarding and, where possible, improving soil health are set out in the Government's '*Safeguarding our soils: A strategy for England'* (Defra, 2009). The Soil Strategy for England, sets out an ambitious vision to protect and improve soil to meet an increased global demand for food and to help combat the adverse effects of climate change.

3.16 The Soil Strategy for England states that:

> **"…soil is a fundamental and essentially non-renewable natural resource, providing the essential link between the components that make up our environment. Soils vary hugely from region to region and even from field to field. They all perform a number of valuable functions or ecosystem services for society including:**
>
> - **nutrient cycling;**
> - **water regulation;**
> - **carbon storage;**
> - **support for biodiversity and wildlife;**
> - **providing a platform for food and fibre production and infrastructure"**

3.17 The vision of the Soil Strategy for England has been developed in the Government's 25 Year Plan for the Environment. Soil is recognised as an important national resource, and the Plan states that:

> **"We will ensure that resources from nature, such as food, fish and timber, are used more sustainably and efficiently. We will do this (in part) by:….improving our approach to soil management: by 2030 we want all of England's soils to be managed sustainably, and we will use natural capital thinking to develop appropriate soil metrics and management approaches…"**

3.18 The maintenance, and improvement, of soil health is therefore a material consideration when deciding if a development is appropriate on agricultural land. Soil health can be defined as a soil's ability to function and sustain plants, animals, and humans as part of the ecosystem.

Policy Summary

3.19 Best and Most Versatile (BMV) agricultural land is defined as land which falls in ALC grades 1 to 3a.

3.20 Where development of agricultural land is demonstrated to be necessary, guidance states that local authorities try to use areas of poorer quality land over high quality, including that which has the least "environmental or amenity value", whilst seeking to conserve and enhance the natural environment. Importantly, therefore whilst the guidance sets a clear preference for using poorer quality land, the use of BMV land can be acceptable.

3.21 The health of soils is also an important consideration. The maintenance, and improvement, of soil health is a material consideration when deciding if a development is appropriate on agricultural land.

4.0 Other PLANNING DECISIONs of Note

Overview

4.1 This Section of the Statement provides an overview of recent planning decisions of relevance to the determination of the Proposed Development in relation to how the issue of BMV farmland and solar farm development have been considered.

Bereden Hall Decision

4.2 Of relevance to the determination of the Proposed Development is the recently concluded Bereden Hall Farm solar farm application determined by the Planning Inspectorate (PINS) (application ref: S62A/22/0006), given the distinct similarities between the two applications.

4.3 The application sought permission for a 49.99MW solar farm development on land at Bereden Hall Farm, Bereden, within Uttlesford District Council area. The Bereden Hall Farm site comprises of 72% BMV agricultural land. The Inspector therefore acknowledged that both local and national policy encourage development to take place on land of poorer quality wherever practicable.

4.4 In determining the potential for alternative sites on lower quality land the Inspector acknowledged that Uttlesford District comprises predominantly of BMV land and as such … *"commercial scale solar scheme would be unable to avoid its use."* (paragraph 61). The Inspector also acknowledged proximity to National Grid connection as further justification limiting potential alternative locations.

4.5 The Inspector further commented (paragraph 62, emphasis added):

> **"I also recognise that planning permission is sought for 40-years from the time of the first exportation of electricity, after which de-commissioning would occur and the land returned to full agricultural use. In that context, the effect on agricultural land although lengthy is ultimately temporary and reversible. The mountings for the solar panels would allow for restoration to full agricultural use, subject to appropriate soil management practices secured by planning condition."**

4.6 Before concluding (paragraph 64, emphasis added):

> "**Consequently, I find that the scheme would not represent a total loss of agricultural land… the proposed development is unlikely to lead to significant and irreversible long-term loss of BMV agricultural land, as a resource for future generations. Therefore, I attribute limited harm arising from the uptake of BMV or the principle of using farming land in this particular case**."

4.7 As detailed further in the subsequent section of this Statement, North Warwickshire Borough Council also comprises predominantly of BMV land which severely limits ability of commercial scale solar developments to avoid such land.

Scruton Appeal

4.8 The 50MW solar farm on land near the village of Scruton, North Yorkshire, was successful at appeal (ref: APP/G2713/W/23/3315877) against earlier refusal by Hambleton District Council on basis of impact on agricultural land.

4.9 The PINS Inspector found that the majority of land was not BMV but even if it was it wouldn't be "lost" and recognised that neither the development plan nor national policy prevented the use of such land but rather requires that benefits need to justify its loss.

4.10 Going further the Inspector commented recognised that whist the proposal would change the use of the land for a period of 40 years, a significant period of time, it is not permanent and is reversable. They went on to comment that:

> **"…the specific way agricultural land is used is not a matter that is subject to planning controls…Given this, the fact that the proposal would limit the ability to carry out any arable farming does not, in my opinion, mean that it results in the loss of agricultural land when it can still be used for other agricultural uses."** (DL22)
>
> **"As such the proposal would not result in either the temporary or permanent loss of BMV land …"** (DL25)

4.11 Furthermore, the Inspector considered the requirement for a sequential assessment of alternative sites and concluded:

> **"I have not been provided with any evidence that indicates that there is any national or local policy requirement to carry out an assessment of alternative sites for solar farm developments…"** (DL27)

Minchens Lane Appeal

4.12 The appeal (ref: APP/H1705/W/22/3304561) granted permission for the erection of a solar farm and accompanying battery storage facility on land at Minchens Lane, Bramley, Hampshire following earlier refusal by Basingstoke and Deane Council.

4.13 Whilst not a key matter in determining the case, impact on agricultural land was considered as approximately half of the site comprises of BMV agricultural land. Echoing the conclusions of Bereden Hall and Scruton appeals the Minchens Lane Inspector placed limited weight on loss of BMV land recognising the temporary and reversible nature of solar farm development and the potential for some agricultural practices to continue which would have additional benefits in terms of soil health:

> **"The agricultural land would not be permanently or irreversibly lost, particularly as pasture grazing would occur between the solar panels. This would allow the land to recover from intensive use, and the soil condition and structure to improve. The use of the soils for grassland under solar panels should serve to improve soil health and biodiversity…"** (DL59)

Summary

4.14 National policy does not preclude development on BMV land but rather requires benefits to be demonstrated to justify its loss. In this regard the generation of renewable energy has been established as a significant benefit that can outweigh impact on BMV agricultural land.

4.15 Furthermore, it is widely accepted and acknowledged that solar farms are a temporary and fully reversible type of development which can allow for some continued agricultural practices, as such they do not result in either the temporary or permanent loss of BMV land.

4.16 There is no national requirement to carry out an assessment of alternative sites for solar farm developments but overall provision of BMV land and proximity to a viable grid connection are recognised as key considerations limiting potential for alternative locations.

5.0 AGRICULTURAL LAND IMPACT ASSESSMENT

BMV Provision in North Warwickshire

5.1 Information on ALC coverage is available at the national level via the MAFF 'Provisional 1:250,000 scale Agricultural Land Classification Maps of England' 1;250,000 series (1988).

5.2 However, these large-scale maps have limitations. They cannot be used to identify the ALC grade at the local level as this mapping was determined by consulting existing soil maps to formulate the ALC and so does not identify the variations which can occur across an individual site. In addition, many of the surveys underpinning the mapping were undertaken prior to the introduction of the ALC Grade 3a/3b subdivision. As such, the boundary between land which is classified as BMV (ALC Grade 3a) and non-BMV (ALC Grade 3b) is not available. As such they are only suitable for strategic land use planning only.

5.3 The proportion of each of the ALC grades, as a percentage of total land area, in England, West Midlands Region, Warwickshire County and North Warwickshire District is shown in Figure 5.12. North Warwickshire has a higher proportion of BMV land compared with the national, county, and regional provision. Notably North Warwickshire has a considerably higher proportion of the Grade 1 (excellent) and Grade 2 (very good) agricultural land than found in England, the West Midlands Region, and Warwickshire County generally.

Table 5.1 Provisional Agricultural Land Classification – England, West Midlands Region, Warwickshire County and North Warwickshire District

ALC Grade	England (%)	West Midlands Region (%)	Warwickshire County (%)	North Warwickshire District (%)
1 Excellent	2.7	1.1	0.1	0.4
2 Very Good	14.2	17.7	11.9	19.7
3 Good-Moderate	48.2	53.3	74.5	67.3
4 Poor	4.1	14.6	7.9	7.1
5 Very poor	8.4	2.5	0.1	0.0
Non-Agricultural	5.0	2.3	1.0	3.9
Urban	7.3	8.6	4.4	1.6

[2] Ministry of Agriculture, Fisheries and Food, Land and Water Service, Technical Notes, Resource Planning (February 1983) 'Agricultural Land Classification of England and Wales – The Distribution of the Grades' (TN/RP/01 TFS 846)

5.4 North Warwickshire also has a significant proportion of Grade 3 land which is not differentiated across subgrade 3a or 3b by the Provisional ALC map. In 2001 Defra provided a companion series to the Provisional ALC maps: '*Likelihood of Best and Most Versatile (BMV) Agricultural Land'* strategic maps. These provide the best available estimate of agricultural land quality expressed in terms of the proportion of land likely to classified as BMV i.e., ALC Grades 1, 2, and 3a.

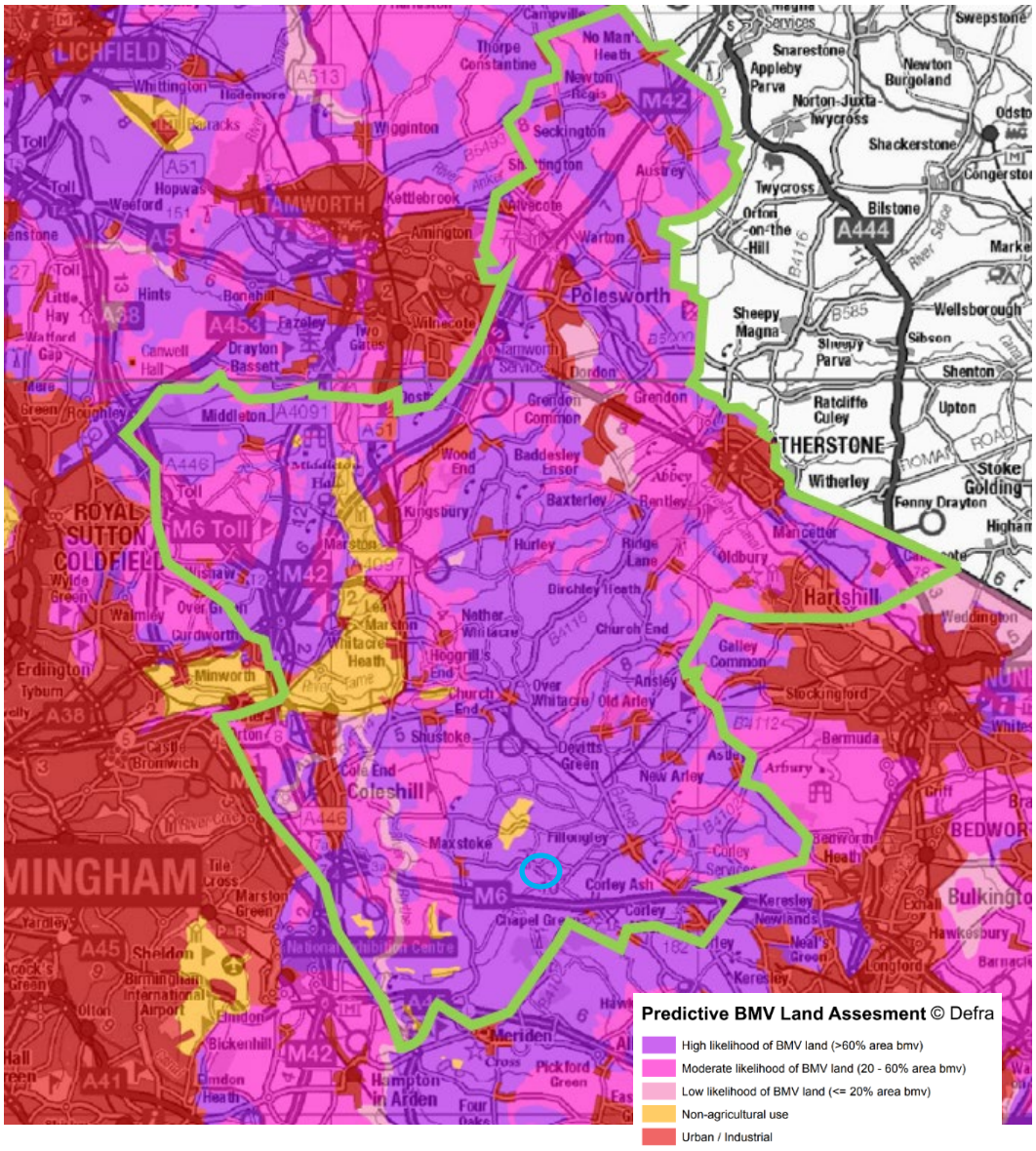
5.5 Three categories illustrate the likely occurrence of BMV agricultural land as:

- **High likelihood** of 'best and most versatile' agricultural land: Areas where more than 60% of the land is likely to be 'best and most versatile' agricultural land.
- **Moderate likelihood** of 'best and most versatile' agricultural land: Areas where 20-60% of the land is likely to be 'best and most versatile' agricultural land. (Moderate likelihood of 'best and most versatile' agricultural land)
- **Low likelihood** of 'best and most versatile' agricultural land: Areas where less than 20% of the land is likely to be 'best and most versatile' agricultural land.

5.6 The North Warwickshire is included within the '*West Midlands Region Likelihood of Best and Most Versatile (BMV) Agricultural Land' (2001)* Strategic scale map. Figure 4.2 provides an extract from the *West Midlands Region* map with the authority area and application Site location indicated for reference and illustrates the extent of BMV land anticipated across the district. As such it is anticipated that a significant portion of the 67.3% of land in North Warwickshire identified in the Provisional ALC maps as comprising Grade 3 will likely fall within the Grade 3a BMV subcategory.

5.7 Overall, proportionally North Warwickshire has a greater provision of BMV land than found generally across the national, regional, or county geographic levels. Most notably it has comparatively a significant provision of the highest Grade 1 and Grade 2 land. BMV land is therefore not a scarce resource in North Warwickshire.

Figure 5.2 Extract of Defra West Midlands Region Likelihood of Best and Most Versatile (BMV) Agricultural Land map with North Warwickshire authority boundary and location of application Site indicated.



Source: Defra (2001) and Barton Willmore, now Stantec

5.8 Consequently, given the coverage of BMV land across the district, it is entirely reasonable to conclude that it would be very difficult to find alternative land of lesser agricultural grade quality to accommodate commercial scale solar development. A point agreed by the Inspector in respect of the Bereden Hall Farm application.

Impact on Availability of BMV Land

5.9 The Site at Fillongley proposed to accommodate the solar farm development extends to 66 Ha (163 acres), of which 63ha (155.6 acres) comprises of BMV agricultural land: 16 Ha (24.24%) of ALC Grade 2 and 47.1Ha (71.37%) of ALC Grade 3a soils.

5.10 North Warwickshire Borough Council area covers a total of 284.3sqkm3 (109.8sqm). On this basis BMV from the Site area equates to 0.22% of the local authority area. At this scale, mindful of the overall proportion of BMV land available in the district, any effects will be highly localised and the impact on the availability of BMV agricultural land in North Warwickshire will be negligible.

5.11 However, it is also appropriate to consider any impacts arising from the cumulative loss of BMV land to similar schemes in the district. Table 5.3 contains details of consented and pending planning applications for solar farms on agricultural land submitted within the past 10 years to North Warwickshire Borough Council. These schemes have been identified by Officers at North Warwickshire Borough Council for consideration.

Table 5.3 Summary of solar farm schemes in North Warwickshire since 2013

App Ref:	Site	Status	Development	Site Area	BMV coverage
PAP/2015/0459	Land South of Pogmore Spinney, Merevale	Granted: February 2016	Solar Farm	5.2ha	Grade 1: 0 Grade 2: 0ha Grade 3a: 0Ha
PAP/2021/0651	Land North of Park Lane Farm, Astley	Granted: July 2022	Solar farm and battery storage	39.6Ha	Grade 1: 0 Grade 2: 2ha Grade 3a: 9Ha
PAP/2021/0605	Land at Smorrall Lane, Astley	Granted: July 2022	Agricultural building, solar farm, and battery storage	21.5Ha	Grade 1: 0 Grade 2: 0ha Grade 3a: 9Ha
PAP/2022/0544	Land 550 Metres East Of Vauls Farm, Astley	Pending (submitted October 2022)	Solar Farm	28ha	Grade 1: 0 Grade 2: 0.91ha Grade 3a: 3.31Ha
PAP/2022/0374	Land North Of Stone Cottage, Baddesley Ensor	Pending (submitted September 2022)	Solar Farm	10.8Ha	Grade 1: 0 Grade 2: 0ha Grade 3a: 0Ha
			BMV Total:	**24.22Ha** **Grade 1: 0Ha** **Grade 2: 2.91ha** **Grade 3a: 21.31Ha**	

[3] Office for National Statistics

5.12 Since 2013, five planning applications for solar farms have been submitted to North Warwickshire Borough Council, of which three have been granted permission (one is constructed and operational) and two are pending determination. Based on information provided within Agricultural Land Classification Reports accompanying the planning application submissions, if all five schemes were consented it would result in a total of 24.22ha of BMV land being temporarily taken out of productive use. Comprising 2.91Ha of ALC Grade 2 and 21.31Ha of ALC Grade 3a land. No Grade 1 land is affected.

5.13 When the Proposed Development is included, a total of 87.22Ha of BMV land would be temporarily taken out of productive use. Comprising 18.91Ha of ALC Grade 2 and 68.41 Ha of ALC Grade 3a land.

5.14 In comparison to the authority area, this equates to 0.3% of the total land coverage. When considered quantitatively and against the overall proportion of BMV land within North Warwickshire, this amount of land is negligible.

No Loss of BMV Land

5.15 It is also highlighted that this land is not lost from full agricultural use, either temporarily or in perpetuity.

5.16 Solar Farm developments are temporary developments, with planning permission typically granted for 40 years. The granting of planning permission for solar development does not alter the site's designation as agricultural land, and unlike other forms of development such as residential or industrial, a key aspect is that it is wholly reversable. The limited amount of built components and minimal ground intrusion required mean that removing the infrastructure and remediating the Site to its previous state is fully achievable and can be secured through the application of planning conditions.

5.17 Furthermore, whilst the land cannot be used for growing crops (at least at present) the minimal footprint of solar farms allows for certain farm practices to continue, with grazing of livestock including sheep, chickens and geese and beekeeping regularly undertaken. As such, the land can continue to provide some productive agricultural function at the same time as being used for energy generation. Points also agreed by the Inspector in respect of the Bereden Hall Farm application.

Soil Health and Biodiversity Net Gain

5.18 Enviromena are committed to making a positive and significant impact with regards to achieving biodiversity net gain and environmental improvements. As outlined, the

proposed development has been designed to ensure that, across the main body of the Site, a complete green groundcover is maintained.

5.19 The proposed development will also deliver significant biodiversity net gains through the combination of several measures including the creation of diverse meadow grassland underneath the photovoltaic arrays, the retention of arable margins, neutral grass and a woodland copse as well as Site boundary hedges and tree lines and the planting of a new native hedge through the centre of the Site.

5.20 The biodiversity net gains created through the proposed development will remain following the decommission of the proposed development and leave the Site in a better condition than pre-development.

5.21 In addition, it is recognised that the duration of the proposed development (40-years) provides a valuable opportunity for the soil health and ground conditions to recover. Once the proposed development is operational, most of the soil will be under perennial cover with no ploughing and only non-intensive grazing. This would lead to a soil which would be less vulnerable to wind and water erosion[4]. Leaving the land fallow can have restorative effects on the overall soil health and future agricultural land quality through an increase in soil organic matter, the diversity of soil flora, fauna and microbes, and improved soil structure. After the lifetime of the proposed development the soil health and agricultural qualities of the Site will have improved.

5.22 In short, the proposed development will deliver environmental enhancements and biodiversity net gains that will leave the Site in a better condition than pre-development. Not only that but the lifetime of the development provides a valuable opportunity for the soil health to rest. Again, points also agreed by the Inspector in respect of the Bereden Hall Farm application.

Agricultural Land Impact Summary

5.23 Overall, it is considered that should the Proposed Development, and the solar farm schemes listed in Figure 4.3, be granted planning permission, there would be negligible impact on the availability of BMV agricultural land in North Warwickshire given the overall proportion of BMV land in the district, the minimal quantum of such land effected, and the temporary and wholly reversable nature of solar development.

[4] Best highlighted by Inspector P.J.G Ware and confirmed by the Secretary of State with regards to Appeal 3293104, December 2022.

5.24 Given the overall proportion of BMV land in the district the likelihood of alternative sites of lesser quality to accommodate commercial solar development is considerably constrained.

5.25 Notwithstanding this, solar is a temporary and fully reversible type of development that can permit for some agricultural function from the land to continue. As such it does not result in the temporary or permanent loss of BMV land for future generations. By leaving the Site fallow it is anticipated that soil health will be considerably improved, and other improvements will ensure significant gains for local biodiversity.

6.0SUMMARY AND CONCLUSION

6.1 This Statement has been prepared by Stantec, to support North Warwickshire Borough Council's consideration of a planning application for a solar farm on land south of Fillongley (application ref: PAP/2023/0071).

6.2 The application Site comprises predominantly of Best and Most Versatile (BMV) agricultural land. Where development of agricultural land is demonstrated to be necessary, guidance states that local authorities try to use areas of poorer quality land over high quality. Importantly, whilst the guidance sets a clear preference for using poorer quality land, it is also evident that the use of BMV land can be acceptable.

6.3 Site selection criteria for solar development are highly constrained by technical and physical requirements that severely limit opportunities. The Site meets these requirements, including importantly a feasible point of connection with the National Grid and a willing landowner. The use of agricultural land is therefore necessary in this instance.

6.4 This Statement has demonstrated that the Proposed Development would have a negligible impact on the availability of BMV agricultural land in North Warwickshire based on the following:

- BMV land is not a scarce resource in North Warwickshire. Proportionally North Warwickshire has a greater provision of BMV land than found generally across the national, regional, or county geographic levels. Most notably it has, comparatively, significant provision of ALC Grade 1 and Grade 2 land. The ability to find alternative sites of lesser soil quality to accommodate commercial scale solar development is therefore highly constrained.
- At 63 ha the Site equates to 0.22% of the total authority area. At this scale impacts will be highly localised and negligible. When other consented and pending solar farm schemes are also considered, a total of 87.22Ha of BMV land would be taken out of productive agricultural use. This equates to 0.3% of the total land coverage of North Warwickshire. When considered quantitatively and against the overall proportion of BMV land within North Warwickshire, this amount of land is negligible.
- The 87.22Ha of BMV land proposed to accommodate solar development, however, is not lost from agricultural use, either temporarily or in perpetuity. The granting of planning permission for solar does not alter its designation as agricultural land, and unlike other forms of development it is wholly

reversable. Furthermore, the land can continue to provide an agricultural function for light grazing of livestock whilst being used for energy generation.

- Through landscape planting and ecological enhancements proposed significant net gains for local biodiversity will be delivered. In addition, by leaving the land fallow, ensuring constant ground cover of a diverse seed mix it is anticipated that soil health will improve.

6.5 Overall, the Proposed Development is considered to be in accordance with the NPPF, Local Development Plan and the National Soil Strategy, as such the use of the Site to accommodate a temporary Solar Farm can be justified in this instance.