



December 2023

Appeal by Vattenfall

**Land to the south of Hall Lane, Kemberton, Shifnal,  
Shropshire, TF11 9LB  
Installation of solar farm and associated infrastructure**

**Summary proof of evidence on agricultural land of  
Alastair Field, BA (Hons), MSc, FBIAC, PIEMA, MI Soil  
Sci**

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## **1 Introduction**

- 1.1 My name is Alastair Ian Field. My qualifications and experience are set out in my main proof of evidence.
- 1.2 I am instructed by the Appellant to provide evidence on agricultural land matters and particularly to address reason for refusal (RfR) no. 2 (**CD3.2**) which states that:

*“As Grade 3a/b agricultural land which is currently in active use, forming part of a tenancy with an ongoing organic dairy business, the 40 years that the site would be operating as a solar farm represents a considerable period of time for the loss of full productive capacity contrary to the spirit of the NPPF. The contribution towards targets for renewable energy generation and the reduction in greenhouse gas emissions are benefits which do not outweigh this and other harms identified. The development therefore fails to recognise the importance of farming for food production and fails to promote rural enterprise. The applicant has failed to demonstrate that the land remaining to the farm unit after development is of sufficient size or proportion to continue as a viable unit.”*

- 1.3 RfR no. 2 states that the proposal is therefore contrary to the National Planning Policy Framework (NPPF) and Policies CS13 and CS15 of the Shropshire Core Strategy 2006 – 2026 (**CD4.1**).

## **2 Agricultural Background to the Appeal Site**

- 2.1 The Appeal Site extends to 19.84ha of land in two grass fields. It was surveyed in accordance with the Agricultural Land Classification (ALC) guidelines, with a survey report prepared in February 2022 which was submitted with the application (**CD1.10**). This report was updated to cover the entire Appeal Site in September 2023 (**CD2.9**).
- 2.2 The survey found that the soils comprise dark yellowish brown, stoneless, medium and heavy clay loam topsoils over reddish brown, stoneless, clay subsoils or occasionally reddish brown, sandy clay loam subsoils.
- 2.3 Most of the subsoils are slowly permeable at shallow depths immediately beneath the topsoil and are imperfectly drained in Wetness Class III. With a heavy clay loam topsoil, they are mostly classified as Subgrade 3b.

- 2.4 The slowly permeable layer is deeper in three profiles, such that these are moderately well drained in Wetness Class II and classified as Subgrade 3a. The other two Subgrade 3a profiles have a slowly permeable layer at shallow depths but, unlike most of the site, have a medium clay loam or sandy clay loam topsoil texture, which improves drainage conditions.
- 2.5 The Appeal Site comprises 5.8ha of Subgrade 3a (29%) and 14ha of Subgrade 3b (71%), as shown in Figure 1.

**Figure 1: Detailed Agricultural Land Classification of the Appeal Site**



- 2.6 The Appeal Site is therefore predominantly not BMV land and, as can be seen from Figure 1, the BMV land is not contained within a single field such that it forms a coherent land management unit.
- 2.7 The Appeal Site has been owned by a farming couple since 2000, when one of the couple inherited the land. The owners farm in their own right about 11 miles to the north of the Appeal Site near Newport. The Appeal Site represents an off-lying parcel of land from the main holding and has consequently been rented out since it was inherited.
- 2.8 The land was rented on an annual Farm Business Tenancy with 12 months' notice from 2000 to 2022 by Brockton Grange, an organic dairy farm which lies to the south of the Appeal Site. There was no security of tenure during this time, and the Appeal Site was farmed on an opportunistic basis on the understanding that it may not be available to the farm in the following year(s). In 2023, the Appeal Site was farmed on a limited tenancy from April to August by Brockton Grange to maintain the land in good condition. The land is currently vacant.

### **3 Analysis of Reason for Refusal no. 2**

- 3.1 RfR no. 2 is predicated on a misunderstanding of the tenure of the Appeal Site. It does not, and did not at the time of the decision, form part of a tenancy with an organic dairy business. The land was farmed on an annual agreement and there was no security of tenure for the dairy business. There was no guarantee that the land would continue to be available to the neighbouring farm, even in the absence of the appeal proposal. The landowners could have chosen to rent the land to another local farmer or farmed it themselves at any time during the 20 years or so that it was farmed by the neighbouring organic dairy farm.
- 3.2 There is no requirement within national or local planning policy for the appellant to demonstrate that the land remaining to the farm unit after development is of sufficient size or proportion to continue as a viable unit, as claimed in RfR no. 2. If the Appeal Site forms part of any farm unit, it forms part of the landowners' farm based 11 miles away, which will continue as at present and remain as a viable unit.
- 3.3 The ongoing viability of the neighbouring farm is a matter for that farm alone as to how it operates, organises itself and secures sufficient resources to meet its needs. The farm's website and Facebook page show a highly progressive and prosperous farm that has invested substantially in dairy infrastructure and is increasing its workforce, and not one that is struggling for viability as a result of no longer having approximately 20ha of land available for grazing at the Appeal Site.
- 3.4 RfR no. 2 also states that the magnitude of loss of agricultural production (up to a gross margin of £46,000 per annum) is not outweighed by the contribution towards targets for renewable energy generation and the reduction in greenhouse gas emissions. However, a typical rent paid by a solar power generating company to a landowner exceeds a typical agricultural rent by a factor of ten, which is a clear indication that the overall economic benefits arising from renewable energy production are far greater than those from agricultural production alone.
- 3.5 Consequently, the claimed harm to food production in RfR no. 2 is unfounded, and there is no conflict with Policy CS13. Policy CS15, cited in RfR no. 2, is of no relevance to these considerations.
- 3.6 In terms of Policy CS6, not cited in RfR no. 2 but relevant to a consideration of development involving agricultural land, the agricultural land within the Appeal Site would be protected from harm or damage during the construction and operation of the solar farm, as:
- the solar panel frames would be piled;

- the area of hardstanding for the Distribution Network Operator substation and transformer enclosures would amount to only 0.01ha, which is 0.17% of the BMV land on the Appeal Site;
- post-construction surveys of other solar farms, involving soils that are more susceptible to compaction from construction activities than the soils at the Appeal Site, have concluded that the installation of the solar panels had caused minimal to no disturbance to soils and agricultural land quality; and
- the land can be returned to sole agricultural use at the end of the lifetime of the solar farm.

3.7 The land at the Appeal Site would continue in agricultural production during the lifetime of the project, under permanent pasture to be grazed by sheep. This form of management would continue the benefits to soil health that have been provided by the previous management, particularly in building soil organic matter and capturing and storing carbon.

3.8 It is evident therefore that BMV agricultural land would be safeguarded during the lifetime of the solar farm and there is no conflict with Policy CS6.

3.9 This view is consistent with the Planning Policy Guidance, which advises that solar farms are normally temporary structures and that planning conditions can be used to ensure that the installations are removed when no longer in use and the land restored to its previous use. It is also consistent with the advice given by Natural England that solar farms do not involve the permanent loss of agricultural land quality. In the Little Crow Solar Farm DCO decision (Appendix 4), the Secretary of State agreed with the Examining Authority that the proposed solar farm would not result in the permanent loss of farmland; that the use of 36.6ha of BMV land (6 times greater than the area involved at the Appeal Site) would be of negligible significance during the construction, operation and decommissioning phases; and that there would be a moderate beneficial effect for the quality of soils during the lifetime of the project.

3.10 It is also evident from both the site selection process and a consideration of other recent solar farm proposals in Shropshire that the Appeal Site makes use of the poorer quality land that is suitable and available for a solar farm in the locality.

3.11 Of the 22 potential sites considered in the area of search, none was lower quality than the Appeal Site and 16 were dismissed for further consideration solely on the basis of containing Grade 2 BMV land.

- 3.12 Of the seven recent solar farm proposals in Shropshire, only one involved a smaller quantity of BMV land than the Appeal Site, with the others using substantially more BMV land, often also of a higher grade within that category.
- 3.13 It is apparent therefore that the site selection process has taken into account and complied with draft Policies DP26 and DP18 by using poorer quality land in preference to land of a higher quality, where a proposal requires the use of agricultural land.
- 3.14 The use of 5.8ha of BMV land in Subgrade 3a at the Appeal Site is not therefore in conflict with Core Strategy Policy CS6 or Policies DP26 and DP18 of the emerging Shropshire Local Plan or paragraph 174b of the NPPF.