

**Byers Gill Solar  
EN010139**

# 6.4.9.2 Environmental Statement

## Appendix 9.2 Agricultural Land Assessment Criteria

Planning Act 2008

APFP Regulation 5(2)(a)

Infrastructure Planning (Applications: Prescribed  
Forms and Procedure) Regulations 2009

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# 1. Agricultural Land Significance Criteria

## 1.1. Introduction

- 1.1.1. The criteria for determining the sensitivity of agricultural land and soil resources were set out in Table 9.2 of the Scoping Report of October 2022, with the criteria for determining the magnitude of change set out in Table 9.3.
- 1.1.2. The Scoping Opinion issued in December 2022 did not make any comments on the methodology proposed and the significance criteria to be employed.
- 1.1.3. Chapter 9 of the Environmental Statement has therefore used the criteria set out in the Scoping Report, in accordance with Regulation 18(4)(a) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, and paragraph 038, Reference ID 4-038-20170728 of the Planning Practice Guidance, which state that where a scoping opinion or direction has been issued, an ES must be based on the most recent scoping opinion or direction issued, so far as the proposed development remains materially the same as the proposed development which was subject to the opinion or direction.
- 1.1.4. However, guidance from the Planning Inspectorate in its Frequently Asked Questions on the Scoping Process for EIA also acknowledges at paragraph 8 that there may be some evolution of the methodological approach between the Scoping stage and the submission of an application for development consent. The Inspectorate advises that it is for the Applicant to demonstrate how an ES submitted as part of an application for development consent meets the requirements of Regulation 18(4)(a).
- 1.1.5. The Applicant is aware that some other DCO solar projects have used the significance criteria set out by IEMA in its publication, A New Perspective of Land and Soil in Environmental Assessment, issued in February 2022.
- 1.1.6. This guidance has been taken into account in the assessment of agricultural land presented in Chapter 9 of the ES, as confirmed in paragraph 9.2.6.
- 1.1.7. The assessment and significance criteria used in Chapter 9 follow the same general approach as set out in the IEMA guidance, in assigning the level of significance according to the sensitivity of, and scale of impact on, agricultural land.
- 1.1.8. Sensitivity is generally related to the Agricultural Land Classification grade, with the higher grades being more sensitive, and magnitude of change generally to the type of impact and area of land affected.
- 1.1.9. However, there are differences in the terminology and detailed assessment criteria used, and so this sensitivity analysis has been carried out to determine the consequences of applying the different significance criteria.

## 1.2. Sensitivity analysis

1.2.1. A comparison of the sensitivity of agricultural land used in Chapter 9 and in the IEMA guidance is set out in Table 1-1.

**Table 1-1 Sensitivity of agricultural land**

Sensitivity	Chapter 9	IEMA
Very High	None in Chapter	Grades 1 and 2
High	Grade 1	Subgrade 3a
Medium	Grade 2 and Subgrade 3a	Subgrade 3b
Low	Subgrade 3b and Grade 4	Grades 4 and 5
Negligible	Grade 5	As for low sensitivity

1.2.2. A comparison of the magnitude of impact is set out in Table 1-2.

**Table 1-2 Magnitude of impact on agricultural land**

Magnitude	Chapter 9	IEMA
<b>High (IEMA Major)</b>	Development would directly lead to the loss of over 50ha of agricultural land	Permanent, irreversible loss of one or more soil functions or soil volumes (including permanent sealing or land quality downgrading) over an area of more than 20ha or loss of soil-related features, as advised by other topic specialists in EIA team
<b>Medium (IEMA Moderate)</b>	Development would directly lead to the loss of between 20ha and 49ha of agricultural land	Permanent, irreversible loss of one or more soil functions or soil volumes, over an area of between 5 and 20ha or loss of soil-related features, as advised by other topic specialists in EIA team
<b>Low (IEMA Minor)</b>	Development would directly lead to the loss of between 5ha and 19ha of agricultural land	Permanent, irreversible loss over less than 5ha or a temporary, reversible loss of one or more soil functions or soil volumes, or temporary, reversible loss of soil-related features, as advised by other topic specialists in EIA team
<b>Negligible</b>	Development would directly lead to the loss of less than 5ha of agricultural land	No discernible loss or reduction or improvement of soil functions or soil volumes that restrict current or proposed land use

1.2.3. Table 9-3 of Chapter 9 sets out the significance matrix used in the assessment, and is reproduced as Table 1-3.

**Table 1-3 Significance of effect (ES Chapter 9)**

		Sensitivity			
		High	Medium	Low	Negligible
Magnitude	High	Major	Major	Moderate	Minor
	Medium	Major	Moderate	Minor	Negligible
	Low	Moderate	Minor	Negligible	Negligible
	Negligible	Minor	Negligible	Negligible	Negligible

1.2.4. The IEMA significance matrix is reproduced (in a comparative format to the Chapter 9 matrix) as Table 1-4.

**Table 1-4 Significance of effect (IEMA)**

		Sensitivity				
		Very High	High	Medium	Low	Negligible
Magnitude	Major	Very large	Large or very large	Moderate or large	Slight or moderate	Slight
	Moderate	Large or very large	Moderate or large	Moderate	Slight	Neutral or slight
	Minor	Moderate or large	Slight or moderate	Slight	Neutral or slight	Neutral or slight
	Negligible	Slight	Slight	Neutral or slight	Neutral or slight	Slight
No change		Neutral	Neutral	Neutral	Neutral	Neutral

1.2.5. Table 1-5 sets out a comparison of the principal effects on agricultural land reported in Chapter 9, using the difference significance criteria set out in Table 1-1 and Table 1-2 and the respective significance matrices in Table 1-3 and Table 1-4.

**Table 1-5 Comparison of effects on agricultural land reported in Chapter 9**

Effect	Chapter 9	IEMA
Temporary loss of all agricultural land (455.5ha)	High magnitude of impact on a mostly low sensitivity receptor = moderate adverse effect	Minor magnitude of impact (a temporary, reversible loss of one or more soil functions) on a mostly medium sensitivity receptor = slight adverse effect
Temporary loss of BMV land (2.4ha of Grade 2 and 27.6ha of Subgrade 3a)	Medium magnitude of impact on a medium sensitivity receptor = moderate adverse effect	Minor magnitude of impact on a high to very high sensitivity receptor = moderate or large to slight or moderate adverse effect
Operational Effects	Scoped out	

Effect	Chapter 9	IEMA
<b>Decommissioning</b>	High magnitude of impact on a mostly low sensitivity receptor = moderate beneficial effect	Minor magnitude of impact on a mostly medium sensitivity receptor = slight beneficial effect

- 1.2.6. The approach taken in Chapter 9 of the ES reports the temporary loss of 456ha of agricultural land as moderate adverse (and moderate beneficial on decommissioning) whereas the IEMA approach would assess this loss as slight adverse (and slight beneficial on decommissioning), which is equivalent in terminology to minor adverse. This lower significance of effect is largely because all temporary, reversible losses of soil functions (such as food production) are assessed as a minor magnitude of impact following the IEMA guidance.
- 1.2.7. The temporary loss of BMV land would be moderate adverse under either approach, on the basis that the overall effect of a slight/moderate and moderate/large effect is moderate under the IEMA approach.
- 1.2.8. In summary, the approach taken in Chapter 9 of the ES reports a significant effect for the temporary loss of 456ha of agricultural land, which would not be reported as significant using the IEMA guidance.