

7000 Acres

7000 Acres Response to the West Burton Solar Project Ltd Application on the subject of:

Agricultural Land Classification

Deadline 1A Submission – 7th December 2023

In June 2022 Island Green Power (IGP) issued their PEIR report covering the initial scope of the project including the sites of WB1, WB2, WB3, WB4, and the Substation adjacent to the existing West Burton Power Station. Within the PEIR report was Chapter 3.2 Agricultural Land Classification Report which included the Amet Property Report dated May 2022 Issue 5 prepared by James Fulton MRICS FAAV.

In October 2022 IGP announced, for whatever reason, that WB4 was cancelled along with the Substation site which was relocated to WB3. PINS advice meeting dated 30 September 2022 already noted that WB4 had been removed from the scope of the project.

In March 2023 IGP submitted the Application for West Burton Solar Project. Within the application is Appendix 19.1: Agricultural Land Quality, Soil Resources & Farming Circumstances which contains the Amet Property Report dated 14th February 2023 Issue 8 issued by James Fulton MRICS FAAV. Despite being issued some 5 months after the decision was made to reduce the scope of the project this report covers the original total scope of the project, including WB4. This is a fundamental flaw of the report considering the amount of time that IGP and Amet Property has had to reconsider this complete report and reduce its scope to cover only the land that is now proposed for the project. The Applicant has failed to recognise the importance of this document and its significant relevance to the application. As mentioned by Mr Phillips, partner of Pinsent Masons at the Resumed Preliminary Meeting held on the 8th November 2023, "It is quite extraordinary that the Local Impact Report has not yet been prepared. There was no need to wait for the Rule 6 letter". Similarly, there was no need for the applicant to wait for the commencement of the NSIP process to correct their submission to only cover the revised scope for the proposed project. We therefore request that the Examining Authority requires IGP to instruct Amet Property to resubmit this document to show the scope of the project as now envisaged.

In comparing the original PEIR report to the latest submission for ALC, it appears that the WB4 change was made as a result of four lab tests carried out on samples 70, 71, 183 and 210 out of 254 samples taken. Two of these lab tests resulted in a change of the results from MCL to Calc MCL with One result changed from HCL to Calc HCL. The fourth result was retained as SL. May we request that the examiner asks Mr James Fulton whether he proposed the changes to the WB4 results as an outcome of these additional lab tests or whether he was instructed to change his report? The 7000 Acres Group argues that it is highly questionable that the results of 254 samples would change as a result of three different lab test results. A further round of lab tests should have been carried out on a different set of samples in order to verify this significant change. Furthermore these results should have been reflected in additional lab tests for the WB1, WB2 and WB3 sites.

The group does not have confidence at all in the Agricultural Land Classification data published by Island Green Power for the West Burton Solar Project (WBSP). DEFRA assessment of Best and Most Versatile (BMV) land anticipated a moderate likelihood of BMV land in this region (i.e. 3a and above). The IGP analysis contained within APP - 0308 only identifies the results as ‘6.14.10 On the Predictive BMV Land assessment (Figure 19.5) the Temple Oaks Renewable Energy Park and the Tillbridge Solar sites occupy predominantly Moderate Likelihood of BMV land (between 20% and 60% best and most versatile agricultural land) as for the West Burton Solar Project Order Limits’.

Within APP-137 Environmental Statement, Appendix 19.1 Agricultural Land Quality, Soil Resources & Farming Circumstances March 2023 can be found the following analysis:

5.1.1 Detailed ALC surveys within the site found agricultural land in ALC Grades 2, 3a and 3b. The distribution of ALC grades within the site is shown on Figures 19.1, 19.2 and 19.3, with areas given in Table 21 below [EN010132/APP/WB6.4.19.1 - WB6.4.19.3].

Table 1 : ALC Grade Distribution

ALC Grade	Area (ha)*	%
1	17.6	2.3
2	9.5	1.3
3a	172.4	22.8
3b	557.0	73.5
Non Agricultural	1.3	0.2
Total	757.8	100

When analysing the submitted ALC data in detail, contained in APP-137 Environmental Statement, Appendix 19.1 Agricultural Land Quality, Soil Resources & Farming Circumstances March 2023, the following inconsistencies and inaccuracies can be found:

Variances of Grade with similar data results:

Sample	Grade	Sample	Grade
450, 451	2	295, 306, 307, 308, 309, 322, 323, 324, 325, 326, 327, 336, 337, 338, 339, 340, 341, 342, 343, 344, 353, 354, 355, 356, 357, 359, 360, 366, 367, 368, 369, 371, 372, 373, 374, 375, 376	3b

Sample	Grade	Sample	Grade
391, 469	3a	386, 387, 388, 392, 393, 394, 395, 396, 397, 407, 408, 409, 415, 416, 417, 418, 419, 429, 430, 440, 448	3b
968, 998, 1009	3a	759, 760, 774, 775, 795, 796	3b
335	2	334, 597, 605, 613	3b
979, 980, 981, 982, 993, 994	3a	966, 967	3b

The classification of some of the samples has been downgraded based upon allocating the samples to the Wetness category III criteria. The field capacity of the soils shows this categorisation can be very marginal.

In addition to these records there are 96 samples with missing data in their field records or inaccuracies. A further 36 samples have inconsistencies in their field records. That is **216 records** that require further investigation and adjustment out of a total of **829 samples** i.e. **26% errors**.

The 7000 Acres Group questions the professional practices of the parties involved in these reports given the evidence provided. One significant element of Project Management is to check the data before publication. It is clear here that Amet Properties, Daniel Baird Soil Consultancy Ltd (Baird Soil) and the IGP Project Manager have all failed to carry out their professional due diligence responsibilities in this instance and therefore it puts into question all of the judgements that they have reported within these documents.

When these results and figures are compared to EN010132-000214-WB6.4.19.4 Figure 19.4 Farm Business Occupancy, it is clear that Farm Business C contains 73% BMV land and Farm Business D contains 61% BMV land and therefore, should be withdrawn from this application as they contain a majority of ALC Grades 1, 2 and 3a land. The draft National Policy Statement for Renewable Energy Infrastructure (NPS EN-3) reiterates that BMV crop land needs to be avoided where possible.

When the updated report is provided by Amet Properties, it will demonstrate the details of percentage allocation of ALC grades across each of the related Farm Businesses, which will then in turn, confirm the inappropriate use of these fields for the proposed development.

For other similar projects the Examining Authority has requested an ALC survey be carried out for the cable route in order to identify the Agricultural Land Classification for inclusion in the Soils Management Plan. We recommend that this is discussed with IGP and a response obtained for the West Burton Solar Project.