



THE DROVES
SOLAR FARM

The Drovers Solar Farm

Preliminary Environmental Information Report

Volume III, Chapter 11: Soils and Agriculture

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Appendix 11.1

Consultation and Legislation, Planning Policy and Guidance



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1 Consultation and Legislation, Planning Policy and Guidance

1.1 Consultation

- 1.1.1 The Planning Inspectorate (PINS) was provided with the Scoping Request in November 2024 (**Volume III, Appendix 2.1**), which included a chapter setting out the proposed scope of the soils and agriculture assessment and methodology for the Scheme. A Scoping Opinion was subsequently issued in December 2024 by the Planning Inspectorate on behalf of the Secretary of State (**Volume III, Appendix 2.2**). The comments from PINS in respect of the soils and agriculture assessment have been summarised in
- 1.2.1 Table 1.1 below, alongside commentary on where the comments have been addressed in **Volume I, Chapter 11: Land Use and Agriculture**.
- 1.3.1 Further consultation has been undertaken throughout the pre-application phase of the Scheme, and a summary of this, as relevant to soils and agriculture, is also provided within
- 1.4.1 Table 1.1 below.
- 1.5.1 The scope and information set out within this chapter has been, and will continue to be, informed by initial scoping and ongoing consultation with a number of relevant bodies. In the first instance, the information set out has been informed by the formal Scoping Opinion provided by the Planning Inspectorate (PINS), with consultees having been contacted and/or providing input into the consultation in relation to soils and agriculture.

Table 1.1 Summary of Consultation Undertaken to PEIR submission

Consultee Ref	ID	Summary of Consultation Response	How Response Has Been Addressed by Applicant
3.7.1		The effects on agricultural land during the operational phase can be scoped out, but the decommissioning phase should be scoped in.	This is agreed. For completeness, the potential effects at all phases have been included in the assessment.
3.7.2		The economic effects at the construction and decommissioning phases should be considered as well as the longer term operational effects.	This is agreed and farm economic and related effects are considered for all phases.



Consultee Ref	ID	Summary of Consultation Response	How Response Has Been Addressed by Applicant
3.7.3		The ES should clearly identify how the Study Area was chosen.	Noted. This is described in the PEIR and will be covered in the ES.
3.7.4		The ES should identify the land quality and quantify any losses. Reference Natural England's response.	The comment is noted. A full ALC survey is presented and the impacts are quantified.
3.7.5		The effect on soils should be identified. Consideration should be given to an outline Soil Management Plan.	Noted. Soils are assessed in detail in the PEIR and will be covered in the ES.
3.7.6		The table of farm business sensitivity requires further explanation.	This is noted and is addressed in this PEIR.
3.7.7		If sheep grazing is proposed it should be demonstrated that there are no restrictive covenants preventing such grazing.	Noted and addressed in this PEIR.
3.7.8		The ES should consider the cumulative effects at a regional scale with other projects that result in a reduction of BMV land.	The wider effects will be considered on a regional scale. A preliminary assessment is included in the PEIR and will be covered in the ES.
3.7.9		The potential severance effects at construction and operational phases should be included.	These are included in the assessment in this PEIR.
3.7.10		The potential effects on agricultural land drainage within the Site should be included in the assessment.	This is noted and these matters are assessed in the PEIR.
Norfolk County Council (2.4)		The County Council is concerned about the loss of BMV and would like to see agricultural uses, such as grazing or agri-voltaics, to be included.	The comment is noted. The potential for sheep grazing is included in the PEIR assessment.



Consultee Ref	ID	Summary of Consultation Response	How Response Has Been Addressed by Applicant
Castle Acre Parish Council		The potential displacement of fertile farmland vital to local and national food production is a concern.	Noted. The effects are being assessed and are provisionally assessed in this PEIR.

1.2 Legislation, Planning Policy and Guidance

Legislation

2.1.1 This section identifies the relevant legislation, planning policy, and guidance which underpin the assessment methodology for noise and vibration, and which have informed the preliminary environmental information presented in this chapter.

2.2.1 The following legislation has been taken into account in the assessment of effects:

- Town and Country Planning (Development Management Procedure) (England) Order 2015, which sets out the requirements for consultation with Natural England.

National Planning Policy

2.3.1 The following national planning policy has been taken into account in the assessment of effects:

- Overarching National Policy Statement for Energy 2024 (EN-1) [Ref 11-1]
- National Policy Statement on Renewable Energy Infrastructure 2024 (EN-3) [Ref 11-2]; and
- National Planning Policy Framework 2024 (NPPF) [Ref 11-3].

Local Planning Policy

2.4.1 The following local planning policy has been taken into account in the assessment of effects:

- Breckland Local Plan policy ENV10 (renewable energy development) which refers to solar energy on agricultural land stating “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, where possible; and that the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays”.

Guidance

2.5.1 The soils and agriculture assessment has also considered the following guidance documents:



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- Natural England's TIN049 (2012) "Protecting the best and most versatile agricultural land" [Ref 11-4]
- MAFF (1988) ALC of England and Wales: revised guidelines and criteria for grading the quality of agricultural land [Ref 11-5]
- Defra (2009) Construction Code of Practice for the Sustainable Use of Soils on Construction Sites [Ref 11-6]
- Institute of Quarrying (2021) Good Practice Guide for Handling Soils [Ref 11-7]; and
- Institute of Environmental Management and Assessment (2022) A New Perspective on Land and Soil in Environmental Impact Assessment (hereafter the 'IEMA Guidance') [Ref 11-8].



References

- Ref 11-1 Department for Energy and Net Zero (2024). Overarching National Policy Statement for Energy ('EN-1', 2024)
- Ref 11-2 Department for Energy and Net Zero (2024). National Policy Statement on Renewable Energy Infrastructure ('EN-3', 2024)
- Ref 11-3 Ministry of Housing, Communities and Local Government (formerly the Department for Levelling Up, Housing and Communities) (2023) National Planning Policy Framework (NPPF).
- Ref 11-4 Natural England Technical Information Note 049 "Protecting the Best and Most Versatile agricultural land, edition 2" (2012) The Drovers Solar Farm: Preliminary Environmental Impact Assessment February 2025
- Ref 11-5 Agricultural Land Classification of England and Wales: revised guidelines and criteria for grading the quality of agricultural land, MAFF (1988).
- Ref 11-6 Department for Environment, Food and Rural Affairs (2009). Construction Code of Practice for the Sustainable Use of Soils on Construction Sites
- Ref 11-7 The Institute of Quarrying (2021) Good Practice Guide for Handling Soils in Mineral Workings
- Ref 11-8 Institute of Environmental Management and Assessment (IEMA) Guide 'A New Perspective on Land and Soil in Environmental Impact Assessment', (2022)



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