

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL BY: William Davis Ltd and Jelson Ltd

**Land North of A511 Stephenson Way, Coalville,  
Leicestershire**

**Rebuttal Proof**

of:

**M J Reeve**

BSc, FISOilSci, CSci, MBIAC, MCIWEM

**on NWLDC's evidence on agricultural land quality.**

Land Research Associates Ltd  
Lockington Hall  
Lockington  
Derby DE74 2RH  
Tel: 01509 670570  
Fax: 01509 670676  
E-mail: [malcolm@lra.co.uk](mailto:malcolm@lra.co.uk)

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## **1 QUALIFICATIONS AND EXPERIENCE**

- 1.1 My name is Malcolm James Reeve. I am a Bachelor of Science (Geography & Geology) of the University of Bristol, a Fellow and past President of the Institute of Professional Soil Scientists and a Member of the British Institute of Agricultural Consultants. My qualifications, experience and instructions in the matter of agricultural land quality are provided in my proof of evidence, so are not repeated here.

## **2 NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL (NWLDC) EVIDENCE**

- 2.1 Agricultural land classification evidence on behalf of the council is provided in section 8 and associated appendices 14-19 of the proof of evidence of Andrew Murphy. My comments on the evidence are provided below, referenced to each paragraph of Mr Murphy's proof.

### **Paragraphs 8.1-8.4**

- 2.2 These paragraphs are factual accounts of national and regional planning guidance and are not contested.

### **Paragraph 8.5-8.6**

- 2.3 The figures quoted are from our original baseline survey of an area 8 ha larger than the final application area. More accurate figures are given in my proof of evidence but the differences between the two sets of figures are not significant. However, as explained in my main proof, it is the distribution of the subgrade 3a land that is significant for agricultural use. Except for the two fields alongside Hall Lane that are entirely of subgrade 3a land, the remainder is distributed as parts of fields where land use is controlled by the poorer subgrade 3b land. This constraint has been confirmed by the long-term farmer of the land.
- 2.4 Mr Murphy states that there is no indication that the illustrative masterplan takes account of the location of the best and most versatile land. However the only two fields that are dominated by subgrade 3a land will remain in a 'green' use as playing fields and, in consequence, will remain as a potential agricultural resource if required in the future. Subgrade 3a land in the western end of the application area will be converted to open space and woodland planting, similarly retaining agricultural potential.

### **Paragraphs 8.7-8.8**

- 2.5 Mr Murphy is wrong to link the quality of the agricultural land within the appeal site with the fact that it is designated as Green Wedge. PPS7 states, at Paragraph 28, that "*the presence of best and most versatile agricultural land .... should be taken into account alongside other sustainability considerations*". In the case of the appeal proposals, this means that it is appropriate for the decision maker to have regard to the sustainability credentials of the proposed development when weighing in the planning balance the extent of harm likely to be caused to land of the best and most versatile agricultural quality. And, the sustainability credentials of the appeal proposals are undeniably excellent. Developing

in conflict with Policy E20 of the Local Plan does not render the appeal proposals unsustainable, in fact quite the opposite is true. Accordingly, it is inappropriate to suggest that a conflict with Policy E20 should increase the weight that one affords to the protection of the best and most versatile land. This is clearly not the case and not what is intended by PPS7.

#### **Paragraphs 8.9-8.10**

2.6 These deal with available information on the agricultural quality of land around Coalville using much of the same information that I have presented in my main proof of evidence.

The followings points need making:

- Appendix 18 reproduces an extract from the provisional agricultural land classification (ALC) mapped produced in the 1970s when the classification was different.
- The map in Appendix 15 reflects a next stage in development of the ALC system when MAFF surveyors were tasked in the 1980s with dividing grade 3 land into three subgrades, applying a protocol that ignored any grade 3 land being reclassified as grade 2 (or vice versa). This classification was superseded in 1988 when the current classification was introduced. Consequently, both of these maps must be interpreted with care, as pointed out by the letter from English Nature that is reproduced as Appendix 19 of My Murphy's proof.
- The results of the post-1988 survey around Bardon Grange in Appendix 16 is referred to in Table 2 of my proof where I state (In relation to SHLAA site C23) that most land is of subgrade 3b agricultural quality.
- Natural England's map of 'Predictive Best and Most Versatile Land' reproduced as Appendix 17 is based on published soil mapping, some of it carried out by myself during the 1980s. It is no coincidence that my predictions, carried out independently and reproduced as Map MJR 3 of my proof, give similar results.

2.7 Mr Murphy uses the caveats attached to the English Nature maps to contend that it is not possible to reach reliable conclusions whether any of the 36 SHLAA sites are based on best and most versatile agricultural land. While I appreciated that a desk-based assessment is no substitute for a detailed survey of agricultural land quality, all indications from soil maps and English Nature's predictive exercise are that SHLAA sites C18, C24-27, C30 and C40 are on best and most versatile land. In my proof I have been able to go a stage further and estimate if the sites are predominantly grade 2 or a mixture of grade 2 and subgrade 3a.

#### **Paragraphs 8.11-8.12**

2.8 The classification of agricultural land on the east side of Coalville is not in dispute, nor the presence of previously developed sites that might or might not be available for

development. The issue before the inspector is whether the small area of usable best and most versatile land within the Stephenson Green site is a valid reason for refusal.

2.9 In relation to the 27.6 ha site C30, accepted in the SHLAA to be a mixture of Grades 2 and 3, assessed by me to be of grade 2 and sub-grade 3a, and predicted by English Nature to be within an area with more than 60% best and most versatile land, the SHLAA states:

*'The agricultural land classification is not a reason to reject housing on the site'.*

2.10 In light of the above, Mr Murphy's arguments in relation to the small area of usable subgrade 3a land on the Stephenson Green site, all of it to be retained with agricultural potential, cannot be accepted.