



Department
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Philip Dunne
Chair
Environmental Audit Committee
House of Commons
London
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6 September 2022

Dear Philip,

PLANNING GUIDANCE AND FIELD SCALE SOLAR ARRAYS

Following my appearance before your committee shortly before recess, I agreed to write to clarify the situation regarding planning guidance and field scale solar arrays.

In 2015, following concern about the loss of agricultural land due to field scale solar arrays, the Government adopted a revised policy stance. The Chief Planning Officer issued guidance relating to solar arrays which stated: "Particular factors a local planning authority will need to consider include ... where a proposal involves greenfield land, whether (i) 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; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays."

The guidance did not make reference to the Best and Most Versatile land but rather stated that when greenfield sites were being developed for solar that there should be a presumption in favour of less valuable agricultural land. An accompanying Written Ministerial Statement at the time did make reference to BMV land which was seen as emphasising the importance of BMV land in particular.

In my evidence to the committee and on other occasions on the floor of the House, I have stated that BMV land is defined as land classification "grade 3b and above." This was based on my recollection of discussions with policy officials in 2015 when the new policy stance was devised and also based on my knowledge that the government had also conceded a Judicial Review challenge to a decision made by the Planning Inspectorate in respect of a solar array on grade 3b land at around that time. However, I would like to take this opportunity to clarify that BMV land is actually defined by Natural England's Guide to assessing development proposals on agricultural land (2021) and in the National Planning Policy Framework (2021) as land above (but not including) grade 3b. I am copying this letter to the House of Commons speaker to correct this error and provide the context.



The committee should note that the planning guidance issued in 2015 does not make reference to BMV land. Therefore, for example, where a Planning Authority is considering a development on 3b land, there is also a need for them to consider whether there is any land that is classified as grade 4 or below as an alternative. It should also be noted that concern over the loss of agricultural land has been an issue in the recent Conservative Leadership debate and the new leader of the Conservative Party has pledged to take further action to strengthen protections for agricultural land.

Yours sincerely,



RT HON GEORGE EUSTICE MP