



2021-03-30 - DNS  
Application Response

**From:** Williams, Arwel (ESNR - ERA - Land, Nature & Forestry)

**Sent:** 03 June 2021 12:42

**To:** PS Minister for Climate Change [REDACTED]

**Cc:** PS Deputy Minister for Climate Change [REDACTED]; Special Advisers

[REDACTED]; Butler, Daniel (OFM - Special Adviser)

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(ESNR - ERA - Land, Nature & Forestry) [REDACTED] LNFD Ministerial Mailbox

[REDACTED]

**Subject:** E-mail Briefing- Planning Objections (x3) Due to Potential Loss of High Quality Agricultural Land

Dear Minister,

*(others – for information)*

Please find below a briefing note from the Soil Policy & Agricultural Land Use Planning Unit with regard to the protection of our Best and Most Versatile (BMV) agricultural land.

Officials have recently submitted Objections due to the loss of high quality agricultural land to the following planning proposals for and on behalf of the Department: -

1. **Objection** submitted against a proposed Development of National Significance (DNS) solar development at Lower Nash Farm, Blackberry Lane, Pembrokeshire, (Ref: DNS/3245065)
2. **Conditional objection** submitted against proposed development at [REDACTED]
3. **Objection** submitted against a proposed development at [REDACTED]

## Background

Best and Most Versatile (BMV) agricultural land is defined as being the most flexible, productive and efficient land which can best deliver future crops for food and non-food uses.

Only 10-15% of Wales is classified as BMV. It is a finite resource; once lost to development it can never be replaced. Planning Policy Wales (paragraph 3.58 and

3.59) states considerable weight should be given to protecting such land from development because of its special importance. The aim is to ensure the effective delivery of a robust and sustainable policy which conserves our BMV agricultural land as a long-term national resource.

BMV Planning Policy is not a designation precluding development. The purpose of the policy is to ensure the national agricultural interest is taken into account in the planning system; limit the loss of agricultural land to speculative and unjustified development; and, direct development to lower quality agricultural land.

## **Departmental Remit**

In certain circumstances, the Department for Climate Change either has the statutory right to be consulted or may take the initiative in commenting on planning proposals, so that planning authorities are made fully aware of the agricultural implications (TAN 6; Annex B).

The Soil Policy & Agricultural Land Use Planning Unit exercises this role on behalf of the Department, i.e. objecting to a development proposal where it goes against Planning Policy Wales and the national agricultural interest.

## **Objections**

Officials have issued objections because in the view of the Department, the loss of the BMV areas below is unjustified and significant given its wider impact on the national agricultural interest.

### **1. OBJECTION – Development of National Significance (DNS) - Proposed Solar development at Lower Nash Farm, Blackberry Lane, Pembroke Dock, Pembrokeshire, SA72 4SJ – Ref: DNS/3245065**

On 30<sup>th</sup> March 2021 a Departmental **Objection** was made against a planning application (DNS) for a 34.25ha solar development on Land near Blackberry Lane, Pembrokeshire. The application, if granted, would involve the loss of **27.75ha** of BMV agricultural land (80% of the site). The Department does not dispute the benefits of solar energy but considers that there is no need to locate solar energy on BMV agricultural land. Therefore, the ability to locate solar energy on a wide range of sites should not conflict with BMV policy.

### **Reasons for Objection**

The Department have expressed an **objection** to this planning application in the long term national agricultural interest for the following reasons: -

- i. The loss of 27.75ha of confirmed BMV agricultural land is a matter of national significance.

- ii. It is considered that the proposal has failed to give considerable weight to protecting BMV agricultural land because of its special importance.
- iii. The Department views the search area for a site as insufficient and, therefore, arguments of overriding need and possible alternative sites are not credible.
- iv. No evidence has been presented to demonstrate that once developed, its return to agriculture as BMV agricultural land is practicable.

A copy of our objection response, including further details is attached for information.

### **Next Steps**

The Department has been invited by Planning Inspectorate (PINS) to attend the hearing sessions on 8<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup> of June 2021 in respect of the application. The Department has submitted our statement of case to PINS in preparation for the hearing.

Following the hearing, PINS will make a recommendation to the Minister for Climate Change for determination of this DNS planning application. As the Planning (DNS) and BMV agricultural land responsibilities are within the portfolio of the minister, suitable arrangements may need to be considered by for determination of the application.

Further information will be provided on the [REDACTED] case and the [REDACTED] case as they develop.

I would be more than happy to discuss or provide more detail should you wish.

Regards

Arwel Williams

Arwel Wyn Williams  
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