



Third Revolution Projects

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10th June 2024

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Dear Mark,

Tydd Solar (ref: H19-0329-24) – New Written Ministerial Statement

As you will be aware, the new Written Ministerial Statement ('WMS') on 'Solar and protecting our Food Security and Best and Most Versatile (BMV) Land' was issued on 15th May 2024. We comment as follows on the relevant points arising.

The WMS deals with the balance between the need for energy security and food security and largely consolidates previous statements, including the 2015 Written Ministerial Statement. The key points include:

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1. Regard is had to the grading of BMV Land, so that increased weight is to be given to higher grades.
2. Growing concern about cumulative impacts is reflected.
3. Concern about the quality of surveys is reflected (stating 'The Government will address this by supporting independent certification by an appropriate certifying body, subject to relevant business case approval, to ensure Agricultural Land Classification Soil Surveys are of a high standard, requiring surveyors to demonstrate meeting an agreed minimum requirement of training/experience').
4. There is further encouragement for rooftop deployment and development on brownfield land.

The WMS applies immediately and (as above) will be a material consideration for all size of schemes.

With reference to the NPPF, BMV and Tydd, the WMS simply restates policy already in the NPPF (footnote 62) and clarifies that *"this means that due weight needs to be given to the proposed use of Best and Most Versatile land when considering whether planning consent should be granted for solar developments."* What constitutes due weight is a matter for the decision-maker but reading across policy, NPS EN-3 indicates *"...land type should not be a predominating factor in determining the suitability of the site location..."* (2.10.29) while where possible using previously developed land, brownfield land, contaminated land, industrial land and lower grade land (the applicant's Site Search demonstrates that such options were not possible). In the recent Wymondley appeal decision, the Secretary of State considered BMV land and found the use of such land to be compliant with policy.



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The WMS refers to a graduated hierarchy, with the highest grade having the greatest onus on showing its use to be necessary. The Tydd site has avoided the highest Grade 1 and 2 land, with the Site Search explaining at length why use of BMV is necessary and providing “the most compelling evidence” (2015 WMS) to justify its use.

Regarding cumulative impacts, close consideration has been given to the potential for cumulative impacts. We note that at present, the nearby NSIP Meridian Solar is in pre-app stage and is not expected to be submitted to planning until Q2 2025. It is our understanding that consideration of cumulative impacts is primarily focused on schemes at a more advanced stage and are either submitted or consented. Notwithstanding the stage of this particular project, there is not considered to be overlapping cumulative issues such as intervisibility or cumulative transport considerations owing to the distance between the sites and the lack of direct routes between the two. As such full regard has been had to cumulative impacts and the scheme is considered to be acceptable in this regard.

The soil classification has been carried out based on the Ministry of Agriculture Fisheries and Food revised guidelines and criteria for grading the quality of Agricultural Land October 1988.

In summary, the steer in the WMS to avoid using BMV where possible applies specifically to NSIP projects. For all others, including Tydd, the Statement restates existing NPPF policy and reminds decision-makers that “due weight” be given to BMV and particularly the highest grade. The Wymondley case found no policy conflict in using BMV and there is no indication that due weight was not applied. The materials we have provided demonstrate in detail that it is necessary in this location to use BMV and that the significant benefits provided by the scheme are compelling.

We trust that the enclosed information is of assistance, but should you have any queries in respect of this addition, please do not hesitate to contact me directly.

Yours faithfully,



Ben Wheeler
Town Planner

