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Review of the Weight That Is Given to Best Most Versatile (BMV) Land by Local Authorities and National Policy

February 2020

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Review of the Weight That Is Given to Best Most Versatile (BMV) Land by Local Authorities and National Policy

February 2020

Welsh Government – Soil Policy & Agricultural Land Use Planning Unit

Report SPEP2018-19/06



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About this document:

This document provides the results of a scoping study examining the extent to which the protection afforded Best and Most Versatile (BMV) Agricultural Land is a consideration within the planning system in Wales. This study included interviews with participating Welsh Local Planning Authorities, in the context of development management decisions and the preparation of Local Plans.

The study examines how and when BMV land becomes a factor within planning decisions, and explores case studies that demonstrate potential actions that could aid in the consideration and sustainable protection of BMV land within planning policy and planning decisions.

Where any data supplied by the client or from other sources have been used, it has been assumed that the information is correct. No responsibility can be accepted by ADAS for inaccuracies in the data supplied by any other party. The conclusions and recommendations in this report are based on the assumption that all relevant information has been supplied by those bodies from whom it was requested.

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Where field investigations have been carried out, these have been restricted to a level of detail required to achieve the stated objectives of the work.

This work has been undertaken in accordance with the quality management system of ADAS.

Keywords:

Best and Most Versatile Land, Agricultural Land, Planning Policy

Glossary

ALC	Agricultural Land Classification
BMV	Best and Most Versatile Land
DEFRA	Department for Environment, Food and Rural Affairs
EIA	Environmental Impact Assessment
LDP	Local Development Plan
LPA	Local Planning Authority
MAFF	Ministry of Agriculture, Forestry and Fisheries
OS	Ordnance Survey
PPW	Planning Policy Wales
TAN	Technical Advice Note

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Key Findings 1

- It was found that the references in Technical Advice Note (TAN) 6 are out of date. Reference is made to discontinued departments, the most notable of which is the Sustainability and Environmental Evidence Division (SEED), within the Department for Rural Affairs.
- Overall, 22 out of the 25 Local Planning Authorities (LPAs) in Wales responded to the study. However of these 22, only 7 were found to monitor BMV land.
- The majority of LPAs rely on National Policy to protect BMV land, with it not being specifically referenced in local policies, as per guidance from Welsh Government.
- 8 Local Authorities and 2 National Parks currently do have a planning policy governing BMV land; Wrexham, Vale of Glamorgan, Isle of Anglesey and Gwynedd (Joint Local Development Plan), Cardiff, Conway, Newport, and Flintshire Local Planning Authorities, in addition to Brecon Beacons and Snowdonia National Park.
- The majority of responding authorities have not used the loss of BMV land as a reason for refusal.
- When comparing LPAs that are considered to have the most BMV land, only Vale of Glamorgan, Powys and Monmouthshire LPAs actually monitored the loss of BMV land.
- The currently used Agricultural Land Classification (ALC) grading criteria and the Predictive ALC Map are based on a methodology and assessment criteria that is over 30 years old. Generally it was found that the majority of Local Authorities are not aware of ongoing work by the Welsh Government and Defra (Department for Environment, Food and Rural Affairs) to update and refresh the ALC grading criteria.
- It is noted that this can be expected due to the update being more of a clarification of the existing 1988 guidelines¹, rather than a comprehensive technical review. It was found that those Local Authorities that are aware of the updates to the ALC grading criteria discovered this due to ALC surveys being completed within their district.
- Overall from responses to interviews and questionnaires, it was generally found that LPAs are requesting more guidance from the Welsh Government on how to rank BMV land as a criteria in comparison to other planning constraints.

¹ Link to 1988 MAFF Report: <http://publications.naturalengland.org.uk/publication/6257050620264448>

2 Introduction

2.1 About this Document

- 2.1.1 This document provides the results of a scoping study examining the extent to which Welsh Local Planning Authorities (LPAs) understand and apply National and Local Policy relating to Best and Most Versatile (BMV) Land, and therefore the weight that the policy is given as result. This includes exploring how BMV policy is applied, in addition to discussing case studies that demonstrate the application of the relevant BMV policies as part of a planning application decision.
- 2.1.2 Additionally, the study examines the extent of Welsh LPAs knowledge in regard to BMV land, and explores case studies to develop recommendations on actions that could be taken to help the LPAs and other decision making bodies provide the correct weight to BMV land in future decisions. It is noted that this document is interactive and includes hyperlinks to further information, included as footnotes where appropriate.

2.2 Overview

- 2.2.1 This report has been undertaken by RSK ADAS Ltd on behalf of the Welsh Government. The objective was to contact all 25 of the LPAs in Wales to look at how they assess and protect BMV agricultural land. This included contacting District, Unitary, County, and City Councils, in addition to the 3 National Park Authorities within Wales (referred to as LPAs within this document).
- 2.2.2 BMV land is described in Planning Policy Wales Edition 10 (PPW) in paragraphs 3.54 and 3.55 as “Agricultural land of Grades 1, 2 and 3a of the Agricultural Land Classification system (ALC) is the best and most versatile, and should be conserved as a finite resource for the future”² (See Figure 1).
- 2.2.3 In accordance with this description, PPW states that considerable weight should be given to protecting BMV land from development.
- 2.2.4 These paragraphs within PPW provide general guidance on the protection of BMV land, stating that developments on BMV land should not be granted if there are alternative suitable sites that are not BMV land. This is unless those alternative sites have recognisable environmental value, such as carrying landscape, wildlife, historic or archaeological designations that are considered to outweigh the BMV land designation.
- 2.2.5 Generally, the wording of PPW indicates that this assessment is the purview of the individual planning officer, rather than being entirely defined and weighted within policy.
- 2.2.6 As part of this report, the BMV knowledge of the LPA planning officers has also been explored, in addition to reviewing how officer’s weigh up the loss of BMV land against other constraints within the planning balance. Further to this, the effectiveness of the tools available to planning officers has been explored, with the content of each individual LPAs policies and constraints also being assessed.

2.3 The Importance of BMV Agricultural Land

- 2.3.1 The most productive areas of agricultural land were originally assigned a large degree of importance as a result of the demand to safeguard the self-sufficiency of food production during the Second World War. This continued into the post-war period, with the understanding that what became BMV

² Link to PPW Edition 10: <https://gov.wales/sites/default/files/publications/2019-02/planning-policy-wales-edition-10.pdf>

Land was a finite resource, and as a result needed to be both managed and protected (MAFF, 1976)³. The ALC system was implemented in both England and Wales in 1966.

- 2.3.2 The introduction of the ALC System separated agricultural land into a number of defined grades, with BMV land being identified as Grades 1, 2 and 3a. Figure 1, located below, provides a general description of each of the ALC Grades (MAFF, 1988)⁴:

Figure 1: Table Demonstrating the ALC Grading Criteria (Source MAFF, 1988)⁴

Grade of Land	Description	Further Detail
1	Excellent Quality	Little to no minor limitations on agricultural use. A wide range of agricultural and horticultural crops can be grown, with a high and consistent yield.
2	Very Good	Some minor limitations on crop yield, cultivation or harvesting. Wide range of crops, however limitations on more demanding crops. High yield, lower than Grade 1.
3a	Good	Moderate to high yield of a narrow range of arable crops, or a moderate yield of less demanding agricultural and horticultural crops.
3b	Moderate	Moderate yields of crops such as cereals and grass, with lower yields of other crops. High yields of grass.
4	Poor	Severe limitations which restrict range and/or level of yields. Mostly grass and occasional arable crops, but highly variable yields.
5	Very Poor	Severe limitations which restrict use to permanent pasture or rough grazing. Exceptions are pioneering forage crops.

- 2.3.3 The criteria for grading the quality of agricultural land is based on the Ministry of Agriculture, Fisheries and Food (MAFF) 1988 revised guidelines⁴, with the following being considered when evaluating the grade of land: climate, exposure, soil depth, soil wetness, slope, drought, stones, wind exposure, and considerations from the surveyors experience.
- 2.3.4 It is noted that in the development of the Predictive ALC Map, five criteria are not considered. These are: flooding, pattern limitation, micro-relief, frost and chemical limitations. These aspects were not included due to a lack of detailed spatial planning information available at the time. However, it is acknowledged that currently work is ongoing in regard to developing a national ALC flood risk map. It is noted that the omission of this criteria means that the Predictive ALC Map is not 100% accurate, and as such will always require a survey for the definitive grading of the agricultural land.
- 2.3.5 Therefore, it is acknowledged that modelled systems should never be considered to be definitive, and are only as reliable as the underlying data used, as well as the algorithms and assumptions used in development.
- 2.3.6 It is also noted that the Predictive ALC Map is finished in raster grids of 50m². This scale was considered to be appropriate due to the maps purpose, to act as a predictive overview as opposed to a definitive data source. As noted above, further surveys are recommended to confirm the classification of the land.⁵

³ Link to Technical Report: SP1501/TR (Web Cache):

http://webcache.googleusercontent.com/search?q=cache:fUp8fSI402MJ:randd.defra.gov.uk/Document.aspx%3FDocument%3D9905_SP1501finalreport.pdf+&cd=1&hl=en&ct=clnk&gl=uk

⁴ Ministry of Agriculture, Fisheries and Food (1988) *Revised Guidelines and Criteria for Grading the Quality of Agricultural Land*. Online Link (Web Cache):

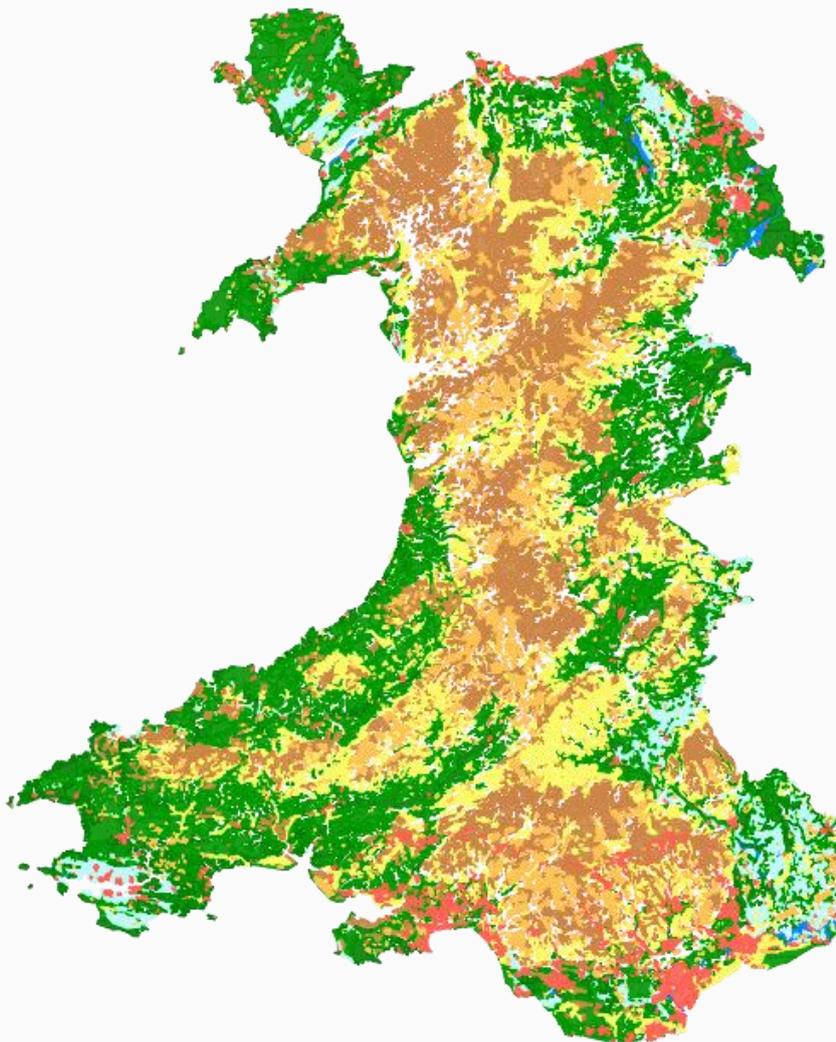
<http://webcache.googleusercontent.com/search?q=cache:PzOT8KdB9CwJ:publications.naturalengland.org.uk/file/5526580165083136+&cd=1&hl=en&ct=clnk&gl=uk>

⁵ Link to the Predictive Map Guidance Document: <https://gov.wales/sites/default/files/publications/2018-02/agricultural-land-classification-predictive-map-guidance.pdf>

- 2.3.7 Generally, there have been minimal changes to the wording and formatting of BMV policy within the last 9 versions of PPW, from the 2nd Edition up to the current 10th Edition. This is demonstrated within Appendix D of this report, which compares the policy wording in PPW Editions 2-9 and PPW Edition 10 relating to BMV land and ALC land classification in full.
- 2.3.8 The policy pertaining to BMV land is situated within paragraphs 3.35 and 3.36 of PPW Edition 10. It had previously been a single paragraph within PPW Editions 2 to 4 (paragraph 4.9) and PPW Editions 5 to 9 (paragraph 4.10). It is considered that this lack of change does demonstrate the overall age of BMV policy within Planning Policy Wales.
- 2.3.9 Currently, it is estimated that BMV land makes up around 10-13%⁶ of the total land area of Wales (as per the Predictive ALC Map). However, it is noted that this figure is stated as being 7% on the Welsh Government Website⁷. The majority of BMV land is located in the lowland coastal and border areas of Wales, particularly in Flintshire, Wrexham and Denbighshire in the north, and the coastal areas of Monmouthshire and Pembrokeshire. The Predictive ALC Map has been included below to demonstrate this:

Figure 2: Predictive Agricultural Land Classification (ALC) Map; Source: Lle Geo Portal, Welsh Government⁷

Predictive Agricultural Land Classification (ALC) Map of Wales



⁶ ADAS (On Behalf of the Welsh Government) (2019) *SPEP 2018-19-03 - Historic Loss of BMV Land*

⁷ Link to the Predictive ALC Map: <https://gov.wales/agricultural-land-classification-predictive-map>

- 2.3.10 Generally within Wales the lowest grades are located in the more upland areas that consist of more hilly and mountainous terrain. Snowdonia and the Brecon Beacons National Parks are particular examples of this (as assessed from the Predictive ALC Map)⁸.
- 2.3.11 Agricultural Land Classification was devised and introduced in the 1960s within Technical Report 11 (DEFRA, 1966)⁹, which also formed the original basis for the consideration of agricultural land within the planning process in addition to advice and consideration provided by the representative government departments of the time, the Ministry of Agriculture, Fisheries and Food (MAFF) within England and the Welsh Office Agriculture Department (WOAD) for Wales.
- 2.3.12 Additionally, it is noted that the initial introduced system was reviewed and amended, with a key alteration being the further subdivision of Grade 3 ALC land (Grade 3a & Grade 3b land) within Technical Report 11/1 (MAFF, 1976)¹⁰. Generally, it is considered that these amendments were introduced due to improvements in technology and the availability of the data.
- 2.3.13 Further to this, the Ministry of Agriculture, Fisheries and Food (MAFF) introduced revised guidelines and criteria for grading the quality of agricultural land for both England and Wales in 1988 (MAFF, 1988)¹¹. It is noted that this document included comprehensive descriptions of each ALC grade, in addition to providing clear descriptions of other land categories used on ALC maps. These have been included in full within Appendix C.
- 2.3.14 The current data identifying BMV land in Wales is supplied via the Predictive ALC Map, also referred to as the Hollington Map, which was introduced in November 2017. Additionally, the Welsh Government supplied a Guidance Note (November 2017)¹² detailing how to use the Predictive ALC Map, in addition to providing information on when to commission surveys.
- 2.3.15 Prior to the Predictive ALC Map, the data source for BMV land was the Provisional ALC Map¹³, produced between 1967 and 1974 at the scale of 1:250,000, omitting data from the Soil Survey of England and Wales (SSEW) (Now referred to as the National Soil Map or NATMAP)¹⁴, and using a classification system since replaced. It is noted that this originally divided the land into the original five land grades (Grades 1, 2, 3, 4 and 5), and was not updated to the grading system introduced within Technical Report 11/1⁹.
- 2.3.16 Responses to this study indicate that this map was difficult to interpret, primarily due to the large scale and age of the map. Despite this, this data set served as the primary source for identifying BMV land for over 40 years, from 1974 until the introduction of the Predictive ALC Map in 2017.
- 2.3.17 Further to this, the current outside pressures relating to the safeguarding of BMV land are also noted. These can be summarised as; pressures for increased development to meet housing targets potentially being located on BMV land, concerns regarding the safeguarding of food security, particularly in relation to the UK leaving the EU, and also the potential effects of climate change reducing the amount of available BMV land.

⁸ Link to Lle Map Browser: http://lle.gov.wales/map/alc?_ga=2.126461389.1923787507.1574672243-1891089081.1565783282#b=europa&l=908h;893h;1326;&m=-3.37438,53.25114,11

⁹ Ministry of Agriculture, Fisheries and Food (1966) *Agricultural Land Classification, Technical Report No. 11*. Agricultural Land Service.

¹⁰ Ministry of Agriculture, Fisheries and Food (1976) *Agricultural Land Classification of England and Wales: the Definition and Identification of Sub-grades within Grade 3*, Technical Report No. 11/1.

¹¹ Ministry of Agriculture, Fisheries and Food (1988) *Revised Guidelines and Criteria for Grading the Quality of Agricultural Land*. Online Link (Web Cache):

<http://webcache.googleusercontent.com/search?q=cache:PzOT8KdB9CwJ:publications.naturalengland.org.uk/file/5526580165083136+&cd=1&hl=en&ct=clnk&gl=uk>

¹² Link to the Predictive Map Guidance: <https://gov.wales/sites/default/files/publications/2018-02/agricultural-land-classification-predictive-map-guidance.pdf>

¹³ Great Britain. Agricultural Development and Advisory Service. (1976) *Survey Section. 1:250,000 Series Agricultural Land Classification*. Online Link: <https://catalog.loc.gov/vwebv/search?searchCode=LCCN&searchArg=79696467&searchType=1&permalink=y>

¹⁴ National Soil Map (Formerly SSEW): <https://data.gov.uk/dataset/ea1442bf-ba77-42cc-80e7-2ea339ccb28a/natmap-national-soil-map>

2.4 Comparisons with English Planning Policy

- 2.4.1 Planning Policy in England at the national level is defined by the National Planning Policy Framework (NPPF)¹⁵. The NPPF defines BMV land as the same as PPW. Paragraph 170 of the NPPF states the following in relation to BMV land:

“Planning policies and decisions should contribute to and enhance the natural and local environment by:

a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

*b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the **best and most versatile agricultural land**, and of trees and woodland;*

c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and

f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.”

- 2.4.2 In England, each Local Planning Authority must consult with Natural England as defined by Schedule 4(y) of the Town and Country Planning (Development Management Procedure (England) Order) (DMPO) 2015 where the following applies:

“Development which is not for agricultural purposes and is not in accordance with the provisions of a development and involves-

a) The loss of not less than 20 hectares of grades 1, 2 or 3a agricultural land which is for the time being used (or was last used) for agricultural purposes: or

b) The loss of less than 20 hectares of grades 1, 2 or 3a agricultural land which is for the time being used (or was last used) for agricultural purposes, in circumstances in which the development is likely to lead to a further loss of agricultural land amounting cumulatively to 20 hectares of more.”

- 2.4.3 It is therefore considered that this replicates the procedure as outline in Section B2 of Annex B of TAN 6¹⁶.

- 2.4.4 There is further guidance contained within resources published online by the UK government, specifically Planning Practice Guidance regarding how the planning process can take into account the quality of agricultural land ¹⁷. It is also noted that this guidance states that there are five grades of agricultural land, in addition to stating what legislation there is for consulting Natural England.

¹⁵ Link:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf

¹⁶ Link: <https://gov.wales/sites/default/files/publications/2018-09/tan6-sustainable-rural-communities.pdf>

¹⁷ Link: <https://www.gov.uk/guidance/natural-environment#agricultural-land-soil-and-brownfield-land-of-environmental-value>

2.5 Structure of the Report

- 2.5.1 The key objectives for this report are outlined within Section 3.1, located below. This will then be explored in detail within the following 8 sections that make up this report. The content of these sections are summarised as the following:

Section 3 Structure of the Study

This section outlines the aims and objectives of the study, in addition to providing a methodology, description of the data collection process, as well as the questions that were asked as part of the study.

Section 4 National Policy Background

This section of the report provides an overview of the relevant National Planning Policies for Wales. This includes Planning Policy Wales (PPW), in addition to Technical Advice Note 6, as well as further supporting documents. The content of these documents relating to BMV land and ALC have been discussed, providing context to the study.

Section 5 Local Policy Background

Building upon Section 4, the role of Local Development Plans are also discussed with a particular focus on the inclusion of policy relating to BMV land.

Section 6 Initial Findings

This section discusses the chosen process of engaging with the LPAs within Wales, the immediate considerations that were brought up through this dialogue, and the wider contextual issues in relation to the consideration of BMV land within the planning system in Wales.

Section 7 Case Study

This section explores a chosen case study that were raised by LPA officer's during the interviews, providing examples of points raised and the different factors that can potentially impact the consideration of BMV land within both planning decisions and also the formulation of local plans.

Section 8 Conclusions

This section discusses the findings of the study. These include major points that stood out throughout the process of engaging Local Planning Authorities, in addition to a number of repeating themes that were found to be consistent across a number of different authorities.

Section 9 Recommendations

This section draws together the information gathered within this study, illustrating what are considered to be the key findings, and recommendations drawn from this.

3.1 Aims and Objectives

- 3.1.1 A review of the protection provided to BMV land was commissioned by DEFRA in 2011 (Technical Report: SP1501/TR)¹⁸. This document had aimed to include both England and Wales, however only 2 Welsh Planning Authorities, Vale of Glamorgan and Denbighshire, provided evidence to the study. The aim of this study is to comprehensively expand upon this previous study and provide an up to date response by solely focusing on LPAs within Wales.
- 3.1.2 This study aims to assess the level to which BMV land is a consideration within both planning policy and decisions. Additionally, it aims to provide a wider indication of LPAs knowledge of BMV Land, in addition to wider contextual factors, such as the size and resources available to LPAs.
- 3.1.3 The key objectives of the review were to:
- To provide a summary of the size of both the development management and planning policy teams in each LPA, with the aim to provide context to how the size of a planning department may affect the monitoring of a consideration such as BMV land.
 - To assess the level of knowledge of each LPA in regard to BMV land, and further to this how that knowledge is applied in practice.
 - To explore the relationship between BMV land and other planning considerations within planning decisions and planning policy.
 - To make effective use of case studies to explore how BMV land is considered compared to other conflicting constraints within the planning decisions and planning policy.
 - To use the information collected within this study to inform the Welsh Government in regard to BMV land as a planning consideration, and to potentially advise on recommendations and conclusions.

3.2 Methodology & Data Collection

- 3.2.1 A questionnaire (included within Appendix B) along with a request for a telephone interview was sent out to all 25 LPAs in Wales. Of these 25, 17 LPAs agreed to take part in a telephone interview. It is noted that 4 out of the 25 LPAs responded only with the answered questionnaire (Flintshire, Wrexham, Newport and Rhondda Cynon Taf). They cited that they were unable to take part in an interview due to time and resource constraints placed on them by their new Local Plan/Local Plan review or they gave no reason.
- 3.2.2 In addition to the telephone interviews, 6 LPAs were contacted in regard to a face to face interview. The requests were based on responses from the telephone interviews as well as the LPAs who had large amounts of BMV land or were otherwise constrained by it. For example from the phone interviews it had become clear that Swansea and Monmouthshire had more information regarding this topic, which could be discussed in greater detail within a face to face meeting.
- 3.2.3 Of the 6 face to face requests sent only three accepted (Cardiff, Swansea and Monmouthshire), with the remainder responding either with questionnaires or not at all. It is noted that of these 3 LPAs, 2

¹⁸ Link to Technical Report: SP1501/TR (Web Cache):

http://webcache.googleusercontent.com/search?q=cache:fUp8fSl402MJ:randd.defra.gov.uk/Document.aspx%3FDocument%3D9905_SP1501finalreport.pdf&cd=1&hl=en&ct=clnk&gl=uk

had previously completed telephone interviews (Swansea and Monmouthshire). From these meetings and questionnaires the responses were collated and processed into the graphs, tables and conclusions detailed within this report, and also included in full within the Appendices of this document (Appendix F).

- 3.2.4 Additionally, there has been no reply/questionnaire returned from 3 LPAs (Bridgend, Denbighshire and Gwent). They have either cited that the pressures of their Local Plan review have kept them from responding or have not responded at all.
- 3.2.5 Following the completed interview, either by phone or a face to face meeting, ADAS returned an annotated questionnaire to the participating LPAs, to allow for them to add any additional information or to amend any responses included on the questionnaire.
- 3.2.6 These finalised answers were then returned and the responses collated. A full copy of the collated answers to the questionnaires can be found in Appendix F. It should be noted that not all the LPAs responded to the filled-in questionnaire and as a result it has been assumed that they were content with the original responses recorded during the meeting with ADAS.
- 3.2.7 In the case of the LPAs who provided a questionnaire response only, they were also asked additional questions that had been brought up from the various interviews during the study. These included whether the LPA paid for their RTPI membership and if they had any questions for the Welsh Government or ADAS regarding the questionnaire. All questions asked as part of the questionnaire have been included below within Figure 3, with the original example of the questionnaire being included within Appendix B of this document.

3.3 Questions Asked

- 3.3.1 Figure 3 (below) demonstrates the full list of questions asked to each of the LPAs. Please note that the questions in italics were additional questions not included as part of the supplied questionnaire;

Figure 3: Questions asked to each Local Planning Authority (Source: ADAS, 2019)¹⁹

Question Number	Question Asked
	<i>Do you have any questions before we start?</i>
1)	How many full time Development Management and Planning Policy Officers does your department have?
2)	How many of your planning staff are chartered members of the Royal Town Planning Institute? <i>a. Does your authority pay for membership?</i> <i>b. Is membership required for any posts?</i> <i>c. Does your authority monitor who has an RTPI membership?</i>
3)	What is your understanding of Best and Most Versatile Land?
4)	What information sources does your Authority use to develop the evidence base for BMV land in order to satisfy the policy/spatial planning/placemaking. Please rank the following in order of most used? a. Predictive Map from the Lle Geo Portal, developed by the Welsh Government b. Provisional Map c. Surveys – WG (Welsh Government) and/or Commercial d. Planning Policy Wales – Can you advise which Policy you have referred to and why? e. Technical Advice Note 6 – Which chapter(s) and annex(es)?

¹⁹ Full Questionnaire Included in Appendix B

	<p>f. WG advice – land Quality Advice Service emails, telephone, meeting, written guidance</p> <p>g. How long does it take to get this response?</p> <p>h. Specialist ALC consultants – Does your Authority commission surveys or require developers to commission surveys? What is your experience of engaging with private ALC consultants and the standard of surveys provided?</p> <p>i. PIN appeal decision reports – If yes, what are the planning reference numbers for the application?</p>
5)	Do Local Planning Authorities have all the information they need to make decisions and what do you think is missing / additional needs to implement the policy consistently?
6)	<p>What weight is given to BMV land in developing a local development plan?</p> <p>a. How is BMV land considered in the spatial strategy and candidate site selection?</p> <p>b. At what stage is your Local Development Plan (LDP) at?</p> <p>c. If your Authority's LDP is no longer in date, do you have a 5 year housing land supply?</p> <p>d. What weight is given to BMV land in departure cases?</p> <p>e. Does the Local Planning Authority have a planning policy/policies within their Local Development Plans which relate to BMV land?</p> <p>f. If there is no planning policy relating to development on BMV land, will the Local Planning Authority propose to include one in their LDP?</p>
7)	What are the determining factors and priority in application of BMV policy by Local Authorities?
8)	<p>Has the Planning Authority used BMV land as a reason for refusal?</p> <p>a. If yes, was this refusal appealed by the applicant?</p> <p>b. Was the planning appeal dismissed in favour of the Planning Authority?</p> <p>c. Did the Planning Authority pursue costs against the appellant?</p> <p>d. Did the planning appeal succeed?</p> <p>e. Did the appellant pursue a costs case against the Council and were they successful?</p> <p>f. How many cases and if known how many hectare areas of the BMV land has been developed where the planning appeal is upheld and is granted approval by the Inspector?</p>
9)	Does your LPA monitor the loss of BMV land?
10)	How does your LPA monitor, record and report loss of BMV land?
11)	How much BMV land has been lost?
12)	How does monitoring inform policy application?
	<i>Has your department heard of the Sustainability and Environmental Evidence Division (SEED) of the Ministry for Agriculture and Fisheries?</i>
	<i>Do you have any questions for the Welsh Government or ADAS?</i>

3.3.2 These questions were compiled in correspondence with the key contacts at the Welsh Government and by recalling first-hand experience of the ADAS planning team having worked within Local Government. We also took into account the need for all question responses to be based upon on objective evidence which could be collated should the need arise for further investigation.

3.4 Analysis of Data Methods

- 3.4.1 The responses to the above questions were collated into a spreadsheet with the answers to each question presented in a table (included in Appendix F). This data was then used to make the charts and graphs included within this report, to better illustrate the responses to each of the questions asked to the LPAs.
- 3.4.2 This data combined with the responses to the other questions was then assessed by ADAS to look for correlations and patterns, such as if there was a link between staffing numbers and BMV land lost. These observations were then used to inform the analysis and discussions in this report and inform the final recommendations detailed in section 9 of this report.

3.5 Tools and Materials Used

- 3.5.1 Located below (Figure 4) is a full list of all the tools and resources used to gather the information, process it and then present it within this study:

Figure 4: Tools and Information Used

Used to Gather Information
- Questionnaires - Telephone Interviews - Face to Face Interviews
Used to Process Information
- Microsoft Excel
Used to Present Information
- Microsoft Word

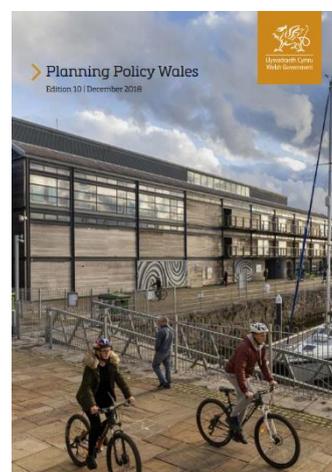
4 National Policy Background

4.1 Introduction

- 4.1.1 This section will discuss the two key National Planning Policy documents for Wales in relation to Best and Most Versatile land, Planning Policy Wales and Technical Advice Note 6. Furthermore, additional supporting information that relates to BMV land will also be discussed, with an aim of providing a level of context for the wider study into the weight given to BMV land during the planning process.
- 4.1.2 It should be noted that this review of the relevant policy relating to BMV land was completed prior to the study itself, with the goal of creating a foundation of understanding to help inform and guide the study.

4.2 National Planning Policy: Planning Policy Wales (PPW)

- 4.2.1 PPW Edition 10 provides the main legislative background for planning policy within Wales. The first edition was introduced in 2001, following the creation of the Welsh Assembly Government in 1999. The initial document differed little from its English counterpart, however following successive updates it is now its own distinct document. Additionally, the introduction of Technical Advice Notes (TANs) have provided detailed planning advice on specific areas of planning. It is noted that due to this, Welsh Planning Policy for the most part was not hugely affected by changes made to the Planning System in England following changes in Government.
- 4.2.2 Within the current adopted PPW document, BMV land is referenced within Section 3, paragraphs 3.54 and 3.55, located on page 38. It states the following:



“Agricultural land of grades 1, 2 and 3a of the Agricultural Land Classification system (ALC) is the best and most versatile, and should be conserved as a finite resource for the future.

*When considering the search sequence and in development plan policies and development management decisions considerable weight should be given to protecting such land from development, because of its special importance. Land in grades 1, 2 and 3a should only be developed if there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations. If land in grades 1, 2 or 3a does need to be developed, and there is a choice between sites of different grades, development should be directed to land of the lowest grade”.*²⁰

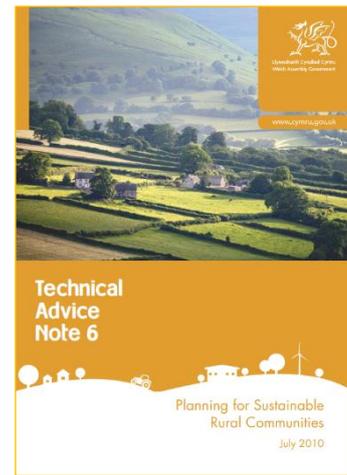
- 4.2.3 This latest PPW document, Edition 10, was released in 2018. It is noted that this document only appears to reference BMV land once, within the above highlighted section. The point is raised that this appears to be somewhat of an imbalance between the amount of legislation and the protection afforded to BMV land.

²⁰ Link to Planning Policy Wales (PPW) (Edition 10): <https://gov.wales/sites/default/files/publications/2018-12/planning-policy-wales-edition-10.pdf>

- 4.2.4 However the position of this within the document is noted, with BMV policy appearing to have been brought forward to Chapter 3, regarding Strategic and Spatial Choices. This may be to ensure that BMV land is considered at an early stage of the planning decision process.
- 4.2.5 When comparing the current edition of PPW to the previous editions of PPW, the level of reference to BMV land appears to remain the same. The Second (June 2010), Third (July 2010) and Fourth (2011) Editions of PPW reference this in within paragraph 4.9, whereas this has been moved to paragraph 4.10 within the Fifth (2012) Edition of PPW. Following on from this, the Sixth (February 2014), Seventh (July 2014), Eighth (January 2016) and also Ninth (November 2016) Editions continue this by referencing BMV Policy within paragraph 4.10.

4.3 Technical Advice Notes (TAN)

- 4.3.1 First published in 1996, the introduction of TANs are considered to be the first clear distinction between the Welsh and English Planning Systems. This documents tend to specifically focus around a single area, with TAN 1 referring to housing land. In regard to BMV land, it is included as an element within TAN 6, which covers planning for sustainable rural communities. The current document was first published in 2010, replacing the original TAN 6 (2000), which related to Agricultural and Rural Development.²¹
- 4.3.2 Within the document itself, BMV land is referred to within Chapter 6, particularly within Section 6.2. In a wider sense this section covers development involving agricultural land, and has a particular focus on BMV land. Specifically, paragraphs 6.2.2 and 6.2.3 of this document state that:



“Planning authorities should bear in mind that, once land is built on, the restoration of semi-natural and natural habitats and landscape features is rarely possible and usually expensive, and archaeological and historic features cannot be replaces. Also once agricultural land is developed, even for ‘soft’ uses such as golf courses, its return to agricultural as best and most versatile agricultural land is seldom practicable.

Agricultural land is classified by grades according to the extent to which its physical or chemical characteristics impose long term limitations on agricultural use for food production. There are 5 grades of land numbered 1 to 5, with grade 3 divided into two sub-grades. The best and most versatile land falls into grades 1, 2 and subgrade 3a and is the most flexible, productive and efficient in response to inputs”.²²

- 4.3.3 It is noted that due to the age of this document, it does now appear to reference both documents and departments that are now considered to be out of date, having been dissolved or superseded. One pertinent example of this is located within Annex B of the document, specifically sections B.1, B.2, B.3 and B.7.
- 4.3.4 Each of these sections refer to the ‘Sustainability and Environmental Evidence Division (SEED) (Formerly Technical Services Division, TSD)’. In particular, section B.1 states to contact this department for ‘information on the quality of agricultural land within the plan area, and, in particular, the location of best most versatile agricultural land’. However it would appear that this department is no longer in place. This does raise the issue that this is the main link to advice regarding BMV land and it is no longer relevant within this document.

²¹ Link to TAN 6: <https://gov.wales/technical-advice-note-tan-6-planning-sustainable-rural-communities>

- 4.3.5 Furthermore, the above identified paragraphs within TAN also refer to the old Provisional ALC Maps, as opposed to the current Predictive ALC Map. In discussing the use of the Provisional Map, the document makes reference to the scale used of 1:250,000, stating that the scale is rough and as such the map should be used as a wide overview of the classification of the land. Further to this, paragraph 6.2 explicitly states ‘the map is not suitable for use in evaluating individual sites’. It continues by recommending the use of more detailed surveys as opposed to a complete reliance on the Provisional Map to give an entirely accurate grade for the land.

4.4 Further Supporting Documents

- 4.4.1 With the introduction of the Predictive ALC Map, the Welsh Government has also produced a Guidance Note, detailing its use. Additionally, the note gives a brief history of BMV land and the ALC.
- 4.4.2 However, it is noted that this document appears to be out of date as it refers to the 9th edition of PPW, particularly referencing section 4.10. Despite this, this document does appear to be largely accurate, particularly in referring to the history of BMV land. It is also considered that the guidance it provides in relation to the need to commission surveys is also accurate.
- 4.4.3 Additionally, the Welsh Government has also provided a document outlining some Frequently Asked Questions in regard to the Predictive ALC Map. It is noted that this does not make reference to any editions of PPW or other BMV policy.
- 4.4.4 However there is a discrepancy between the publication date on the Welsh Government website and the date at the top of the FAQ. This is that the FAQ is stated to have been last updated and published in June 2016 on the Welsh Government website. Whereas on the document its self the date given is December 2017, over a year later.
- 4.4.5 Further to these key documents, there are a number of available ministerial documents and letters that also carry a level of weight. An example of this is are the letters from the Chief Planner (CPO Letters). This is a letter sent out by the Chief Planning Officer in order to provide guidance to the LPAs in relation to a certain topic.
- 4.4.6 It is noted that the CPO letter that relates to BMV land was sent in January 2016. Due to date of the letter, it discusses the use of the Provisional ALC Map, as well as making reference to the introduction of the current Predictive ALC Map, which has introduced soon after the date of the letter.

4.5 Assessment of National Policy

- 4.5.1 As noted above, BMV policy has remained largely the same throughout the lifespan of both the various PPW documents and TAN 6. There appears to be issues as a result of the age of TAN 6, particularly with it appearing to reference government departments which are no longer in place, such as the Sustainability and Environmental Evidence Division (SEED), as mentioned above. Additionally, it is acknowledged that in regard to BMV policy, LPAs have been using guidance that is 9 years old, predating the Predictive ALC Map (2017), and with the relevant department within the Welsh Government concerning BMV land being no longer operational.
- 4.5.2 It is considered that without an apparent clear department to go to for advice regarding BMV land, there may potentially be a barrier between Local Planning Authorities and the Welsh Government. This is one consideration that will be explored within the study.
- 4.5.3 The lack of amendments to BMV policy within the text potentially indicates that, whilst continuing to be protected in the policy text, BMV land has perhaps not been a priority of the Welsh Government for the last decade in terms of providing advice at a national level. Alternatively, it is also acknowledged that this general lack of update may also be as a result of it being considered that the wording of the policy continues to be suitable and relevant.

- 4.5.4 Additionally, it should be noted that monitoring BMV land is not a national requirement unlike other material planning considerations. As a result of this, it would be expected that the majority of LPAs do not monitor the loss of BMV land.
- 4.5.5 Despite this, it is considered that the development of the Predictive ALC Map could potentially provide the framework for the Welsh Government to monitor the loss of BMV land at a national level. However, the potential resources required for this is also noted, particularly when factoring in historic losses of BMV land prior to the creation and adoption of the Predictive ALC Map.
- 4.5.6 Further to this, the point is raised that use of the ONS urban layers to look at historic loss only covers urban areas up until 2011. Ordnance Survey data is updated regionally at different time points so it remains difficult to assess BMV loss between 2011 and 2019.

5.1 Introduction

- 5.1.1 Following on from National Planning Policy, policy at a local level has also been discussed in relation to BMV land. It is noted that it is the responsibility of each LPA to produce a Local Development Plan (LDP) to control development within their area.
- 5.1.2 Further to this, it is made clear that a LPA should not repeat or duplicate policy that is included as part of PPW within their own Local Development Plans, and due to BMV land being included as an aspect of the current and historic editions of PPW, it can be expected that it has not been included within the majority of Local Development Plans.

5.2 Local Development Plans

- 5.2.1 When comparing the Local Development Plans (LDP) of the 25 LPAs that make up Wales, it is considered that the point regarding the duplication of policy has been largely followed. It is noted that 60% of LPAs do not have a policy referring to BMV land, and this appears to be increasing in the near future as Flintshire County Council is currently planning to remove their BMV policy in their new LDP. However, it is acknowledged that Flintshire have a dedicated paper on BMV policy, with it being applied to the development of their new LDP.²³
- 5.2.2 It is noted that due to most LPAs not having a specific policy relating to BMV land, the majority of LPAs in Wales are completely dependent on the generic national policy within PPW and TAN 6.
- 5.2.3 It is considered that the lack of a specific policy relating to BMV land for each LPA area could potentially cause issues, due to the discrepancy in the amount of BMV land in different areas. As well as the weight given to BMV land in relation to the differing constraints of each LPA. This means that each LPA is interpreting the same PPW and TAN policies differently from each other and potentially from decisions made by the Planning Inspectorate. This could potentially cause problems when Planning Inspectors apply this National Policy across multiple LPAs, with conflicts arising regarding their interpretation and the overall planning balance of BMV land in comparison to other material considerations.
- 5.2.4 However, when considering the inclusion of a Local Policy relating to BMV land, there appears to be somewhat of a correlation between those LPAs that don't have one and being unable to demonstrate a 5 Year Housing Land Supply.
- 5.2.5 It is acknowledged that the majority of LPAs of the 11 who rely on National Policy are not able to demonstrate a 5 Year Land Supply. This was found to be in contrast to those LPAs that do have a local BMV policy, which tend to be more likely to be able to demonstrate a 5 Year Land Supply. However it is acknowledged there are other constraints that would affect this, but it is an interesting correlation to note, particularly if it is brought up by the participating LPAs within the study itself.

²³ Link to Flintshire Local Development Plan Summary of Progress: <https://www.flintshire.gov.uk/en/Resident/Planning/Flintshire-Local-Development-Plan.aspx>

6 Initial Findings

6.1 Introduction

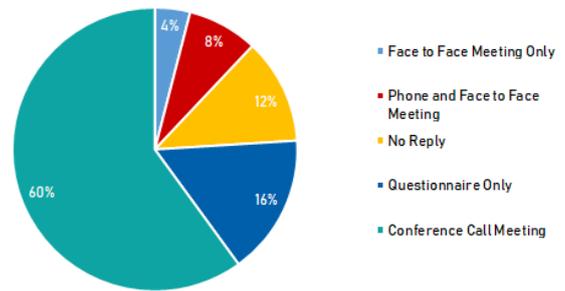
- 6.1.1 This section outlines the results of the data gathering process, through the use of both questionnaires and interviews with the corresponding LPAs. It is noted that a decision was made in regard to the LPAs who would be beneficial to meet face to face, and those where it was considered that a telephone interview was more suitable.
- 6.1.2 From the beginning it was decided to use both questionnaires and interviews to get the information from the LPAs. This combined method would mean that the questionnaires could be sent out prior to the interviews, allowing the LPAs to gather the relevant information prior to the interview. This meant that each LPA was ready for the questions that would be asked and had the information ready for the interview.
- 6.1.3 Additionally, it was considered that sending out the questionnaire first also meant that if the LPA could not make an interview they could still fill in the questionnaire and provide useful information. This was the case with 4 LPAs whose information would have otherwise not been added to this report which would in turn have led to a weaker conclusion.
- 6.1.4 The method chosen to interview the majority of LPAs (17 in total) was a telephone interview via a conference call. This was a cost and time effective method as it allowed greater flexibility on dates and times whilst still allowing the more natural flow of information and discussion.
- 6.1.5 It should be noted that from these telephone calls there were a few requests for face to face meetings from LPAs. These tended to be those who were more constrained by BMV land. These meetings allowed the LPAs to provide plans of sites and the distribution of BMV land in their district giving much more detail and discussion regarding BMV land.

6.2 Questionnaire & Interviews

- 6.2.1 As part of the data gathering process, a questionnaire was developed between ADAS and the Welsh Government, with the aim of covering the key areas of interest in relation to BMV land. A copy of this can be found in Appendix B. This method was chosen to allow a mechanism to provide a base level of data from each of the consulted LPAs. Additionally, it allowed ADAS to provide a copy to each authority prior to the interviews and enabled the authorities to prepare and gain an understanding of the focus of the study, in addition to preparing any additional information which may be of use.
- 6.2.2 Further to this, it is noted that this also enabled the planning officers that partook in the study to be able to gather information from within their authority and provide additional information. This resulted in a more in-depth discussion between ADAS and the participants and allowed a greater exploration of the topic at hand as both parties had an understanding of what would be discussed.

6.2.3 Generally, it was found that the majority of the 25 LPAs were happy to engage with the study, with an overall response rate of 88%. Additionally, whilst there were a number of authorities that could not partake in an interview, they were still prepared to provide answers to the questionnaire, providing information to help inform the study. Figure 5, located to the right, demonstrates the range of participation methods by the LPAs, in addition to also including the percentage of LPAs who did not respond to the study.

Figure 5: Showing how each of the Welsh Planning Authorities were contacted and the level of their participation



6.3 Resources

6.3.1 As noted previously, the first 2 questions included as part of the questionnaire relate to the number of staff in both the Development Management and Planning Policy departments of each LPA. These questions identified the level of resources each LPA currently have within their departments. The figure provided below (Figure 6) indicates these staffing levels:

Figure 6: Table Demonstrating the Total Staff Numbers of each partaking Local Authority. Figures given are Full-Time Equivalent (FTE). Asterisk indicates Authorities that were included within the 2011 DEFRA BMV Report.

Local Authority	Total Staff (FTE)	Planning Policy	Development Management	Enforcement
Brecon Beacons National Park	11	3	8	
Caerphilly County Borough Council	15	6	9	
Cardiff Council	28	7	21	
Carmarthenshire County Council	15	5	10	
Ceredigion County Council	12	5	7	
Conwy County Borough Council	18.5	6	10	2.5
Flintshire County Council	19	6	13	
Gwynedd Council	20	8	9	3
Isle of Anglesey County Council	21	8	13	
Merthyr Tydfil County Borough Council	9.5	3.5	4	2
Monmouthshire County Council	21.8	4.8	17	
Neath Port Talbot Council	22	7	15	
Newport City Council	17.8	3.8	10	4
Pembrokeshire Coast National Park	9	3	6	
Pembrokeshire County Council	14	4	10	
Powys County Council	20.7	6.4	14.3	
Rhondda Cynon Taf County Borough Council	17	5	12	
Snowdonia National Park	8	3	5	
Swansea Council	22	4	14	4
Torfaen County Borough Council	11	4	4	3
Vale of Glamorgan Council*	22	5	17	
Wrexham County Borough Council	10	4	6	

6.3.2 The 3 LPAs that did not partake in the study (Blaenau Gwent County Borough Council, Bridgend County Borough Council, and Denbighshire County Council) are excluded due to no figures being provided.

6.3.3 One aspect that immediately stands out from the above data demonstrates the differences between 3 of the larger urban areas (Cardiff Council, Swansea Council and Neath Port Talbot Council), in addition to the Vale of Glamorgan, which is located adjacent to Cardiff and includes Cardiff Airport, in comparison to the staff sizes of the other LPAs. It is noted that these 3 highlighted LPAs have in excess of 22 members of staff, with Cardiff Council having the most at 28. These LPAs had the largest overall planning teams. It is noted that in regard to Cardiff Council, the 21 members of staff within Development Management are split between major and minor applications, with the major application team consisting of 10, and the minor application team consisting of 11 respectively.

- 6.3.4 It is noted that the number of staff that make up the enforcement team for each planning authority has also been included where the data has been provided. It is considered that whilst this provides an increased level of detail to demonstrate the resources available at each planning authority, it is not a key consideration in regard to BMV land, and as such was not included as part of the questionnaire.
- 6.3.5 Figure 7 (located below) demonstrates the number of Royal Town Planning Institute (RTPI) chartered members each LPA has. The RTPI is the Chartered Institute responsible for maintaining professional standards and providing accreditation within the planning profession²⁴. Also included was the response to whether or not an LPA contributes to membership fees for the RTPI.
- 6.3.6 The point should also be raised that the RTPI also has a branch specific to Wales. RTPI Cymru promotes planning as a profession and builds links with other built environment professions and organisations throughout Wales. It also supports dialogue on planning policy issues with many Welsh public bodies, industry representatives and within the media.²⁵

Figure 7: Number of Staff who are members of the RTPI, and where available, the level of membership and whether the membership fee is paid for by the LPA

Local Authority	Total Staff (FTE)	RTPI Members	Chartered Members	Student Members	Fee Paid
Brecon Beacons National Park	11	9			
Caerphilly County Borough Council	15	6			N/A
Cardiff Council	26	Figures Not Provided			
Carmarthenshire County Council	15	Not Currently Monitored			
Ceredigion County Council	12	5			
Conwy County Borough Council	18.5	15	14	1	
Flintshire County Council	19	4			
Gwynedd Council	20	2			
Isle of Anglesey County Council	21	6			
Merthyr Tydfil County Borough Council	9.5	5			
Monmouthshire County Council	21.8	9			
Neath Port Talbot Council	22	6			
Newport City Council	17.8	7			
Pembrokeshire Coast National Park	9	5	4	1	N/A
Pembrokeshire County Council	14	9			
Powys County Council	20.7		6		
Rhondda Cynon Taf County Borough Council	17	Figures Not Provided			N/A
Snowdonia National Park	8	3			
Swansea Council	22	17			
Torfaen County Borough Council	11	11	8	3	
Vale of Glamorgan Council*	22	14	11	3	
Wrexham County Borough Council	10	3			

- 6.3.7 Generally, there appears to be little correlation relating to which LPAs have staff who are RTPI Members and factors such as geography, urban density or the type of LPA. Additionally, there appears to be little correlation between the numbers of RTPI members and whether the LPA pays for membership.
- 6.3.8 In relation to those LPAs that provided the information in regard to the level of membership, it appears that generally some LPAs appear to put a high degree of importance on RTPI membership, whilst it appeared to have little importance in other LPAs. It is noted that 3 responding LPAs did not provide any information regarding RTPI membership.
- 6.3.9 Additionally, it is noted that Conwy did previously pay for RTPI membership for its planning officers, but has since stopped. Furthermore, it was recognised that whilst Ceredigion does not pay for members of their planning team, they do pay for the Head of Department.
- 6.3.10 Question 4 asked LPAs what information they currently use to develop the evidence base for BMV land. This is demonstrated in Figure 8, located below:

²⁴ Link to RTPI Website: <https://www.rtpi.org.uk/about-the-rtpi/>

²⁵ Link to RTPI Cymru: <https://www.rtpi.org.uk/the-rtpi-near-you/rtpi-cymru/>

Figure 8: Information Sources and Descriptions

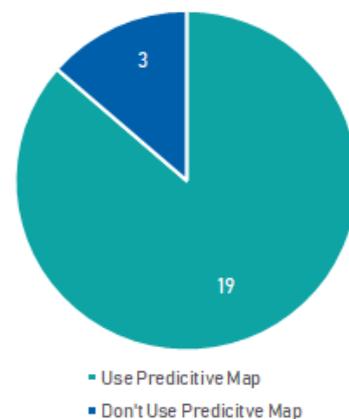
Information Source	Description
Predictive ALC Map	The current most up to date data available relating to BMV Land Grades. Available as a layer within the Lle Geo Portal, developed by the Welsh Government.
Provisional ALC Map	Now considered to be out of date and replaced by the Predictive Map, the Provisional Map was provided at a scale of 1:250,000
Surveys (Welsh Government or commercial)	ALC surveys undertaken to confirm the Grade of BMV land or inform the Predictive Map.
Planning Policy Wales	Document that provides overall national guidance for planning policy within Wales.
Technical Advice Note 6: Planning for Sustainable Rural Communities	Technical Advice Notes are supplementary planning documents that specify in a particular area of planning. Technical Advice Note 6 refers specifically to Sustainable Rural Communities, providing additional guidance on this aspect of planning policy.
Welsh Government Advice	Whether the Planning Authority had sought advice from the Welsh Government in the form of Land Quality Advice, via email, telephone, meetings or written guidance.
Specialist Agricultural Land Classification (ALC) Consultants	Specially commissioned surveys relating to Agricultural Land Classification. Additionally, whether the authority commission surveys, or whether they require developers to commission surveys.
Planning Inspectorate (PIN) Appeal Decision Reports	Planning Inspectors decision can carry weight on how policies should be interpreted and can influence LPA decisions.
Planning Officer Decision Reports	Planning officers reports can help inform LPAs to ensure polices and weighting is applied consistently in new decisions.

6.3.11 It is noted that whilst it is now considered to be out of date, the Provisional ALC Map was provided as an option to ascertain whether LPAs still consider it to be useful, and as such reference it. However it was found that the majority of LPAs were both aware of the Predictive ALC Map, and made use of it, often replacing the use of the original Provisional ALC Map.

6.3.12 The ratio of planning authorities that use the Predictive ALC Map is demonstrated within Figure 9, to the right. Whilst it is considered to be a key data source in regard to the consideration of BMV land, it is noted that 3 of the responding Authorities did not use it as a resource. However, this figure does include both the Isle of Anglesey County Council and Gwynedd Council, who used their own data.

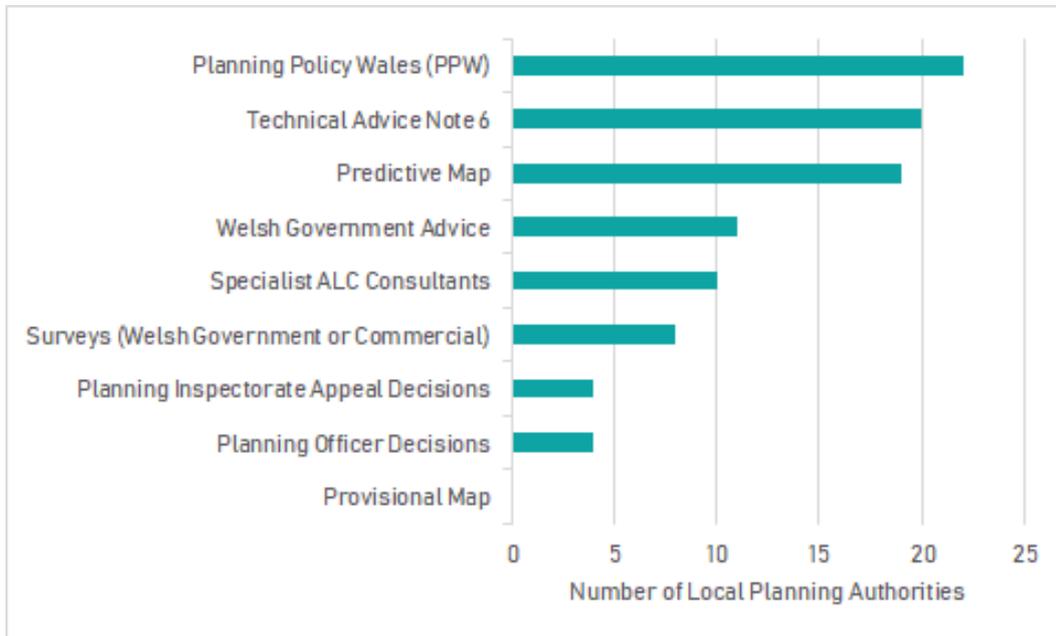
6.3.13 It is notable that Planning Policy Wales was the only information source that all interviewed LPAs used. Further to this, TAN 6 was the second most used document. It is considered that as a result, this demonstrates a clear preference by LPAs to make use of national policy documents, as opposed to other supporting information sources.

Figure 9: Pie Chart demonstrating the number of LPAs that use the Predictive Map



6.3.14 Figure 10, located below, demonstrates the frequency to which each data source was selected by each local authority:

Figure 10: Bar Graph Indicating the Ranking of Information Sources Used When Assessing BMV land



6.3.15 As previously stated, this figure demonstrates that LPAs tended to favour using policy as the main consideration, with the Predictive Map also being used by the majority of authorities. In regard to what could be considered to be secondary information, such as external surveys, further guidance and advice from the Welsh Government, and use of specialist consultants, authorities tended to use these more infrequently. One point that was brought up consistently during the interviews with planning officers was that they would prefer, overall, more information and further guidance.

6.3.16 It is noted that only 50% (11 of the 22) of the LPAs interviewed indicated that they use the Welsh Government Advice service. One point that was brought up repeatedly during the interview process of the study was that LPAs would like additional advice and support in determining BMV land and the weighting they should give to it in the planning balance. As a result, lack of use of the Welsh Government may be down to a lack of awareness that the service exists.

6.3.17 The point is also raised that this may be a direct result of references to SEED within TAN 6, which may have left LPAs without a clear department to go to for advice. It is considered that this has been demonstrated within the questionnaire feedback, with only 50% of LPAs using the Welsh Government Advice service.

6.3.18 It is considered that if more of the LPAs made use of the Welsh Government service, they would have better information in regards to help with surveying BMV land and assessing ALC surveys.

6.3.19 One point that was repeatedly made was that of the high 20ha threshold, which is not triggered in a number of LPAs as they do not receive planning applications above this high threshold.

6.3.20 The two most used after were the new Predictive ALC Map and ALC surveys (when taken as a whole 14 LPAs use one of the two surveys) provided by the applicants and Welsh Government. The LPAs confirmed that many of these were also sent to the Welsh Government for further assessment.

6.3.21 Before the introduction of the Predictive ALC Map, the main source of data in regard to BMV land was through the use of the Provisional ALC Map together with surveys. The source of these surveys would be either the Planning Authority themselves or privately commissioned surveys by the applicant. Additionally, it is noted that this data was used as the main basis for a number of current Local Plans, as the Predictive ALC Map was not introduced until 2017.

- 6.3.22 The limited utilisation of both Planning Inspectorate and Planning Officer Decisions is also noted. However this may potentially be down to a percentage of the Authorities partaking in the study having a limited number of developments that are located on BMV land, and as such have not yet needed to refer to other examples.
- 6.3.23 In regard to the feedback from the LPAs discussing the level of information at their disposal, most that partook in the study considered that they had enough information to make decisions. However, the majority of LPAs also stated that they would like to see more detail and accuracy, particularly in regard to the Predictive ALC Map.
- 6.3.24 This was identified to be required to avoid situations where potential BMV land has been lost to development due to not being classified as BMV land on the Predictive Map as a result of its scale and accuracy.
- 6.3.25 Another point raised by a majority of LPAs was the accuracy of commercially commissioned ALC surveys, which as expected, would often under-represent the grading of the land on sites for potential developments. Despite this, it is acknowledged that Swansea Council were an outlier in this, stating that the majority of surveys into perspective BMV land found that the grading was largely accurate.

6.4 Data Source Example 1: Surveys as a Mandatory Requirement

- 6.4.1 It was discovered within the study that one Local Planning Authority required compulsory surveys to be completed in regard to development considered to be located on BMV land. It is acknowledged that whilst this is one way of achieving a high degree of accuracy, it is considered that this would not currently be practical to be implemented in the majority of LPAs due to the balancing of resources. Additionally, it is noted that this mandatory requirement tended to make it difficult to identify alternative sites on lower quality agricultural land, which is a requirement of Planning Policy Wales.
- 6.4.2 Due to the uniqueness of this requirement, the process of requiring surveys as mandatory when assessing BMV land has been explored in greater detail. As noted above, if every application regardless of its location was required to undertake an ALC survey, this would result in a lot of additional work for LPAs, which would impact the resources of the respective planning departments. In turn, it is considered that this would also require additional resource from the Welsh Government itself, notably to review the surveys.
- 6.4.3 However, it is also considered that this information could be used to update the Predictive ALC Map itself, which would help inform LPAs and reduce the need for future surveys. It is noted that this appears in part to be the current situation, where only surveys seen and validated by Welsh Government are included as updates to the Predictive ALC Map, with those not being validated by the Welsh Government not being considered, which does lead to the grading being missed in subsequent applications.
- 6.4.4 In regard to the quality of the surveys as per the CPO letter (See Section 4.4), these should all be sent to the Welsh Government for assessment. Notwithstanding this the procedure for doing the surveys is detailed in the MAFF report 1988²⁶.
- 6.4.5 As previously noted, the Predictive ALC Map has been developed to a more practical and general scale and as a result it is not 100% accurate, with surveys being encouraged to gain a comprehensive understanding of the actual ALC grading of land.
- 6.4.6 Whilst it is acknowledged that use of the Predictive ALC Map as a guideline may lead to potential BMV land being missed, the resources and costs required to survey the whole country result in it being considered to be a comprehensive, but not practical solution to the accuracy issue.

²⁶Link to MAFF Report: <http://publications.naturalengland.org.uk/publication/6257050620264448>

- 6.4.7 Relying on the Predictive ALC Map alone could lead to errors, and although it is stated by the Welsh Government that the map is just an overview and surveys are required for definitive grading, it was found in this study that there are examples of LPAs that do largely rely on the Predictive ALC Map.
- 6.4.8 As stated above, it is important to note that the map was never designed to replace survey work, to only provide a general distribution of ALC grades for spatial assessments, site selection and targeted survey work. Soil type can change over very short distances and there are no soil map products which can match the scale required (1:2,500) for planning applications. It is considered that, overall, the Predictive ALC Map offers a pragmatic compromise.
- 6.4.9 It is notable that a number of surveys have been undertaken by developers to contest the Predictive ALC Maps guiding grading, demonstrating the land to actually be at a lower grade than demonstrated on the Predictive ALC Map. It is acknowledged that this shows that the Predictive ALC Map in its current format cannot be always relied on to accurately identify BMV land, even at a wider general scale.
- 6.4.10 However this can work both ways as if there is land that has had its ALC overestimated then there is land that has had its ALC underestimated. This is also shown in the revised percentage of BMV land across Wales, jumping from 7%²⁷ as calculated by the Provisional Map to 10-13% as indicated by the Predictive ALC Map in a recently commissioned report.²⁸ However, this could be as high as 18% as soils are mapped in ever great detail and the Predictive Map becomes less generalised.
- 6.4.11 Prior to the introduction of the Predictive Map, mapping accuracy was highlighted in an appeal case by an Inspector for a solar farm (DC/2013/00006) in Monmouthshire County Council. In this case the discrepancy was identified in the inspectors report:
- “The Provisional Agricultural Land Classification Map (1977), published by MAFF, indicates the appeal site comprises a mix of Grade 3 and Grade 4 agricultural land (i.e. good/moderate and poor). However, a more detailed assessment was carried out for the Appellant in May 2014 which concluded that some 87% of the land is Grade 2 (very good) and the rest is Grade 3b (moderate).”*
- 6.4.12 Whilst the landowner challenged this the Inspector stated that: “Nevertheless, there seems little doubt that the majority of the land falls within the definition of Best and Most Versatile (BMV) agricultural land.”²⁹
- 6.4.13 The Predictive Map fairly reflects ALC Grades 2 and 3b across the site and if in place at the time of this appeal case, would have allowed BMV policy to be taken into account much earlier. It is considered that this shows the differences in grading accuracy between the Provisional Map, Predictive ALC Map and the actual grading of the land. Further to this, it is noted that this LPA currently puts the cost of undertaking the surveys on the applicant, arguing that it is up to them to challenge the Predictive ALC Map.
- 6.4.14 It is noted that this is a potential avenue for improving the accuracy of grading of BMV land without costs directly being put onto the LPA. However, it is also noted that this method would only cover a small area of a districts land, due to only showing an accurate grading of proposed development areas.
- 6.4.15 Additionally, putting the costs of a survey on the applicant means that the LPA can use the map to defend their position without requiring extra time and cost to be added to the planning determination process. In a time of resource and budget cuts to Local Governments this is a positive benefit. Overall, it should be noted that as a result of the discussions that have taken place with LPAs as part of this study the development of the Predictive ALC Map is considered to be a positive step.

²⁷ Link: <https://gov.wales/agricultural-land-classification-predictive-map>

²⁸ Report: SPEP 2018-19-03 2018-19 Soil Policy Evidence Programme Historic Loss of BMV Land in Wales October 2019

²⁹ Link: https://planningonline.monmouthshire.gov.uk/online-applications/files/0924C60E167FFCFBE3730FBA3ACBFF42/pdf/DC_2013_00006-APPEAL_DECISION-373862.pdf

- 6.4.16 In regard to the adoption of the Predictive ALC Map, 19 LPAs out of the 22 who responded to the study commented that they used the Predictive ALC Map as the main data source regarding BMV land. In addition to this, both the Isle of Anglesey Council and Gwynedd Council stated that whilst they don't use the Predictive ALC Map via the Lle Portal, they have used the data and downloaded it onto their own GIS system.
- 6.4.17 Therefore, excluding both Anglesey and Gwynedd, it was found that the Predictive ALC map has been taken up and used by 85.7% of participating LPAs. Additionally, it is notable that of those that did not use the Predictive ALC Map, they did still use survey data.
- 6.4.18 Furthermore, in regards to the older Provisional ALC Map, no LPAs commented that they currently use it.

6.5 Data Source Example 2: Site Allocations and BMV land

- 6.5.1 Additionally, it has been considered useful to discuss the Swansea Local Plan, due to the inclusion of BMV land as a factor. It is noted that BMV land only makes up 16% of Swansea's total land area in the district. However, they have allocated 4.7% of Grade 2 land and 0.1% of 3a land in the district for housing. This was assigned in one allocation site for dwellings, to help meet the sustainable housing provision in the district. However to support this the council has undertaken a survey of need to help defend their site selection. This is in contrast to the previous case study where the council are having to go through that process following the response from the Welsh Government.
- 6.5.2 The majority of the allocated sites were in the Areas of Outstanding Natural Beauty (AONB) in the smaller sustainable settlements. However, the Majority of BMV land is also located within the AONB. This, combined with a lack of candidate sites has led to the majority of the sites being located on BMV land. It should be noted that the council did not compare the sites that came forward against the BMV maps, though they located them as part of their strategic assessment and received heavy assessment as part of that.
- 6.5.3 In this case a number of the applications were approved without issue with a number already being built out or currently under construction/in discussion regarding sections 106 (S106s) agreements. However there was strong local objections with a number using BMV land as a reason, though only one was successful (this differed from the initial telephone interview response). One example of a site allocation on BMV land is the Rural Exception Site in Pennard/Southgate which is located almost entirely on Grade 3a agricultural land. Another example being the Rural Exception Site located at the village of Scurlage, which was also completely located on Grade 3a agricultural land. The village is not considered to be urban on the Predictive ALC Map, and the whole village is totally under the Grade 3a layer.
- 6.5.4 Both these sites come under Policy H5 Rural exception sites, parts H5.4 and H5.1 respectively. This is a policy developed to provide housing in areas where there is an identified need for local people. Its aim is to provide 210 houses with a minimum of 51% affordable housing. However this policy makes no reference to BMV land in its reasoning in the supporting text in the LDP. The reasoning is given in the Swansea LDP Examination, Statement of Swansea Council, Plan preparation process and Overarching Strategy³⁰, where BMV land was considered with each site being sent to the Welsh Government before assessment, and all sites being reassessed following the introduction of the Predictive ALC Map in 2017³¹.

³⁰ Link to Swansea Plan process Over reaching Strategy: https://www.swansea.gov.uk/media/24466/HS1-Swansea-Council---Plan-Process--Overarching-Strategy/pdf/HS1-Swansea_Council_-_Plan_Process_Overarching_Strategy.pdf

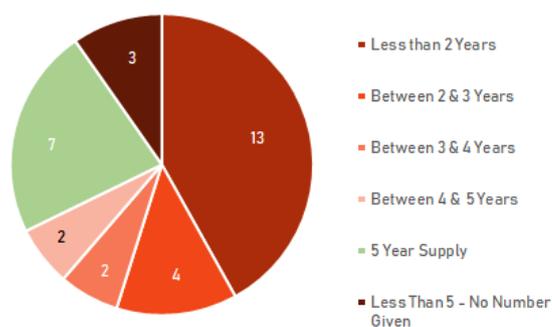
³¹ Link to Review of LDP Housing Allocations and Welsh Government Predictive Agricultural Land Map 2017: https://www.swansea.gov.uk/media/24816/ED018-Housing-Allocations-and-Predictive-Agricultural-Land-Maps/pdf/ED018_Housing_Allocations_and_Predictive_Agricultural_Land_Maps.pdf

- 6.5.5 This loss was assessed by the Inspector in their report³², who found that 90ha of BMV land was being lost to strategic sites, with a further 7ha lost to Rural Exception Sites under policy H5. It was assessed however that “the Council has adequately demonstrated that there is insufficient brownfield or lower grade agricultural land within the County to accommodate the necessary scale of development within the Plan period. In the case of the policy H 5 allocations, those sites are few and relatively limited in extent and would contribute to meeting needs arising in those specific localities.”
- 6.5.6 Overall, the Inspectors considered “that the benefits of retaining the land in agricultural use would not outweigh the advantages of providing the required housing and employment development on the affected sites, for which there is an overriding need. Furthermore, there is currently a limited supply of housing emanating from existing built-up areas within the County. The allocation of SDAs and extensions to existing settlements is inevitable if sufficient housing is to be delivered, and a 5-year supply of housing land sustained. We are satisfied that the Council has satisfactorily considered reasonable alternatives in terms of the level and location of growth to be accommodated by the Plan on Greenfield land.”
- 6.5.7 This example shows that the loss of BMV land is possible at the application stage without stalling the development. However it does require extensive assessment and application of planning balance and interpretation of weighting to be undertaken at the site allocation stage. It is interesting that the LPA relied heavily on the feedback from contacting the Welsh Government directly, rather than taking their own assessment from the PPW.
- 6.5.8 Additionally, this front-loading of the sites meant that the planning officers made a clearer assessment of the BMV land constraint as they could refer back to the assessment undertaken by the policy team during the site allocation stage. This is clearly stated in the officers’ report and allowed the officer to focus on the other constraints in more detail.
- 6.5.9 Doing this for every local plan in Wales may be impractical, however as a lot of work went into the Swansea local plan with every site being sent to the Welsh Government for assessment for the presence of BMV land and its value as well as advice on its loss. If each Welsh LPA was to do this, then this would potentially inundate the Welsh Government agricultural department (Department for Environment, Energy & Rural Affairs) and put a large delay on response times which would be detrimental to Local Plan development.
- 6.5.10 However if there is capacity in the Welsh Government to process all the reports for local plans then it is recommended as a solution to ensuring that BMV land is treated uniformly and with proper weighting.

6.6 Competing Constraints

- 6.6.1 The designation of BMV land is one of a number of competing constraints for a potential development location. Whilst not an exhaustive list factors such as flooding, sustainability and also impacts on the significance of heritage assets are also considerations that have to be weighed against the loss of BMV land.
- 6.6.2 Generally, it was found that most of the LPAs interviewed considered that more guidance was required in regard to the weighting of competing constraints against

Figure 11: Pie Chart indicating the participating LPAs relative land supply (It should be noted that each LPA is expected to demonstrate at least 5 years)



³² Link to Swansea Plan Inspectors Report: https://www.swansea.gov.uk/media/29844/Swansea-LDP-Examination-Inspectors-Report-31-Jan-2019/pdf/Swansea_LDP_Examination_Inspectors_Report_31_Jan_2019.pdf

BMV land. One particular issue raised during the interviews was BMV land designations hindering potential housing developments, particularly in the more rural LPAs that could not currently demonstrate a 5 Year Housing Land Supply. Figure 11, located above, indicates the available land supply of each of the consulted LPAs. This was a particular point of contention due to the large amount of weight given to both of these considerations.

- 6.6.3 Additionally, the wider ramifications of this can also be considered. For example, during the interview process it was found that for LPAs that have a lot of BMV land within their area, a large amount of resources are having to be dedicated to undertaking surveys and assessments to justify the potential loss of BMV land for the benefit of the LPA meeting their housing land supply targets. This issue has been explored in further detail within a case study in Monmouthshire, located in Section 7 of this document.

Flooding

- 6.6.4 Another consideration that conflicts with BMV land designations is the prevalence of flood plains across Wales. It was found that in a number of LPAs it is often the case that the only suitable alternative to locating a development on BMV land is to locate it on high-risk Flood Zones. It is noted that flooding is considered to be a strong constraint on development, with paragraphs 6.6.1 to 6.6.29 of PPW referring specifically to restrictions to development located within Flood Zones. Additionally, TAN 15 is dedicated to flooding. It can be considered that due to the comparatively high amount of policy dedicated to flooding, it is a more recognised planning constraint than BMV land.

Sustainable Development

- 6.6.5 Additionally, another constraint raised during interviews is the requirement to develop sustainable developments that are well related to the existing built form of established settlements. The settlements need to have enough services to accommodate the new developments without putting a burden on existing services and facilities. This goes hand in hand with access to the public and private transport network such as bus routes, train stations and footpaths. This is all to decrease dependence on the private motor car which is a goal of the UK as a whole to help meet the climate change goals set out in the Paris agreement among others.

Impact on the Countryside

- 6.6.6 Furthermore, another constraint is the visual impact on the countryside and the developments relation to the existing built form. This can cover undesignated countryside as well as designated countryside such as Areas of Outstanding Natural Beauty (AONBs). One Council's assessment (Swansea) of the priority of BMV land compared to land within the AONB land can be seen in case study 2 below.

Candidate Site Selection

- 6.6.7 Another less obvious constraint that was raised by LPAs in the interviews is the candidate sites that come forward as part of a LPAs Call for Sites process. If the sites don't come forward then LPAs are limited in where they can locate development. This is a relevant to a number of LPAs who are currently going through the process of developing a new Local Plan or undergoing a Local Plan Review. Of those a number of LPAs have said that they have not had a large number of sites come forward and as a result the LPA is restricted in where it can locate development. Some LPAs are having to rely on windfall sites but are struggling to get them approved due to conflict with the constraints above (See the chosen case study for further information).

- 6.6.8 Having help with methods of ranking/weighting these constraints in the planning balance, was one of the main comments received from the LPAs during the study, due to dated and vague policy wording in the PPW and TAN 6. This has made prioritising different constraints challenging and perhaps not applied consistently throughout the LPAs. Making the decision harder the ranking given by LPAs to BMV land can then be reassessed by inspectors and/or the Welsh Government and given differing weight based on their own interpretation or political pressure further clouding the weight BMV land should be given.
- 6.6.9 It is considered that this ambiguity is resulting in LPAs making a number of decisions which the Welsh Government or Inspector disagree with resulting in the LPA decisions getting overturned through either appeals or being called in by the Welsh Ministers. This creates delays for applications as the appeal process adds additional time to the determination date for the application and additional work for the applicants, planning officers and Inspectors to make their cases. This then incurs more costs for all parties which is something the LPAs cannot readily afford due to factors such as budget cuts.
- 6.6.10 As a result reducing these delays and subsequent cost should be a priority for the LPAs and by extension the Welsh Government. One method to do this would be to run a series of training seminars for all the LPA planning officers. However this would likely require an update to the PPW and/or TAN 6 to provide a better starting point and to give more weight to the training. As the current text in both documents is effectively over 10 years old.
- 6.6.11 Alternatively another method of helping LPAs would be to simply update the PPW and TAN 6 as recommended above. Whilst this would not carry the same benefit as doing it alongside the training, it is considered that if done on its own a reworded PPW and TAN 6 with clearer definitions and sequential tests would help LPAs by helping to remove the ambiguity in the current wording. Furthermore, this will allow planning officers to better assess the constraints when ranked against BMV land and as a result make consistent decisions.
- 6.6.12 If it is not possible to release new policies and/or arrange training for planning officers then a series of supporting documents or letters from the chief planner should be circulated helping to provide officers with more direction and providing detail/definitions to the more vague terminology such as “overriding need” in the current PPW and TAN 6. Whilst this would not be as comprehensive as a new plan and/or training program it would help address a number of concerns raised by the LPAs.
- 6.6.13 It is considered that these measures would help the LPA planning officers to make more accurate, consistent and robust decisions. In turn this would result in less applications going to appeal and being called in by the Welsh Ministers saving resources and costs.

6.7 Planning Authority Questions

- 6.7.1 One of the questions asked after going through the questionnaire within the interviews was if the LPA had any questions and/or comments for ADAS or the Welsh Government. In total we received 26 questions/comments from LPAs (listed in full in appendix X) however they have been grouped into the following main categories below:
- *Requesting more guidance for LPA officers*
 - *Need to raise the profile of BMV land in LPAs*
 - *Keep improving the Predictive ALC Map*
 - *LPAs would like to be informed of the results of the study*
- 6.7.2 There were also a number of questions raised by the LPAs in regards to concerns about increasing the protection of BMV land, which, when combined with the existing constraints on green and brownfield land, are considered to lead to the sterilisation of development within the LPAs locality. Additionally, it is noted that other LPAs wish to know the staffing levels across the Country.

- 6.7.3 7 LPAs raised no questions, however though some of these did request to be kept updated regarding the study. A number of these were the LPAs who were unable to arrange a telephone or face to face interview.

Request More Guidance for LPA Officers

- 6.7.4 Given that the policy on BMV land has not changed for a decade with TAN 6 and the text of PPW remaining largely the same (Appendices D & E) the request for additional guidance from LPA officers is not surprising. This combined with a number of LPAs referring to the now-defunct SEED department in their responses as the department to go to for advice, shows that LPAs are not fully up to date with the changes in the Government. Given that LPAs are required to rely on national policy and that national policy has not been updated for BMV land for 10 years, it is not surprising that LPAs are unaware of the changes that have been made. raised no questions, however though some of these did request to be kept updated regarding the study. A number of these were the LPAs who were unable to arrange a telephone or face to face interview.
- 6.7.5 This is a theme that came up regularly as part of gathering information for this study and has been detailed above (see Section 4). As detailed above the policies, guidance and information on the Welsh Government website regarding BMV land is out of date/incorrect (See Section 4). As a result it is unsurprising that LPAs who have been told to follow national policy are requesting guidance as the information they have access to be no longer correct. Whilst it is potentially expensive to constantly release hard copies of documents, information on the website should be kept up to date as this requires much less resource and once changed on the central website, all LPAs will have access immediately to the updated information.
- 6.7.6 One example of this which if updated would help provide more guidance for LPA officers is the web-based Predictive Map. It currently has links to outdated letters and policies in the previous PPW as well as having an incorrect percentage for the total amount of BMV land in the country. Given that the majority of LPAs (86%) say that they use this resource the most, the fact that it is providing incorrect information, requires further attention.
- 6.7.7 As a result, correcting the data on the Predictive Map page and the links to and from it would go a long way in helping provide correct guidance for LPAs. This could then be expanded to provide more comprehensive advice and in an area that LPAs go to, saving the need to actively disperse the information.

Needing to Raise the Profile of BMV Land

- 6.7.8 A number of LPAs said that the profile of BMV land needs to be raised and that the questionnaire was unexpected as prior to this there had been no mention of looking at BMV land raised by the Welsh Government. Given that when asked what their understanding of BMV land was, all LPAs responded along the lines of the definition given in the PPW. This shows that officers are aware of BMV land as a constraint in the planning system. Swansea Council discussed this in our interview with them that a number of members of the public have used it as a reason for objection in applications.
- 6.7.9 However it was found that whilst the officers are aware of BMV land as a constraint, a number requested guidance on the amount of weight to give BMV land within the planning balance. It was considered that due to the limited amount of policy and consideration to BMV land, it did appear to be somewhat less important.
- 6.7.10 This was considered to be especially more so in comparison to other more promoted issues such as flooding and housing supply. It was considered that if BMV land was promoted as an important factor for consideration, it would potentially be easier for LPA officers to judge the amount of weight to give it.

- 6.7.11 Given the numbers of requests for guidance on how to weigh BMV land in the planning balance, as well as to raise its profile. Its lack of promotion by the Welsh Government is making BMV land seem like a less important constraint compared to other more promoted constraints such as flooding and housing supply. If BMV land was promoted as an important factor for consideration it would be easier for LPA officers to judge the amount of weight to give it.
- 6.7.12 Additionally, it is noted that, given the lack of updates to BMV land policy over the last 10 years (TAN 6), it could be considered to be unsurprising that it has become just another constraint to be assessed, with each LPA giving its own weight depending on their particular circumstances.
- 6.7.13 It is considered that this is what has led to the contrasting approaches taken by the various LPAs when assessing BMV land in their area, as part of their planning balance when assessing applications, and as part of their new Local Plans/Local Plan reviews.
- 6.7.14 As a result, it is considered that promoting BMV land as a constraint that is of national importance and with its protection and loss under scrutiny, it would help LPAs give it more weight in regards to its contribution at both a national and local level.

Keep Improving the Predictive ALC Map

- 6.7.15 Given the number of LPAs who use the map as a tool for assessing BMV land, keeping it up to date and improving its accuracy should be a priority. However given that the Predictive ALC Map is less than 3 years old, having been formally released in November 2017 (just over 2 years at the time of writing), the number of references to old documents such as the last edition of the PPW (edition 9) is concerning. Given the questions above and the fact that most LPAs use the Predictive Map, updating this should be a key priority.

LPAs Would Like to be Informed About the Results of the Study

- 6.7.16 It is considered this response from LPAs shows that there is an interest in the findings of the report and its impact on BMV policy. It is recommended that the report, or at least the actions that are to be taken based on this report are circulated to all the LPAs as soon as possible. This will help keep LPAs informed as to the developments in BMV policies. Which in turn will help them to make planning judgements involving BMV land.

Other Questions

- 6.7.17 A number of additional questions were asked by the LPAs that were unique to each LPA. One LPA (Swansea Council) questioned whether renewable development such as solar farms could be permitted on BMV land. As in most cases these tend to have a limited life cycle of 25 to 35 years before having to be removed and are therefore considered temporary. The officers raised the point that in order to install the solar panels and other infrastructure, a lot of the topsoil has to be stripped or otherwise dug up and moved to allow the development to be built. This may then have the potential to change the ALC grade of the land.
- 6.7.18 A point raised by another LPA (Snowdonia and Brecon Beacon National Parks) was that the thresholds for consultation should be reassessed/amended as their Planning Department did not receive many/if any applications that would trigger the threshold³³ and as a result they were having no input from the Welsh Government regarding BMV advice. This would be useful for the National Parks Authorities as none of them currently use the Welsh Government advice with them all citing the fact that they don't get large enough sites. Though it is noted that they have the smallest amounts of BMV land within their areas. This does potentially present a bias against LPAs who often

³³ 20ha of development on BMV land or development that cumulatively would lead to the loss of 20ha of BMV land

get large numbers of smaller-scale developments. As this could result in the loss of BMV land without the input from the Welsh Government Advice service, which in turn could result in BMV land not being correctly protected/assessed.

- 6.7.19 Additionally, Monmouthshire County Council raised the point that if a LPA has a lot of BMV land within its boundary, should it be given as much weight if they lost a certain percentage of that land? This was discussed in relation to a similar finite resource such as Listed Buildings. This is supported by the wider findings of this study, with it being considered that the more BMV land an authority had, the less overall weight was given to it. This was evident within the chosen Case Study, regarding Raglan in Monmouthshire (See Section 7).
- 6.7.20 Following on from this, another LPA (Vale of Glamorgan Council) commented that the Welsh Government “seem to be putting lots of effort into brownfield land and protecting Greenfield.” They are “worried the increased protection of BMV land will result in its sterilisation from development. Which would be detrimental to some LPAs as it may be the most sustainable land etc.”
- 6.7.21 It is considered that Vale of Glamorgan Council raises a good point, as if all land is protected equally, where can development go? Whilst this is beyond the scope of this report to answer this question it is a situation that the Welsh Government should look to clarify on, to ensure that LPAs are guided towards giving BMV the appropriate weight in the decision making process.
- 6.7.22 One LPA, Snowdonia National Park, raised concerns regarding the review of the BMV classifications. If BMV land is reclassified, it has the potential to be exploited by developers if differing figures are given. A clear example of this is that most LPAs when asked about the surveys produced by developers to support planning applications, stated that the surveys almost universally came in at a lower grading than was identified on the Predictive Map.
- 6.7.23 This would normally be picked up by the Welsh Government, however we have found that in a number of cases they are not consulted upon when reviewing the responses to our questionnaire for this study. Therefore it is a risk that if there is a review of the classification system, which given the age of the current classification system would not be a bad thing, it could be exploited where possible. However that is no different from the current situation, and can be avoided through the use of defined terms and clear limits to housing numbers, or floor space in the wording of the policies.
- 6.7.24 The other questions requested the contact details of the Welsh Government and wishing to know about other LPA staff levels have been discussed within the resources sections of this report above. (See Section 3).
- 6.7.25 In summary, as can be seen from the questions raised above, the LPAs have a number of concerns regarding the application of BMV policy and its constraints and are requesting more guidance from the Welsh Government.

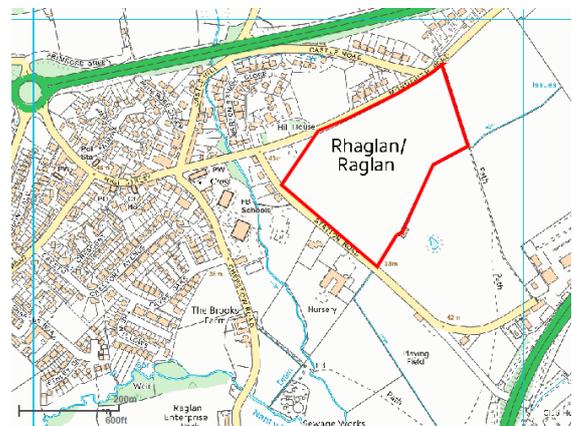
7.1 Introduction

- 7.1.1 The following case study, regarding Raglan in Monmouthshire, has been discussed in detail as it is considered that it illustrates a number of points regarding how BMV land is considered within the planning process.

7.2 Case Study: Residential Development in Raglan, Monmouthshire (Application: DM/2018/01050)

- 7.2.1 This case study concerns a planning application for a large housing development within the village of Raglan in Monmouthshire. Despite originally being approved at planning committee following a positive officer recommendation in November 2018, the decision was taken out of the hands of the LPA by the Welsh Government.

Figure 12: Demonstrating the site boundary for application DM/2018/01050 (Source: Monmouthshire Council Planning Portal)

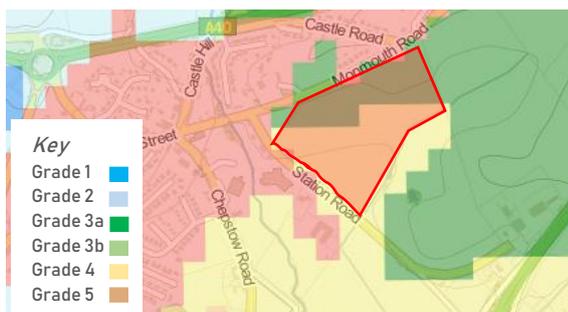


- 7.2.2 The planning application was for the erection of 111 dwellings in the village of Raglan in Monmouthshire. The application went to planning committee following this recommendation for in November 2018. The final committee vote was in favour of the application, with 5 Councillors voting for approval against 4 Councillors who voted for refusal. Additionally there was 1 abstention (it should be noted that the motion was for refusal, however was defeated).

- 7.2.3 However, following the approval, the application was then taken out of the hands of the Local Planning Authorities (LPA), with the Welsh Government using their powers to step in and make the decision under Section 77 of the Town and Country Planning Act 1990, and as detailed in PPW Edition 10. This means that the application will be assessed and decided by the Welsh Ministers rather than the LPA. However, it is noted that this referral still allows the LPA to collect more information and comments on this application, as well as still having the ability to refuse the application.

- 7.2.4 Following this call-in by the Welsh Government, the application was then discussed by the LPAs Planning Committee a second time in March 2019. This was due to a “data error on housing completions against Local Development Plan (LDP) targets, included in the 20th September 2018 Council report and duplicated in the 6th November 2018 Planning Committee report for this item. The Committee was invited to consider the application afresh.”³⁴ It is noted that at this meeting it was once again decided to approve the application, with a vote of 6 Councillors for approval against 5 Councillors for refusal (It should be noted

Figure 13: Demonstrating the BMV designation for the site and immediate surrounding area (Source Lle Geo Portal)



completions against Local Development Plan (LDP) targets, included in the 20th September 2018 Council report and duplicated in the 6th November 2018 Planning Committee report for this item. The Committee was invited to consider the application afresh.”³⁴ It is noted that at this meeting it was once again decided to approve the application, with a vote of 6 Councillors for approval against 5 Councillors for refusal (It should be noted

³⁴ Taken from Planning Committee Meeting Minutes, 19/03/2019. Link: https://planningonline.monmouthshire.gov.uk/online-applications/files/BD31CFEA5947E91BD6C4437966514FD5/pdf/DM_2018_01050-COMMITTEE_MINUTES-821499.pdf

that as per the November committee the motion was for refusal but it was again defeated).

- 7.2.5 The reason given for the call-in was due to the assessment of the transport impact being contrary to national policy. In this case the planning officer report was considered to give the majority of the weight to private cars, rather than more sustainable methods of public transport. However, it was considered that, due to the sites location outside of a settlement boundary, combined with the site not being allocated within the LDP was considered to be contrary to national policy.
- 7.2.6 In the Planning Inspectors' report however the Planning Inspector assesses more than just the transport impacts of the proposal, and reviews issues such as housing supply, location in a greenfield site, the effect on the character and appearance of the area and the effect on historic assets are all assessed as part of the planning balance. As part of this balance in the final appeal decision notice from the Planning Inspector and highlighted by the Welsh Government in their decision letter BMV land is given significant weight in their reasons for refusal as opposed to travel the reason for calling the decision in which is only given considerable weight.
- 7.2.7 It is considered that this implies that the Planning Inspector gave more weight to the loss of BMV land than to the transport impacts, despite this being the original reason for calling the case into the Welsh Government. In the Welsh Governments' formal Decision letter they reference the Inspectors' reasons for refusal and agree with them using the same wording copied over from the Inspectors' report. This implies that BMV land is being given a greater weight than it was when the application was originally called in.
- 7.2.8 It is noted that this was a case raised by the Local Authority officers during the interview process. It was highlighted as a recent case that restricted their ability to develop land within their district due to the ruling on and weight given to BMV land. This is due not so much to the amount of BMV land in the district, though it has one of the larger amounts of BMV land, but due to the location of it. All the major service centres in the authority are surrounded by either BMV land or flood zones, which also have a strong level of restrictions against development.
- 7.2.9 As a result of the weight given to BMV land, it was considered that the Council is struggling to locate new development to meet their housing need in areas that are well located to existing service centres, as these identified locations all appear to be situated in locations that are made up with . With the application in Raglan being a pragmatic compromise between loss of lowest quality (Grade 3a) BMV land and a location near a built-up area whilst trying to meet the land supply targets. The other field mentioned in the council meetings to the south was discounted as it was less well related to the settlement and would project into the countryside more whilst still being a Greenfield site though not on as much BMV land.
- 7.2.10 As a result of the Welsh Governments decision the Local Plan has been delayed, as have a number of applications built on BMV land elsewhere. This is until a comprehensive survey of BMV land in the district can be undertaken to show that its loss can be justified in certain circumstances. It is hoped that this will address the current inability to develop BMV land in the district and allow it to grow to meet the increasing population demands.
- 7.2.11 It should be noted that the creation of a new settlement was discussed. However this was dismissed as a solution as this would require a Strategic Plan between LPAs which had not been developed at the time of writing.
- 7.2.12 It is considered that this case study is an example which demonstrates how restrictive BMV land can be to development projects, in particular indicating how it can prevent LPAs from being able to meet housing land demands and requirements. It is noted that this is a problem brought up by a number of LPAs, who have either a large amount of BMV land or BMV land centred adjacent to their existing settlements. However as the Data Source Examples, presented within Section 6 indicate, there are LPAs with less BMV land who have found that BMV land is not a barrier to development.

8.1 Introduction

- 8.1.1 Following the study, it is considered that a number of conclusions can be drawn. These have been grouped into a number of defined categories, notably referring to planning policy and the resources available to each LPA, in addition to conclusions that can be drawn from the identified case study.

8.2 Planning Policy

- 8.2.1 As discussed above, the legislation is essentially 10 years old in the case of TAN 6³⁵ and the text which is used in PPW (Edition 10)³⁶. This is exacerbated by the age of the ALC guidelines as set out by MAFF³⁷ which is even older; however, it is understood Welsh Government and Defra are actively addressing this. It is recommended the update of the MAFF ALC guidelines should be prioritised. If BMV land is going to be a priority for the Welsh Government these documents need to be updated and a clear standard set. This is discussed in the recommendations section below.

8.3 Resources

- 8.3.1 The amount of staffing across the LPAs varies, though it was found that there is a clear link between the amount of staffing, BMV land being included in Local Plan policies, and the amount of monitoring undertaken in relation to BMV land.
- 8.3.2 In terms of the tools available, it is considered that the LPAs that have partook in this study are largely happy with the resources available to them. As a result it is considered that resources are not a barrier to the protection of BMV land.
- 8.3.3 However, it is noted that the majority of LPAs have requested additional guidance on how to judge BMV land, particularly in relation to competing planning constraints. As such it is recommended that the Welsh Government should invest more in updating both guidance and policy.
- 8.3.4 Furthermore, it is considered that this is backed up by the case studies discussed in this report. In particular, the example of a LPA that did not have a lot of support in its decision-making process (Monmouthshire Council), as well as the formulation of its local policy, compared to the example of an LPA that received a high degree of support and input during the development of their Local Plan (Swansea Council).
- 8.3.5 Additionally, it is noted that if BMV land is to be the greater focus of the Welsh Government a number of recommendations have been provided below, with the aim of helping to address the issues identified within this report.

8.4 Case Study

- 8.4.1 The discussed case study is considered to highlight the potential importance of front-loading the classification of BMV land within the planning process to make the overall assessment of it as a factor easier when deciding planning applications or site allocations.

³⁵ Link to TAN 6: <https://gov.wales/sites/default/files/publications/2018-09/tan6-sustainable-rural-communities.pdf>

³⁶ Link to PPW Edition 10: <https://gov.wales/sites/default/files/publications/2018-12/planning-policy-wales-edition-10.pdf>

³⁷ Link to: <http://publications.naturalengland.org.uk/publication/6257050620264448>

8.5 Conclusion

- 8.5.1 In conclusion, it was found that all of the contacted LPAs are aware of BMV land as a constraint. However due to conflicting constraints and lack of resources not all LPAs can dedicate the same amount of time and effort to take into consideration the constraints (and opportunities) provided by the presence or lack of BMV land within their jurisdiction
- 8.5.2 As a result, it is considered that more centralised guidance should be provided by the Welsh Government if they intend to change the weight given to BMV land. This guidance should be provided from a central source however to ensure it is consistent. Though it is important that this source is kept up-to-date to ensure accuracy in the decision making process.

9 Recommendations

9.1 Planning Policy & Technical Advice

- 9.1.1 As discussed above it is recommended that any review of BMV planning policy is accompanied by updated technical and policy guidance providing clear and defined thresholds to the weighting of BMV land. It is recommended that the current TAN is updated to reflect the correct Departmental references, relevance and importance of BMV land. It is considered that overall, it would be better to have this done by releasing a new edition of this document to provide a clear foundation for BMV policy moving forward.
- 9.1.2 The Predictive Map and FAQ Guidance Notes provided by the Welsh Government should be updated to ensure that they refer to the correct and up to date policy and editions of these documents.

9.2 Resources

- 9.2.1 Additionally, it is noted that whilst more staffing would help LPAs give more resource to assessing BMV land, this is not necessarily a feasible option due to budget restrictions for LPAs. As a result, an increase in the detail of the Predictive Map and more accuracy in the identification of grading is the main recommendation in relation to the resources that the Welsh Government can provide (from discussions with some LPAs it is noted that work appears to have already been started on this).
- 9.2.2 Furthermore, if there is a possibility to increase staffing, it is recommended to increase the Welsh Government Advice service abilities to respond to LPAs' requests for assessment of surveys and advice in particular. This should be done in line with further promoting the Welsh Government Advice service to the LPAs, to ensure that all LPAs are aware of this service.
- 9.2.3 It is noted that currently, only 50% of the LPAs use this service. It is considered that if the awareness of this service is increased it would potentially help to provide LPAs with the requested guidance, without increasing resources.
- 9.2.4 Furthermore, as this would be from a central source, it is considered that if there are any changes to legislation it would be easier to update the Welsh Government Staff. The information could then be distributed centrally rather than each LPA. It is considered that this would be appropriate as each LPA has a variety in the levels of understanding of the staff in regard to BMV land. It is noted that contacting each individual LPA may be more difficult in relation to any updates to BMV policy or weighting.
- 9.2.5 Additionally, it is considered that this would allow for greater front-loading of Emerging Local Plans, such as in within one of the data source examples (Swansea Council). As a result, it is considered that when these Local Plans are adopted, planners can simply refer to the assessments undertaken in these examples. This would potentially make for faster and more accurate decisions on BMV land, which, in turn, should reduce the number of appeals as it is considered that decisions based on robust Local Plans are harder to challenge. This is further built on in the guidance section below.

9.3 Guidance

- 9.3.1 It was found that the main request from the contacted LPAs' was additional guidance on the interpretation of BMV land, and, as such, this is a theme throughout this report. As recommended above, if BMV policy is to be consistently applied then it is considered that some form of additional guidance may be required detailing the changing weighting that BMV land should be given. This is acknowledge as a difficult task with differing pressures and context for each LPA.

- 9.3.2 As outlined above, it is considered that this can be done either by releasing updated policies in PPW and TAN 6, or through a centralised distribution of supporting information by the Welsh Government Advisory Service.



Local Planning Authorities (Local Authorities)

Blaenau Gwent County Borough Council	www.blaenau-gwent.gov.uk/en/resident/planning/
Bridgend County Borough Council	www.bridgend.gov.uk/residents/planning-and-building-control/
Caerphilly County Borough Council	www.caerphilly.gov.uk/Services/Planning-and-building-control/
Cardiff Council	www.cardiff.gov.uk/ENG/resident/Planning/Pages/default.aspx
Carmarthenshire County Council	www.carmarthenshire.gov.wales/home/council-services/planning/
Ceredigion County Council	www.ceredigion.gov.uk/resident/planning-building-control-and-sustainable-drainage-body-sab/planning-building-control/
Conwy County Borough Council	www.conwy.gov.uk/en/Resident/Planning-Building-Control-and-Conservation/
Denbighshire County Council	www.denbighshire.gov.uk/en/resident/planning-and-building-regulations/planning/planning.aspx
Flintshire County Council	www.flintshire.gov.uk/en/Resident/Planning/Home.aspx
Gwynedd Council	www.gwynedd.llyw.cymru/en/Residents/Planning-and-building-control/Planning/Planning.aspx
Isle of Anglesey County Council	www.anglesey.gov.uk/en/Residents/Residents.aspx#as?folderIds=1111,3330
Merthyr Tydfil County Borough Council	www.merthyr.gov.uk/resident/planning-and-building-control/
Monmouthshire County Council	www.monmouthshire.gov.uk/planning/
Neath Port Talbot County Borough Council	www.npt.gov.uk/1310
Newport City Council	www.newport.gov.uk/en/Planning-Housing/Planning/Planning.aspx
Pembrokeshire County Council	www.pembrokeshire.gov.uk/planning-and-building-control
Powys County Council	en.powys.gov.uk/article/1866/Planning-and-Building-Control
Rhondda Cynon Taf County Borough Council	www.rctcbc.gov.uk/EN/Resident/PlanningandBuildingControl/PlanningandBuildingControl.aspx
Swansea Council	www.swansea.gov.uk/planning
Torfaen County Borough Council	www.torfaen.gov.uk/en/PlanningAndDevelopment/Planning-and-Development.aspx
Vale of Glamorgan Council	www.valeofglamorgan.gov.uk/en/living/planning_and_building_control/Planning-and-Building-Control.aspx

Local Planning Authorities (National Park Authorities)

Brecon Beacons National Park

www.beacons-npa.gov.uk/planning/

Pembrokeshire Coast National Park

www.pembrokeshirecoast.wales/default.asp?PID=96

Snowdonia National Park

www.snowdonia.gov.wales/planning

Project 6 – BMV Land Questionnaire

ADAS Staff Name:

Date & Time:

Name of Council:

Head of Development Management:

Head of Planning Policy:

- 1) How many full time Development Management and Planning Policy Officers does your department have?
- 2) How many of your planning staff are chartered members of the Royal Town Planning Institute?
- 3) What is your understanding of the significance Best and Most Versatile Land?

- 4) What information sources does your Authority use to develop the evidence base for BMV land resource in order to satisfy the policy / spatial planning / placemaking'. Please rank the following in order of most used?

- a. Predictive Map from the Lle Geo Portal developed by the Welsh Government
- b. Provisional Map
- c. Surveys – WG and or Commercial
- d. Planning Policy Wales
- Can you advise which Policy you refer to and why?
- e. Technical Advice Note 6 – Which chapter(s) and annex(es)?
- f. WG advice – Land Quality Advice Service emails, telephone, meeting, written guidance
- How long does it take to get this response?
- g. Specialist ALC consultants
- Does your Authority commission surveys or require Developers to commission surveys? What is your experience of engaging with private ALC consultants and the

standard of surveys provided?

- h. PIN appeal decisions reports
 - If yes, are you able to provide the case references?
- i. Planning officer decision reports
 - If yes, what is the planning reference of that planning application?

- 5) **Do Local Planning Authorities have all the information they need to make decisions and what do you think is missing / additional needs to implement the policy consistently?**

- 6) **What weight is given to BMV land in developing a local development plan?**

- a) How is BMV considered in the spatial strategy and candidate site selection?
- b) At what stage is your Local Development Plan (LDP) at?
- c) If your authority's LDP is no longer in date, do you have a 5 year housing land supply?
- d) What weight is given to BMV land in departure cases?
- e) Does the Local Planning Authority have a planning policy/policies within their Local Development Plans which relate to BMV Land?
- f) If there is no planning policy relating to development on BMV land, will the Local Planning Authority propose to include one in their LDP?

- 7) **What are the determining factors and priority in application of BMV policy by Local Authorities?**

- 8) **Has the Planning Authority used BMV land as a reason for refusal?**

- a) If yes, was this refusal appealed by the applicant?
- b) Was the planning appeal dismissed in favour of the Planning Authority?

- c) Did the Planning Authority pursue costs against the appellant?
 - d) Did the planning appeal succeed?
 - e) Did the appellant pursue a costs case against the Council and were they successful?
 - f) How many cases and if known how many hectare areas of the BMV land has been developed where the planning appeal is upheld and is granted approval by the Inspector?
- 9) Does your LPA monitor loss of BMV land?
- 10) How does your LPA monitor, record and report loss of BMV?
- 11) How much BMV has been lost?
- 12) How does monitoring inform policy application?

Agricultural Land Classification of England and Wales

Section 2

Description of the Grades and Subgrades

The ALC grades and subgrades are described below in terms of the types of limitation which can occur, typical cropping range and the expected level and consistency of yield. In practice, the grades are defined by reference to physical characteristics and the grading guidance and cut-offs for limitation factors in Section 3 enable land to be ranked in accordance with these general descriptions. The most productive and flexible land falls into Grades 1 and 2 and Subgrade 3a and collectively comprises about one-third of the agricultural land in England and Wales. About half the land is of moderate quality in Subgrade 3b or poor quality in Grade 4. Although less significant on a national scale such land can be locally valuable to agriculture and the rural economy where poorer farmland predominates. The remainder is very poor quality land in Grade 5, which mostly occurs in the uplands.

Descriptions are also given of other land categories which may be used on ALC maps.

Grade 1 - excellent quality agricultural land

Land with no or very minor limitations to agricultural use. A very wide range of agricultural and horticultural crops can be grown and commonly includes top fruit, soft fruit, salad crops and winter harvested vegetables. Yields are high and less variable than on land of lower quality.

Grade 2 - very good quality agricultural land

Land with minor limitations which affect crop yield, cultivations or harvesting. A wide range of agricultural and horticultural crops can usually be grown but on some land in the grade there may be reduced flexibility due to difficulties with the production of the more demanding crops such as winter harvested vegetables and arable root crops. The level of yield is generally high but may be lower or more variable than Grade 1.

Grade 3 - good to moderate quality agricultural land

Land with moderate limitations which affect the choice of crops, timing and type of cultivation, harvesting or the level of yield. Where more demanding crops are grown yields are generally lower or more variable than on land in Grades 1 and 2.

Subgrade 3a - good quality agricultural land

Land capable of consistently producing moderate to high yields of a narrow range of arable crops, especially cereals, or moderate yields of a wide range of crops including cereals, grass, oilseed rape, potatoes, sugar beet and the less demanding horticultural crops.

Subgrade 3b - moderate quality agricultural land

Land capable of producing moderate yields of a narrow range of crops, principally cereals and grass or lower yields of a wider range of crops or high yields of grass which can be grazed or harvested over most of the year.

Grade 4 - poor quality agricultural land

Land with severe limitations which significantly restrict the range of crops and/or level of yields. It is mainly suited to grass with occasional arable crops (e.g. cereals and forage crops) the yields of which are variable. In moist climates, yields of grass may be moderate to high but there may be difficulties in utilisation. The grade also includes very droughty arable land.

Grade 5 - very poor quality agricultural land

Land with very severe limitations which restrict use to permanent pasture or rough grazing, except for occasional pioneer forage crops.

Descriptions of other land categories used on ALC maps

Urban

Built-up or 'hard' uses with relatively little potential for a return to agriculture including: housing, industry, commerce, education, transport, religious buildings, and cemeteries. Also, hard-surfaced sports facilities, permanent caravan sites and vacant land; all types of derelict land, including mineral workings which are only likely to be reclaimed using derelict land grants.

Non-agricultural

'Soft' uses where most of the land could be returned relatively easily to agriculture, including: golf courses, private parkland, public open spaces, sports fields, allotments and soft-surfaced areas on airports/ airfields. Also active mineral workings and refuse tips where restoration conditions to 'soft' after-uses may apply.

Woodland

Includes commercial and non-commercial woodland. A distinction may be made as necessary between farm and non-farm woodland.

Agricultural buildings

Includes the normal range of agricultural buildings as well as other relatively permanent structures such as glasshouses. Temporary structures (e.g. polythene tunnels erected for lambing) may be ignored.

Open water

Includes lakes, ponds and rivers as map scale permits.

Land not surveyed

Agricultural land which has not been surveyed.

Where the land use includes more than one of the above land cover types, e.g. buildings in large grounds, and where map scale permits, the cover types may be shown separately. Otherwise, the most extensive cover type will usually be shown.

PPW Editions 2-4 (2010-2011)

Paragraph 4.9.1

In the case of **agricultural land**, land of grades 1, 2 and 3a of the Department for Environment, Food and Rural Affairs (DEFRA) Agricultural Land Classification system (ALC)¹⁷ is the best and most versatile, and should be conserved as a finite resource for the future^{18 19}. In development plan policies and development control decisions considerable weight should be given to protecting such land from development, because of its special importance. Land in grades 1, 2 and 3a should only be developed if there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations. If land in grades 1, 2 or 3a does need to be developed, and there is a choice between sites of different grades, development should be directed to land of the lowest grade.

PPW Editions 5-9 (2012-2016)

Paragraph 4.10.1

In the case of **agricultural land**, land of grades 1, 2 and 3a of the Department for Environment, Food and Rural Affairs (DEFRA) Agricultural Land Classification system (ALC)¹⁸ is the best and most versatile, and should be conserved as a finite resource for the future^{19 20}. In development plan policies and development management decisions considerable weight should be given to protecting such land from development, because of its special importance. Land in grades 1, 2 and 3a should only be developed if there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations. If land in grades 1, 2 or 3a does need to be developed, and there is a choice between sites of different grades, development should be directed to land of the lowest grade.

PPW Edition 10 (2012-2016)

Paragraph 3.54

Agricultural land of grades 1, 2 and 3a of the Agricultural Land Classification system (ALC)¹⁵ is the best and most versatile, and should be conserved as a finite resource for the future.

Paragraph 3.55

When considering the search sequence and in development plan policies and development management decisions considerable weight should be given to protecting such land from development, because of its special importance. Land in grades 1, 2 and 3a should only be developed if there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations. If land in grades 1, 2 or 3a does need to be developed, and there is a choice between sites of different grades, development should be directed to land of the lowest grade.

Technical Advice Note 6: Planning for Sustainable Rural Communities (2010)

Paragraph 6.2.1

When preparing development plans and considering planning applications, planning authorities should consider the quality of agricultural land and other agricultural factors and seek to minimise any adverse effects on the environment.

Paragraph 6.2.2

Planning authorities should bear in mind that, once land is built on, the restoration of seminatural and natural habitats and landscape features is rarely possible and usually expensive, and archaeological and historic features cannot be replaced. Also, once agricultural land is developed, even for 'soft' uses such as golf courses, its return to agriculture as best and most versatile agricultural land is seldom practicable.

Paragraph 6.2.3

Agricultural land is classified by grades according to the extent to which its physical or chemical characteristics impose long term limitations on agricultural use for food production. There are 5 grades of land numbered 1 to 5, with grade 3 divided into two sub-grades. The best and most versatile land falls into grades 1, 2 and sub-grade 3a and is the most flexible, productive and efficient in response to inputs.

Paragraph 6.2.4

The Agricultural Land Classification (ALC) map for Wales is published at a scale of 1:250,000. This map is produced for use in strategic planning and provides only a generalised indication of the distribution of land quality. The map is not suitable for use in evaluating individual sites. In such cases a resurvey at a larger scale is necessary to obtain a definitive grade.

Paragraph 6.2.5

The nature of other development and its proximity to farms can influence the type of farming and the extent to which inherent land quality can be exploited. Certain locations may have agricultural advantages such as accessibility to markets, processing plant and certain industries associated with agriculture. Farms with development close to them tend to suffer from trespass and other forms of disturbance which may affect the efficiency and upkeep of holdings. It may be possible to reduce any detrimental effects of development by locating compatible uses adjacent to farm land, by landscaping or by detailed provision of amenity space and green corridors in the layout of residential development.

Full list of all the LPA comments and questions from 22 responses. It should be noted that 7 of the LPAs consulted had no further questions to add:

- 1) Additional guidance in relation to National Policy and sequentially testing sites, or should this be local guidance?
- 2) Not sure if the guidance out there is consistent with PPW?
- 3) Would like the Welsh Government to further clarify the issue of BMV land with LPAs.
- 4) What has been the catalyst for the Welsh Government to bring this study forward? As it has come a little bit out of the blue.
- 5) The predictive layer is very good and the LPAs officers request that it is kept and improved.
- 6) Raising the profile of this issue with LPAs may be quite timely.
- 7) Requests for James Cooke's contact details.
- 8) Not sure of the guidance out there or if it is consistent with PPW.
- 9) They are not sure if they have to pay for services from Welsh Government and conformation would be appreciated.
- 10) Commented that for LPAs with lots of BMV land, does it matter if they lose small percentages of it?
- 11) The council would like to be kept in the loop regarding the study.
- 12) Would like more information on Sustainable Urban Drainage Systems and its link to soils but does not have any data on how sites will drain which is a bit of a gap and more data would be appreciated.
- 13) Would like to raise awareness regarding RPTI memberships and the importance of training and more should be provided.
- 14) The point was made that the new map was a significant step forward, with the old map being considered to be difficult to use due to scale.
- 15) Classification Review, has the potential to be exploited by developers as different figures are given.
- 16) Generally felt that plans could potentially be updated, however noted that the current BMV land maps were updated in the mid 200's, so relatively recently.
- 17) Supplementary planning guidance from National or Local level on updating plans would be useful to prevent repetition of national policy.
- 18) Would like some more guidance provided to the public regarding National and Local resources, as they have a lot of issues regarding applications that result in local loss but which is not of National Importance.
- 19) Questioned the ability for renewables like solar to be restored to agricultural use and/or continued for certain forms of development.
- 20) Refinement of the Predictive ALC Map to help in protection of BMV land.
- 21) Would like to know about planning and policy staff levels at different LPAs across Wales.
- 22) A little bit of survey work had been done to improve the Predictive Map, will there be any further survey work/ field checking to improve it, or is there going to be more work done for ongoing improvement in the future?
- 23) Welsh Government seems to be putting lots of effort into Brownfield land and protecting Greenfield land. The LPA is worried the increased protection of BMV land will result in its sterilisation from

development. This would be considered to be detrimental to some LPAs as it may be the most sustainable land etc.

24) Thresholds of consultation should potentially be amended/looked at

25) Majority of LPAs interested to see the outcome of the study when it is complete.

