

Countryside Policies

Policy DP53: Best and most versatile land

Proposals involving more than 20 ha of land not allocated for development (or smaller parcels which cumulatively could lead to the loss of 20ha or more) for non-agricultural use on current or land last used for agricultural will be required to demonstrate that the land is not within Grade 1, Grade 2 and sub-Grade 3a of the Classification. Permission would only be granted on land within these higher grades if:

- It can be demonstrated that it would be practicable to return the land to its former quality if the development took place; or
- No other land of a lower quality is available and the sustainability benefits of the proposal clearly outweigh the loss of the agricultural land.

When assessing proposals for development on unallocated sites on agricultural land its agricultural land classification (ALC) will be taken into account. Where the land classification is uncertain or classified as grade 3 without further subdivision, a full survey will be required to establish its quality. The best and most versatile (BMV) land (grades 1, 2 and 3a) will be protected from significant, inappropriate and unsustainable proposals as follows:

Grade 1 and 2 BMV land

This finite resource will be safeguarded from development to ensure its long-term potential for food production and to protect the soil resource. Development will not be permitted unless it is for:

- **infrastructure or community uses that require that specific location; or**
- **outdoor recreational use; or**
- **a limited temporary use where the land and soil could be returned to its former quality and plans for its reinstatement are secured; or**
- **is necessary for the associated agriculture or forestry use.**

Grade 3a BMV land

Where development is proposed on sites of 1 hectare or greater on Grade 3a BMV agricultural land, development will only be permitted if:

- it is one of the exceptions listed under Grades 1 and 2; or
- is to be used for renewable energy production where the land could be returned to agriculture without a loss of quality; or
- is for affordable housing; or
- the sustainability benefits of the proposal clearly outweigh the long-term loss of the best and most versatile agricultural land.

Where development for residential use is proposed both on allocated and unallocated sites layouts should, as part of an overall sustainable development, include proposals to preserve the better-quality land for gardens, allotments, community orchards or similar schemes which support local food production.

On all sites soil resources should be conserved and proposals for the reuse of soil and its protection during construction should be made clear in any planning application.

Justification

The NPPF states that planning policies should 'recognise 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 land (paragraph 174).

Maps available on the Natural England website detail areas likely to contain land in of the higher quality values (Grades 1,2 and 3a). Full survey work is not uniformly available therefore where proposals fall within these areas applicants will need to demonstrate that a full survey has taken place and the proposed site is not within grades 1, 2 or 3a.

The Best and Most Versatile (BMV) land falls within grade 1,2 and 3a of the ALC. National Guidance aims to protect the best and most versatile (BMV) agricultural land from significant, inappropriate or unsustainable development proposals and protect soils by managing them in a sustainable way. The use of areas of poorer quality land instead of higher quality land is preferred. The proportion of Grade 1 land in North Somerset is approximately 7% and 10% for Grade 2. 60% falls in Grade 3. The policy approach recognises the benefits of all BMV and provides stricter safeguards for the more limited amount of grade 1 and 2 in North Somerset. The policy approach on grade 3a land is to ensure any loss is minimised and restricted to specific land uses. Only where it can be demonstrated the sustainability benefits of the proposal outweigh the loss

of this best and most versatile agricultural land will permission be granted.

Where residential use is permitted proposals should be put in place to encourage local food growing.

Schedule 4(y) of the Town and Country Planning (Development Management Procedure (England) Order) (DMPO) 2015 requires that planning authorities must consult Natural England on proposal over 20 ha if these are not part of the development plan or on sites of less than 20ha in circumstances in which the development is likely to lead to a further loss of agriculture land amounting cumulatively to 20ha or more.

For some uses it may be possible to return the land to productive agricultural use without any loss of quality, should the proposed use no longer be required. For example, solar farms or similar. Suitable measures will be put in place to ensure this could be achieved.

~~Only where it can be demonstrated that no land of a lower quality is available, and the sustainability benefits of the proposal outweigh the loss of best and most versatile agricultural land will permission be granted.~~

The code of practice for the sustainable use of soils on construction sites provides relevant advice on the use of soil in construction projects.

Policy DP54: Rural workers housing

The erection of dwellings in the countryside for full time workers in agriculture, forestry, or other land-based rural businesses will be permitted provided that the applicant provides an appraisal that demonstrates that:

- The dwelling is required to satisfy a clearly established existing and long term functional need to live permanently at or within the immediate area of their work;
- The agricultural, forestry or land based use (excluding other elements) has been established for at least three years, has been profitable for at least one of them, is currently financially sound, and has a clear prospect of remaining so;
- The need could not be fulfilled by another existing or recently disposed dwelling on the unit or any other accommodation or building capable of conversion in the area which is suitable and available for occupation by the worker concerned;
- The proposal is satisfactorily sited in relation to the agricultural or forestry unit and, wherever possible, is sited within a hamlet or existing group of buildings (in particular, that the need for a new vehicular access is where practical avoided); and