

COUNTRYSIDE ALLIANCE BRIEFING NOTE: NEW HOMES (SOLAR GENERATION) BILL

Max Wilkinson MP

Second Reading, House of Commons
Friday 17 January 2024

- **The Countryside Alliance supports this Bill. We agree with the dual use of land that is already being developed so it can contribute to our energy needs, and a default expectation that new homes will incorporate solar panels is a sensible next step.**
- **This enabling Bill would require the Secretary of State to make regulations requiring the installation of solar photovoltaic generation equipment on new homes built from 1 October 2026, covering at least 40% of the new home’s ground floor area, subject to exemptions.**
- **We support net zero carbon emissions for the UK as an environmental and economic policy objective. Rural Britain must not be required to bear burdens that are impractical and disproportionate. Other important objectives, principally food security, must not be sacrificed.**
- **Other government priorities, including the drive towards net zero carbon emissions, can only be sustained as long as there is food on the shelves. The interests of food security require that food production must continue to be the primary use for productive farmland.**
- **We responded to the government consultation on the National Policy Framework last September making a case for a “rooftop-first” approach to solar installations as part of the government’s bid to boost renewable energy. We argued that solar panels should be placed on the rooftops of new homes, commercial buildings and car parks before using farmland or greenfield sites.**

Background

- The importance of solar energy to meeting the UK’s energy security needs and fulfilling its commitment to net zero is undeniable. Solar development must continue but it is important to ensure that it is situated in the right places.
- The Countryside Alliance is concerned about the trend of situating solar farms on productive agricultural land. This arises for a range of reasons:
 - Leaving less land available for agricultural production presents a threat to UK food security. While the government is right that food security does not necessitate self-sufficiency and it is reasonable to assume that some level of international trade in food will always remain a contributory factor, the war in Ukraine and its associated impacts on global food prices have demonstrated that the maintenance of historical trade patterns cannot be relied upon. Domestic production is essential to food security.

- Subsidies and developer impetus have created a situation where the conversion of agricultural farms to solar can be lucrative for landowners. There are, however, broader economic implications beyond the ability of single farms to generate revenue. Tenant farmers have been threatened with eviction so that land can be used for solar, and further pressure has been brought to bear on land values. These trends risk making it harder for new entrants to join the sector and begin farming, in turn threatening the long-run agricultural skill base.
- The economic viability of solar farms relies on cost-effective connection to an electric substation, which requires proximity. As a result, solar farm developments tend to cluster in areas where a nearby substation is available. This results in a disproportionate impact on affected communities.
- A perception has been allowed to develop that agricultural land has become the default option for solar energy infrastructure because it can be cheaper than alternative sites when deployed at scale, not because it is the right social and environmental option.

Bill purpose and content

- This is an enabling Bill that would require the Secretary of State to make regulations requiring the installation of solar photovoltaic generation equipment on new homes built from 1 October 2026.¹
- Regulations made under the Bill would require these systems to cover at least 40% of the new home's ground floor area, set minimum standards for compliance and set penalties for non-compliance.
- The regulations must also provide for exemptions for buildings that cannot physically accommodate that area of equipment (in which case they must specify that equipment is installed to the maximum extent possible), for flats in buildings exceeding 15 stories, for buildings where it is not cost-effective to install solar photovoltaic generation equipment and for buildings on which other forms of renewable energy generation are installed.
- We would suggest that, at a future stage, the Bill should be amended to provide for a further exemption for new homes for which solar panels are not appropriate, for example a conversion to a residence of a listed building in a conservation area. The Bill does allow for any other exemption the Secretary of State considers appropriate, but this could be a useful point of clarification.
- The regulations would set out a process by which a developer could apply to a local planning authority for an exemption and the authority would make a decision.
- The regulations would be required to define a range of terms, including any that the Secretary of State considers necessary. We would suggest that the term 'home' should either be required for definition or amended out of Section 1.2 (a). Currently, that clause seeks to require solar panels to cover at least 40% of "the new home's ground floor area", whereas Section 2 references "the building's ground floor area". This may cause confusion in the case of blocks of flats whose individual units constitute separate homes but have no separate roof. Basing the requirement on the ground floor area of the entire building would seem sensible.

¹ [New Homes \(Solar Generation\) Bill \[as introduced\]](#)

Further policy options

- During debates over what became the Energy Act 2023 the Countryside Alliance supported a range of amendments in relation to solar farming that we believed would improve the position of rural communities by promoting a fairer balance between demands on them and on urban areas to contribute to energy transition.
- An amendment proposed by Alicia Kearns MP would have prohibited solar energy developments over 500 acres in size where over 20% of the land is well suited to agriculture, mandating the Secretary of State to make regulations to that effect. This would have curtailed the development of large-scale solar farms on productive agricultural land without preventing it entirely, which would be counter-productive since it would prevent, for instance, farmers from diversifying by siting small-scale generation on surplus land.
- An amendment proposed by then MP Caroline Lucas would have had a similar effect to this Bill in requiring new homes to carry solar panels on their roofs and developments to be planned effectively to maximise solar gain. The amendment provided for regulations to specify exemptions where solar panels are not appropriate, as suggested above for this Bill.
- An amendment proposed by Wera Hobhouse MP would have required the Secretary of State to report on enhancing rewards available through the Smart Export Guarantee to householders with solar panels. The Smart Export Guarantee is the government-backed mechanism by which small-scale generators can be paid for exporting low-carbon energy back to the National Grid. Increasing these payments would improve the incentive to participate.
- A further amendment proposed by Wera Hobhouse MP would have exempted batteries used to store solar-generated energy, for example in homes, from VAT. In addition to Smart Export Guarantee payments, battery storage is important to allow homes to store generated electricity for use at times of low natural light. Exempting them from VAT would help make this key component of a home solar generation system more affordable.
- While these amendments were regrettably not accepted by the last government, we continue to believe that they remain important considerations for the development of future policy.
- The Labour Party manifesto promised to introduce a Warm Homes Plan which it stated would “offer grants and low interest loans” that could be used to support the installation of home improvements including solar panels and batteries.² This would be a welcome measure.

Countryside Alliance position

- The Countryside Alliance supports this Bill. We fully support the dual use of land that is already being developed so it can contribute to our energy needs, and a default expectation that new homes will incorporate solar panels is a sensible next step.

² [Labour Party Manifesto 2024](#), p. 56

- Energy security and food security are two key issues facing this country and must be tackled together, with the countryside playing its part to deliver sustainable environmental and economic growth.
- We recognise the importance of encouraging and supporting the growth of renewable energy projects; the UK needs a mix of sustainable energy to tackle the impact other energy sources have had on the environment.
- Solar energy is an important part of the UK's sustainable energy mix and we must prioritise the growth of solar projects on brownfield sites, existing roofs and new-builds which should reduce the pressure for solar farms on productive agricultural land.
- The clustering of developments around sub-stations has consequences for local landscapes and amenities, and the cumulative effect intensifies the harm caused.
- It is regularly argued that sheep can be grazed around solar panels but there are questions about whether that grazing will still be viable in three or four years' time, given that the purpose of a solar farm is to capture that solar energy that otherwise would be enabling the growth of grazing grass. There are also questions about whether land used for solar farms will or could ever return to agriculture.
- While solar farms can be profitable for landowners the deployment of large-scale solar farming projects has broader implications beyond the ability of single farms to generate revenue. There are impacts on tenant farmers threatened with eviction and further pressure on land values, which makes it harder for new entrants to join the sector and begin farming.³
- Other government priorities, including the drive towards net zero carbon emissions, can only be sustained as long as there is food on the shelves. The interests of food security require that food production must continue to be the primary use for productive farmland.
- The Countryside Alliance responded to the government consultation on the National Policy Framework last September making a case for a "rooftop-first" approach to solar installations as part of the government's bid to boost renewable energy. We argued that solar panels should be placed on the rooftops of new homes, commercial buildings, and car parks before using farmland or greenfield sites. This would protect valuable agricultural land and natural spaces while maximising the use of existing infrastructure.

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³ Countryside Alliance, [Countryside Alliance joins Commons food security summit](#), 09.11.22