



# Grimley Parish Council

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9 The Limes  
Kempsey  
Worcester  
WR5 3LG

06/10/2023

The Planning Inspectorate,  
Room 3c,  
Temple Quay House,  
2 The Square,  
Temple Quay,  
Bristol, BS1 6PN

**PINS ref: APP/J1860/W/23/3325112**

**LPA ref: 21/01846/FUL**

To whom it may concern,

Application Number	21/01846/FUL	BRL Solar UK limited
Appeal Number	APP/J1860/W/23/3325112	Tyler Hill Solar Limited
Location Address	Birchall Green Farm, Sinton Green, Worcester WR2 6NT	
Proposal	Development of a solar farm with ancillary infrastructure, security fence, access, landscaping and continued agriculture, to generate power to feed into the local distribution network	

<b>Reference: APP/J1860/W/23/3325112</b>			
<b>Appellant/Applicant</b> BRL Solar UK Limited	<b>Agent</b> Miss Emma Ridley	<b>Site Address</b> Birchall Green Farm Sinton Green Hallow Worcestershire WR2 6NT	
<b>Case Details</b>		<b>Dates</b>	
<b>Case Type</b>	Planning Appeal (W)	<b>Start Date</b>	01 Sep 2023
<b>Local Planning Authority</b>	Malvern Hills District Council	<b>Questionnaire due</b>	08 Sep 2023
<b>Case Officer</b>	Aimee Peckham	<b>Statement(s) due</b>	06 Oct 2023
<b>Procedure</b>	Hearing	<b>Interested Party Comments due</b>	06 Oct 2023
<b>Status</b>	In Progress	<b>Appellant/LPA Final Comments due</b>	N/A
<b>Decision and Outcome</b>	Not yet decided	<b>Inquiry Evidence due</b>	N/A
<b>Case Link Status</b>	Not Linked	<b>Event Date</b>	29 Nov 2023
<b>Linked Cases</b>	0	<b>Decision Date</b>	Not yet decided

<sup>1</sup> **Action** - please note the above screen shot of the .Gov website which has a spelling mistake in the site address. Second line should be Sinton Green not Stinton Green.

## Facebook: 'Grimley Parish Cllrs Worcs'

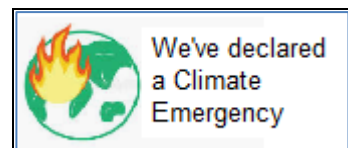
Requests for this information in other languages/audio/large print will be reasonably considered.

Please take a moment to read the council's privacy notice, which explains how we use and look after your information, and your rights. They are available by scanning the QR code below, searching 'G' for Grimley and then selecting 'publications'.

Parish Logo shows the miniature 'gorse type' plant Petty Whin (*Genista anglica*). Found on our local SSSI Monkwood Green Common, it is a plant of acidic heaths and moors which has undergone serious decline over the past century.



QR code. Scan me using your phone to access our website.



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**Note of parish council formal resolution:** Dates of parish council consideration (and formal vote) of latest documents in relation to above planning appeal: 4<sup>th</sup> Sept 23, 7.30pm. 8 Parish Councillors present at meeting (1 vacancy). 25<sup>th</sup> Sept 23, 7.30pm. 5 Parish Councillors present at meeting (1 vacancy).

**Declarations of Interest:** All parish councillors have re-considered their non-prejudicial declaration of interest on the basis that as residents of this parish they could be affected by aspects of this application. Parish Cllr Probert considers himself directly affected in terms of being an immediate neighbouring land owner and has voluntarily absented himself from discussion and voting on this matter. Declarations in respect of a previous solar application in the parish (15/01033/FUL Green Farm/Bush Farm 2015) which has been referenced in the appended statement of cases, remain valid or, in the case of those who were not councillors at the time, have been made afresh.

**Existing Parish Council Mandate and Resolution:** The parish council has an existing, majority mandate from residents requesting that the parish council objects to this application (Nov 2021).

**Parish Clerk introduction:** It is not necessary to repeat comments already made by the parish council as these will be taken into account by the Inspector in the determination of the planning appeal. It is important to present new evidence and new science arising since the original application was made.

**Motion:** Make a representation and commission a statement of case/s (on primary grounds of ecology and landscape) to the above planning appeal for the reasons already given in previous Grimley Parish Council objections and, to request that the planning inspector reject this appeal on the basis of given material planning considerations. Proposed: Cllr AC. Seconded: Cllr SW. **Vote.** unanimous.

#### **Request for appeal refusal please**

In cases such as this where there are such **strong matters of disagreement** this parish council requests that a ruling NOT be made in favour of the appeal. The appellant has **consistently neglected to conduct or submit sufficient scientific scrutiny** in order to remove concerns beyond reasonable doubt. Be in no doubt that this application, if approved, would affect this landscape and the community **permanently**.

The Parish Council supports and agrees with the grounds on which planning permission was refused by Malvern Hills District Council (MHDC) in January 2023. However, Parish Councillors also believe that additional grounds of refusal should have been included in the decision and, that MHDC has been entirely negligent in not recognising in their refusal the importance of other concerns, namely: biodiversity and ecology; miscalculations in biodiversity net gain; ground and surface water flow to the adjacent SSSI at Monkwood Green Common; unresolved inconsistencies in the applicants Landscape Visual Impact Assessment; and, highway impacts and safety over both short and long terms. Grimley Parish Councillors do not consider that any of the additional appeal documents sufficiently address the impacts of these fundamental issues.

At the time of MHDC making the refusal decision it was clear that there were areas of deficiency and lack of detail regarding specialist areas and this is still very much the case, particularly regarding soil and biodiversity net gain. MHDC determined that some reasons for refusal could not in their opinion be adequately defended and sustained through an appeal process and so, many objections were dropped. **This represents a wholesale neglect and lack of care of our local community and risks diminishing the importance of many of the concerns raised by residents and this parish council – all of which can be sufficiently defended if the correct level of expertise and local knowledge is applied.** Parish Councillors might also add that the lack of government funding of local councils and the lack of sufficiently qualified staff on detailed matters of planning, is a hole being thoroughly exploited by developers – all to the detriment of communities that struggle to find AND FUND their voice.

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How interesting it is to parish councillors that a significant percentage of personal letters in support of the solar facility are either from persons outside the county and/or use standard response text - all in support of the same incorrect biodiversity gain calculations. There is no indication that MHDC has made any attempt to confirm the source of these objections. An exercise to ascertain whether these same persons are sufficiently committed in their opinions and have submitting supporting responses to other solar applications across the country is not possible, since many other district councils do not publish individual residential responses on their website. Improved consistency and transparency in how councils handle these applications is clearly required.

A quick discussion with planners at MHDC makes it likely that officers only count such duplicate correspondence as 'one response' rather than many. However, the impact of these submissions on local mental health and how they are counted by the 'press' is entirely different.

### **Worcester News Article - 5th September 2023.<sup>2</sup> "Sinton Green solar farm may still be built despite refusal"**

The article referenced above, includes the statement that "more than 180 responses were submitted supporting the new solar farm", with no context and no acknowledgement that most of these were carbon copy responses. Since that article was published the Parish Clerk has received notice of 8 incidences of residents being subjected to online and verbal abuse accusing them of nimbysm and undermining the chances of combating global warming. This is in parallel with the applicant's regular and somewhat cynical references to the parish council's own climate emergency declaration. Yes, Grimley Parish Councillors remain committed to parish policies that assist with tackling climate change BUT we also remain deeply concerned about the industrialisation of our countryside through large-scale solar facilities.

Solar power does have its merits in reducing greenhouse gas emissions and the transition to a sustainable future. However, the Government needs to reflect on how we have created a planning system that favours solar panels in the wrong locations (agricultural land), destroying the countryside in the process and why residents are being demonised for standing up for their own homes and communities.

An appeal should be a process of last resort but it is evident by both the actions of the applicant (now the appellant) and the district council authority that appeals have become a matter of course, particularly with regard to applications so obviously deficient in government accepted evidence and scientific fact, such as solar facilities. NB. There are no solar farms in the UK over 12 years old and any analysis of their success is slim. It is the appeal process that is driving the forward march in science, not the need for urgent environmental action – a situation that is as disingenuous as it is disgusting.

We are where we are – at a benchmark that is being closely watched by so many similar communities around the country. A moral mess and an ever-increasing risk of damaging our countryside in the rush to meet environmental targets.

### **Who's Who? And what is their commitment?**

Grimley Parish Councillors have been asked by residents to note concerns about the confusing number of individuals/companies/applicant/appellant name changes, making it extremely difficult to follow proceedings, find documents and check facts, sources and material. Related to this it is highly unlikely that any of these companies will be building and operating the project.

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<sup>2</sup> <https://www.worcesternews.co.uk/news/23768517.sinton-green-solar-farm-may-still-built-despite-refusal/>

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The parish council wishes to raise most strenuously our residents' concerns about the issue of the commitment of those involved in the long-term maintenance and management of the developed site, especially ensuring that the proposed mitigation, enhancement, and any community promises (such as during construction), are delivered.

### **Venue**

The parish council has repeatedly asked MHDC to consent to hold this hearing within the parish and has three times been turned down - our community feels highly disadvantaged by this decision. We have a parish hall with all the facilities necessary to successfully host this hearing and previous appeal hearings (Grimley Gravel Pits Inquiry) were successfully held at the Peace Hall in Sinton Green. Parish Councillors recently had over 40 residents turn up to a parish council meeting to discuss the solar appeal. Asking this number of residents to travel to Malvern is highly unsustainable. Many of them are without their own forms of transport and are unlikely to be able to attend the hearing if held so far away - significantly reducing their ability to provide input. The mornings and late afternoons will be dark. It really does make more sense to hold this event in the parish.

### **Document list**

This covering letter is accompanied by the following documents for consideration please.

- 1) Statement of Case on matters of **ecology and biodiversity** – Dr Christopher J Betts BSc(Hons) PhD FBNA CBiol MRSB MCIEEM MEnvSc, on behalf of Grimley Parish Council, plus appendices.
- 2) **Landscape and Visual** Statement of Case - Carly Tinkler BA CMLI FRSA MIALE on behalf of Grimley Parish Council, plus conclusions and appendices.

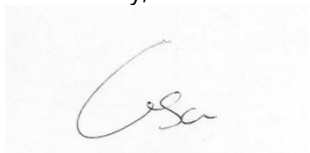
### **Hearing attendance**

Grimley Parish Council requests to attend the hearing please and for a **nominated parish councillor** to make succinct representations. It is also requested that our nominated specialists **Dr Christopher J Betts** and **Carly Tinkler** be permitted to speak – they will also be available throughout to answer questions as required.

You may be aware of a neighbouring solar facility screening request ((M/23/00707/SCR [Fitcher Brook] Land at (OS 8004 5876) Green Street, Hallow)). This application proposes to share infrastructure with the Birchall Green facility. It is likely that additional information in relation to this will be forthcoming between 6<sup>th</sup> October and 29<sup>th</sup> November 2023 (proposed hearing date) – our apologies in advance therefore if brief but pertinent new material is brought to you at the hearing.

The parish council and a group of residents are putting together a **helpful map of viewpoints**, which you may find useful in your visit. This will follow along shortly and will be submitted to the .Gov website. We are liaising with residents to offer suitable, discreet parking options for the site visit if you wish, as the country lanes are narrow and dangerous.

Yours faithfully,



Mrs Lisa Stevens  
Clerk and RFO to Grimley Parish Council