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Our Ref./Ein Cyf.

Your Ref./Eich Cyf.

Contact:/Cysylltwch â: **Cllr Denzil Hancock**

Julie James MS
Minister for Housing & Local Government
via email

15th January 2021

Dear Julie James MS,

Re: **Solar Farm at Wauntysswg Farm, Tredegar**

We write in our capacity as Chair and Vice of the Planning Committee. The views expressed herein are representative of the entire Committee regardless of political affiliation.

At the outset, we wish to confirm that this Council acknowledges the climate emergency and the part we can play in contributing to sustainable energy supply. Our County Borough, despite being outside the SSA's, is now home to a number of wind turbines and a solar farm. This is a real world demonstration of our commitment to meet Welsh Government's energy agenda. However, our support to these projects has always been dependent on it being the right scheme on the right site i.e. that each scheme is acceptable in planning terms.

You may recall in April 2020, you were presented with a report from one of your Planning Inspectors who had considered the DNS case for the solar farm at the above site in Tredegar. This Council objected to the application, as did Tredegar Town Council and Cadw. The Planning Inspector, in concluding her report and recommending permission be refused commented...

"My overall conclusion is that the proposed development would have a significant harmful effect on the character and appearance of the area and on a designated heritage asset that would not be outweighed by the benefits of the proposed renewable energy development. In this context, I find that the development would not satisfactorily reflect the principles of sustainable development promoted through PPW and the WBFG Act, nor would it comply overall with the Development Plans".

Continued...

Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg a Saesneg a byddwn yn cyfathrebu gyda chi yn eich dewis iaith, dim ond i chi rhoi gwybod i ni pa un sydd well gennych. Ni fydd gohebu yn Gymraeg yn creu unrhyw oedi.

The Council welcomes correspondence in Welsh and English and we will communicate with you in the language of your choice, as long as you let us know which you prefer. Corresponding in Welsh will not lead to any delay.

Despite the overwhelming evidence pointing to the unacceptability of the scheme, it was decided to set aside the expert views of the Inspector, Cadw and the locally elected representatives of the Town and County Borough Councils.

This decision was extremely disappointing given the context to the case where robust objections were made by responsible bodies. It seems to us that the need to meet targets set out in WG policy was given undue importance when balanced against the site specific constraints.

The decision to afford greater weight to other factors seriously calls into question the premise that the Development Plan takes precedence in the decision making process. It also undermines the credibility of the planning system when the views of the Local Planning Authority, Cadw and the independent Planning Inspector are set aside.

You will recall that despite not providing reasons for any of the conditions in the original decision, it limited the consent to 30 years. We subsequently received a s.73 planning application to extend the lifetime of the development to 40 years. This represents a 33% increase in the time that the solar farm would have a detrimental impact on the landscape and the setting of a scheduled ancient monument.

Planning Committee's decision to refuse planning permission was based on sound planning reasons. However, this decision was appealed and we have now received the Inspector's decision. Frustratingly, not only was the appeal allowed but costs awarded to the appellant.

In awarding costs, Planning Committee are particularly disappointed with some of the language used by the Inspector. In our opinion we discharged our obligations under the Planning Act. To state that the decision making process demonstrated "*irrationality*" and the LPA "*unreasonably*" withheld planning permission is not borne out by the facts. The reason for refusal clearly acknowledged that a DNS permission existed for 30 years but that the view of the LPA was that the additional operational period was unacceptable. This is something that the Inspector on this recent appeal appears to have over looked.

As a Planning Committee, we wish to place on record our position that despite the Inspector's comments, we had full regard to the DNS decision issued last year but felt strongly that prolonging the already unacceptable impact on the landscape was of itself a reason to refuse planning permission.

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In closing, we wish to express our disappointment that the chain of events which led to costs being awarded on this recent appeal began with the decision to overrule an independent Inspector and against the wishes of locally elected representatives. This has now resulted in a particularly sensitive landscape of acknowledged importance having to accommodate a massive solar farm on an industrial scale for 40 years.

We would appreciate your thoughts on the case.

Yours faithfully,

Denzil Hancock

Councillor Denzil Hancock

Chair: Planning, Regulatory & General Licensing Committee
Blaenau Gwent County Borough Council

Wayne Hodgins

Councillor Wayne Hodgins

Vice Chair: Planning, Regulatory & General Licensing Committee
Blaenau Gwent County Borough Council