

NEW RADNOR COMMUNITY COUNCIL

Clerk Mrs T. Price, Garn Farm, Chapel Lawn, Bucknell, Shropshire, SY7 0BT
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Ms. Holly Hobbs
Planning Officer
Powys County Council

By Email.

Dear Ms Hobbs,

Various Planning Condition Discharge Applications

HENDY WIND FARM P/2014/0672

(Planning Appeal Inspectorate Reference: APP/T6850/A/17/3176128)

Firstly the Community Council wishes to point out that the discharge of these pre-commencement planning conditions should have been approved before development began in November 2018.

Parts of the development now detailed are clearly outside the original approved red line of the Site Boundary and as such the Community Council feels should be subject to a new planning application. In addition, there are no overall plans of the wind farm site and the access from the A44. This means that neither the public, nor the statutory consultees can clearly see what is actually intended.

No further consultation on discharge of conditions should take place until this matter has been addressed. The County Council should insist that full and transparent plans of all intended development, including the access, are provided to allow a new, proper, public consultation on discharge of conditions.

The Community Council objects to the discharge of the following conditions –

18/1003/DIS - Condition 21: The CEMP was not uploaded until over half way through the consultation period and after multiple complaints and enquiries (notably a letter from NRW pointing out missing documents). There are still no maps or plans detailing access roads, location, design, construction and drainage, merely resubmitted Phase 1 drawings. There is also no proper plan of the proposed concrete batching plant, or any assessment of its environmental implications. This is completely unacceptable in view of the importance of such a major condition.

18/0985/DIS - Condition 24: The small number of sample sites in no way reflects the much greater number of private water supplies (PWS) in the immediate vicinity, so

there has been no credible baseline monitoring of PWS. The application lacks detail and justification and takes no account of subterranean aquifers. Given the complete lack of detailed maps and plans in other conditions, how can there be any meaningful surface water management plan?

18/0989/DIS - Condition 25: Plans of Rights of Way and access to the common land are incomplete or absent. The plans submitted to discharge this condition show there has been no Turbine Micro siting for T2 and T3 (as required in Condition 9). This means that there is a failure to meet the requirement of a 200m buffer zone. The plans also show that there has been re-siting of turbine tracks beyond the red line in breach of condition 8. A developer cannot submit proposals to discharge one condition which breach another condition (C8) and also contradict the submission for discharge of yet another condition (C9).

18/1006/DIS - Condition 28: Welsh Government have placed a hold on the discharge of this condition until the matter of Highway Safety has been fully addressed. It should be subject to a rigorous re-examination. The documents submitted to discharge this condition do not contain any swept path plan of the Northern entrance from the A44 which is potentially dangerous.

18/1009/DIS - Condition 41: No development should commence until an EMP has been submitted and approved in writing by the planning authority. NRW require an amended EMP with accurate referencing of a Species Protection Plan.

Although not the subject of a current consultation the Community Council would like to make the following comment on application 18/0997/DIS as it has not yet been determined.

18/0997/DIS - Condition 48: Community Liaison. The developers state in their Community Consultation Statement of November 2018 that throughout the application and appeal processes, a number of Community Liaison Forums were held. This is simply not true. They also state that engagement with the local community has continued since consent was issued on 25th October 2018. This is also not true, as is their claim that they have sought to ensure that local communities are kept well informed and have the opportunity to feedback comments. They have used the excuse that whilst judicial proceedings are ongoing, they cannot communicate with the local communities. The S288 challenge is made by CPRW against the Welsh Minister's decision. It has no bearing on the proper discharge of conditions and no bearing on the undertaking to liaise with local residents and community councils. This condition must not be discharged until the requirements of the condition are met in full.

I would be grateful if you could confirm safe receipt of this letter.

Regards

Tracey Price
Clerk to the Council