

Iles, Nicholas (ESNR-Planning)

**Subject:** Hendy Llandegley Windfarm possibly illegal work "advised to stop but not instructed to stop"

**From:**

**Date:** 7 December 2018 at 09:11:14 GMT

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**Subject:** RE: Hendy Llandegley Windfarm possibly illegal work "advised to stop but not instructed to stop"

Landegley Rhos/Hendy Wind Farm Development 7th December 2018 frantic pace of work but, oddly, the photos that are being taken can't be uploaded to Facebook



1. [https://www.oss.org.uk/appalling-decision-to-allow-wind-turbines-on-powys-beauty-spot/?mc\\_cid=ba711cc534&mc\\_eid=3e72c46f13&fbclid=IwAR0lod1AcQRZdXbNODDcayHlullrYB6s7NCGrLjEjSJ1A3ah-r57Fx2vME](https://www.oss.org.uk/appalling-decision-to-allow-wind-turbines-on-powys-beauty-spot/?mc_cid=ba711cc534&mc_eid=3e72c46f13&fbclid=IwAR0lod1AcQRZdXbNODDcayHlullrYB6s7NCGrLjEjSJ1A3ah-r57Fx2vME)

2. Comment from Councillor from yesterday Powys County Council Planning Meeting; **My highlight**

*CPRW who was a third party at the enquiry have submitted papers for a Judicial Review yesterday. The reasons given is that the **Minister did not explain her decision to grant the application nor did she give valid reasons**. The decision to go for a Judicial Review will be determined by a judge in the next 2 to 3 weeks as to whether to grant a Judicial Review hearing.*

***Development work can continue during this period because they have 'live' planning permission, also if it goes to high court work can continue, unless CPRW obtain an injunction. (thank you Lesley***

**Griffiths)**

*The planning department are out on site or in communication every day with the developer to establish their ongoing intentions. The planning department are also consulting regularly with the consulting agencies i.e. NRW, Ecologists, Highways. The planning department do not have grounds for enforcement at this stage but are continually monitoring the situation. The department has obtained 'Counsel' advice and they state that concerns must be draconian, measured and expedient.*

*The developer has obtained permission to use a private access. Where concerns have been raised by Planning, the developer is proposing different arrangements with the planning department*

*The conditions as set out by the minister were taken from guidelines issued by PCC to the inspector at the time of the enquiry. The Inspector decided the decisions and these have been applied by the Minister. Discharge of conditions –we were not allowed to discuss because when the discharge notice comes before the planning committee we cannot have a pre-determined opinion and would have to remove ourselves from the planning meeting. Which is not an option as there would be no vote.*

*As mentioned if you wish to receive updates as an objector, I can forward your name to the officer.*

*I trust this provides some clarification.*

3. Do we really think the developers Njord Energy/U&I will take out any of this if they lose at the review? It seems all too obvious that this is a question of the money to be made, rather than "saving the planet". We have to ask why the race to get turbine 5 up by 31st January 2019? Could it be to do with ROC subsidies?