

**Iles, Nicholas (ESNR-Planning)**

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**Subject:** THE SITUATION AT THE HENDY WIND FARM SITE IS NOW A NATIONAL SCANDAL.

**From:**

**Date:** 9 December 2018 at 12:49:46 GMT

**To:**

**Subject:** THE SITUATION AT THE HENDY WIND FARM SITE IS NOW A NATIONAL SCANDAL.

Dear Assmebly Member,

This spot in rural Radnorshire is a cherished place, beloved by locals and tourists alike, If you are driving from the Midlands into Mid Wales the vista that opens before you as you approach Llandegley on the A44 is breathtaking. Every winter there is a huge Starling murmuration. Curlews nest on the Rhos, there are ancient stone circles, standing stones, pre-historic remains, the source of an important tributary of the River Wye.

All this beauty and wildlife is currently being trashed by Njord Energy before the council have discharged the planning conditions, as they are desperate to get a turbine erected quickly in order to claim Renewable Obligation Certificates before the deadline of 31 Januray 2019. These planning conditions are vital to protecting this sensitive area and therefore this work is quite illegal.

What is so puzzling is that contrary to the normal practice of siting turbines on a ridge to get the best wind speeds, this location is in a bowl in the landscape and most unsuitable to get the best amount of power. The local authority have designated places that are suitable for wind and solar development in our county in our Local Development Plan but this site is not one of them.

Take a look at these photos and tell me that work has not started on this wind farm before conditions have been discharged.

Below is a summary of recent events produced by the Campaign for the Protection of Rural Wales, (Brecon & Radnor Branch) There is something very fishy about the way that these developers have decided they do not need to follow the rules. Is Local Democracy totally dead in Wales now?

Yours sincerely,

**THE SITUATION AT THE HENDY WIND FARM SITE IS NOW A NATIONAL SCANDAL.**

These are the events since Lesley Griffiths, Minister for Energy, Planning and Rural Affairs issued Conditional Consent for Hendy Wind Farm, overturning Inspector Hywel Wyn Jones' recommendation to refuse the application. The Permission was published on 25th October 2018.

CPRW Brecon & Radnor served papers on Welsh Government and interested parties on 6<sup>th</sup> December to challenge the Minister's decision.

In the Senedd plenary session on 20th November, Lesley Griffiths promised to follow up on the reported arrival of construction lorries on site.

On 6th December, Powys Local Planning Authority issued a public statement leaving no doubt that unlawful development had begun.

*"A site visit was undertaken by Development Management on 30th November 2018. It is clear from the site visit and the numerous photographs submitted to Development Management that the development has commenced. The development is therefore in breach of prior to commencement conditions attached to the Ministers decision notice. The developer has been informed of the above and has been advised to stop works and that any further works are at their own risk."*

However on 7th December Lesley Griffiths issued her own statement saying:

*"Powys Local Planning Authority Officers have informed my officials, on the basis of information to date, they currently consider no breach of planning control has occurred. Powys LPA inform us they will continue to monitor the site until satisfied no further monitoring is required."*

On the 7th December there have been numerous witnesses to the driving of piles into the substantial excavations for Turbine 5 close to the sensitive River Edw.

The Developer has published a construction time table, submitted as part of the application to discharge Condition 21, which is a condition precedent requiring approval of a Construction Environmental Management Plan prior to development, including site clearance. This timetable shows the developer had resolved to construct unlawfully and had no intention of waiting until lawful discharge of Conditions. The Developer had evidently become sufficiently confident that the application would be approved to invest large sums in pre-construction and procurement well before 25th October – also evidenced by this timetable.

The Powys statement of 6th December also says:

*With respect to the current discharge applications, I can confirm that a notice will be published in the Mid Wales Journal on 7th December 2018 and a site notice will be displayed at the site. Thereafter, there will be a 30-day consultation period.*

There is no way the discharge of conditions precedent can take place until after 6<sup>th</sup> January 2019.

**Powys County Council, NRW and the Welsh Government are standing by while unlawful construction of a wind farm proceeds under their very noses. They are allowing a private Developer to put two fingers up to Welsh law and Environmental Regulations and are thereby bringing the entire structure of government in Wales into disrepute.**

***Brecon and Radnor Branch of CPRW 8/12/2018***