

Iain Aitken

From: Holly Hobbs <holly.hobbs@powys.gov.uk>
Sent: 06 December 2018 09:54
To: Holly Hobbs; Gwilym Davies; Ken Yorston
Subject: Hendy Wind Farm

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir/Madam,

RE: BOC/2018/0207

I write to provide an update on the planning enforcement investigation.

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.

In considering the expediency of pursuing further enforcement action, I would advise that it is considered that there is insufficient evidence at the present time to evidence that the works being undertaken are resulting in unacceptable harm. In light of this Officers are not currently proposing to issue any notices on the developer. This matter however is the subject to continual review. I can confirm that Officers are actively pursuing evidence to inform the ongoing enforcement investigation.

To date, the evidence secured by Development Management suggests that works being undertaken on site are in accordance with the information that has been submitted by the developer to discharge the conditions that they are currently breaching. Although Development Management has secured information from consultees that raise concerns regarding elements of information submitted to discharge conditions, it is considered that the evidence received to date does not demonstrate unacceptable harm. Please note that this is an ever changing situation and we will try and keep you updated on this matter.

I would also advise that Development Management met with the Developer on the 4th December 2018. During the meeting, it was indicated that an alternative methodology for the delivery of the turbine components is currently being considered in accordance with condition 31 as a result of the potential impact on the common. I would advise that any revised scheme will be published on the Council's website upon receipt and forwarded to relevant consultees for consideration.

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.

I trust the above is of assistance.

Yours faithfully,

Holly-ann Hobbs BSc (Hons), MSc
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Please note that my working pattern is Tuesday PM, Wednesday, Thursday and Friday.

Croesewir gohebiaeth yn y Gymraeg a'r Saesneg/Correspondence welcomed in Welsh and English

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