

22 February 2023

Dear

ATISN 17097 – Information required on how to object to a Proposed Solar Farm Development

Thank you for your request submitted on 29 January, which I received on 30 January 2023. You asked for:

1. The Objection process for a proposed Solar Farm Development:

- a) The correct procedure for residents to make an objection to the Welsh Government about a proposed Solar Farm development.
- b) The address at Welsh Government for residents to object to a proposed Solar Farm development (including an email address)
- c) List the grounds under which residents can make an objection to a proposed Solar Farm development.

2. Information on Previous Failed Solar Farm Applications:

- a) Provide the name of any proposed Solar Farm Development which have been rejected by the Welsh Government over the last 5 years AND the grounds on which they were rejected.

3. Information on Solar Panel Farm KW Hour planning application projections compared to actual KW hour results achieved.

- a) Confirm if the Welsh Government have any records or monitor the **PREDICTED** KW hour production of a solar farm (as detailed in the Planning Application), versus the **ACTUAL** KW hour production of that Solar Farm?
- b) If the Welsh Government have any figures on point 3a (above), provide the name of that development along with the Predicted KW hour production per year (as detailed in that planning application) and the Actual KW hour per year figures once the site has been developed.

Our response

The information caught by your request constitutes environmental information and has been considered for disclosure under the Environmental Information Regulations (“EIRs”).

In regard to parts 1a and b of your request. Representations in respect of an application for a Development of National Significance should be submitted to Planning and Environment Decision Wales (“PEDW”) at its e-mail address: pedw.casework@gov.wales at the appropriate stage quoting the application

reference number. You can follow progress on applications on the casework portal web-site at: [Search for a case - Planning Casework \(gov.wales\)](#).

In regard to part 1c of your request, it is important to note that the access to information legislation gives individuals a right of access to recorded information held by a public authority at the time the request was received. It does not require an authority such as the Welsh Government to provide views or opinions where those views are not already recorded. This is confirmed by the Information Commissioner's guidance 'The Guide to Freedom of Information', page 7:

"The Act does not cover information that is in someone's head. If a member of the public asks for information, you only have to provide information you already have in recorded form. You do not have to create new information or find the answer to a question from staff who may happen to know it."

Part 1c of your request is asking for an opinion, and Welsh Government does not hold recorded information that would answer it. It would be for the representor to determine on what grounds they wish to comment on a proposal.

It is a basic principle that each and every application should be considered on its own merits and an issue raised by one application may not automatically apply to a different application. The issues which were considered by Inspectors and the Welsh Ministers in relation to the cases you requested are contained in the response to part 2 of your request.

In regard to part 2 of your request, I enclose information falling within the scope of this part of your request as identified on the attached disclosure list.

In regard to part 3 of your request, I have established that the information you require is not held by the Welsh Government.

Next steps

If you are dissatisfied with the Welsh Government's handling of your request, you can ask for an internal review within 40 working days of the date of this response. Requests for an internal review should be addressed to the Welsh Government's Freedom of Information Officer at: Information Rights Unit, Welsh Government, Cathays Park, Cardiff, CF10 3NQ or Email: Freedom.ofinformation@gov.wales

Please remember to quote the ATISN reference number above.

You also have the right to complain to the Information Commissioner. The Information Commissioner can be contacted at:

Information Commissioner's Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire,
SK9 5AF

However, please note that the Commissioner will not normally investigate a complaint until it has been through our own internal review process.

Yours sincerely