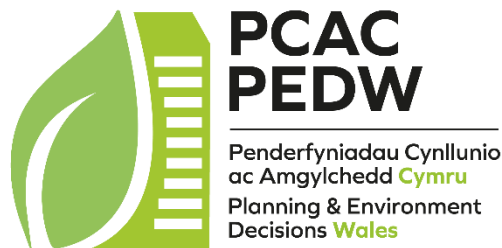


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Ebst / email: [PEDW.casework@gov.wales](mailto:PEDW.casework@gov.wales)



Ein Cyf / Our Ref: ATISN 20338

Dyddiad / Date: 22 March 2024

To:

Dear ,

### **ATISN 20338 – Request for information**

Thank you for your request which was received on 12 March 2024. You asked for the following information:

1. How are the individual Inspectors appointed for individual cases for Renewable Energy applications?
2. Do Appointed PEDW Inspectors make decisions of recommendation individually or is determination of recommendation done by a PEDW Panel for Renewable Energy applications?
3. Is the final determination done by a Wales Government Minister or a PEDW staff member / Inspector?
4. Do Appointed Inspectors work as part of a Team or as Individuals?
5. If as a Team / Panel - what would that Team consist of?
6. If as individuals - does the Appointed Inspector have access to advisers or does the Inspector work alone?
7. If access is available to 'advisers' what CV qualifications do such 'Advisers' have?
8. As Welsh Government is so keen on rewilding areas of farm lands, what conditions do the PEDW Inspectorate place on approved Renewable Developments for rewilding, or returning to original use, for Wind Turbine sites at end of life, in particular the giant concrete bases?
9. Are 'Bonds' required? If so, who holds that money? Are they inflation linked?
10. What are the general CV requirements in appointing PEDW Inspectors e.g. backgrounds in Law or Planning or Engineering?
11. How many Inspectors are currently employed by PEDW and on what Salary Band?
12. How does PEDW define the term "National Significance"?

### **Our Response**

Rydym yn croesawu gohebiaeth Gymraeg. Cewch ateb Cymraeg i bob gohebiaeth Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome correspondence in Welsh. Correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not involve any delay.

I will address the various aspects of your request in the order raised.

1. Planning Inspectors are employed by PEDW. Inspectors are allocated to individual Development of National Significance (DNS) applications based on their professional skills and experience with the relevant type of work. They are then appointed by PEDW on behalf of the Welsh Ministers (WMs) in accordance with S62S and Schedule 4D of the Town and Country Planning Act 1990 (as amended) (the 1990 Act).
2. It is the Inspector specifically, rather than PEDW, that is appointed by the WMs. Appointed Inspectors are solely responsible for their recommendation to the Welsh Ministers for DNS applications. On occasion, two Inspectors may be appointed to a case; in those circumstances it would be the two Inspectors who are responsible for their recommendation. DNS applications are not dealt with by a panel, as is the case with the UK Nationally Significant Infrastructure Project (NSIP) regime.
3. The final decision on DNS applications (apart from those relating solely to an overhead line) is taken by the WMs. The appointed Inspector(s) submit a report with their recommendation, which is then considered by officials in the Decisions Branch of the Welsh Government's Planning Directorate who advise the relevant Minister before they take the final decision. For cases relating solely to overhead lines, the authority to determine the application is delegated to the Inspector, who will issue a decision rather than submitting a recommendation report.
4. See point 2 above.
5. See point 2 above. PEDW does not utilise teams of Inspectors or panels for DNS applications. On occasion, two Inspectors may be appointed to a case.
6. Inspectors work alone or occasionally with another Inspector, as set out above. Where a hearing or inquiry is held on a DNS application, the WMs can appoint an assessor to advise the appointed person (the Inspector) on specific matters, in accordance with Schedule 4D of the 1990 Act and regulation 23 of the Developments of National Significance (Wales) Regulations 2016 (as amended). However, to date this option has not been used.
7. See point 6 above.
8. The conditions recommended by the Inspector(s) and applied by the WMs will vary on a case-by-case basis, depending on the specific issues involved. However, conditions requiring a scheme of decommissioning and site restoration are standard practice for wind turbine development. Such conditions can be viewed in the Ministerial decision for each case, which are published online. I include an example of one such condition from a recent decision below:

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*Not later than 12 months prior to the end of this permission, as defined in Condition 3, a decommissioning and site restoration scheme, informed by a full ecological survey of the site, shall be submitted for the written approval of the Local Planning Authority.*

*The decommissioning and site restoration scheme shall make provision for, the removal of the wind turbines and associated above ground infrastructure approved under this permission and details of the depth to which the wind turbine foundations will be removed.*

*The survey report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of decommissioning and then implemented as approved. The report shall include ecological mitigation measures, as appropriate, based on the ecological assessment findings to be followed during decommissioning and for a period of 5 years from the completion of the decommissioning and restoration.*

*The approved scheme shall be fully implemented within 12 months of the expiry of this planning permission, unless otherwise agreed in writing by the Local Planning Authority.*

9. Bonds are not required for DNS applications.
10. Inspectors are required to have at least a degree level education and significant professional experience in a relevant land use related discipline (E.g. Town Planning, Architecture, Environmental Specialisms) and full or chartered membership of an associated professional body (E.g. Royal Town Planning Institute, Royal Institute of British Architects, Institute of Environmental Management and Assessment). The recruitment pack for a recent Inspector recruitment exercise contains further information and can be viewed here:

<https://www.gov.wales/sites/default/files/publications/2023-12/planning-inspector-recruitment-pack.pdf>

11. There are currently 22 Inspectors employed by PEDW. Nineteen are Planning Inspectors employed at Welsh Government Grade 7. Two are Planning Inspector Managers and one is the Deputy Chief Planning Inspector, all employed at Grade 6. Current salary ranges for Grade 7 and Grade 6 are below:

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<b>Grade 7</b>	
Point 1	£56,112
Point 2	£59,273
Point 3	£62,454
Point 4	£67,095
<b>Grade 6</b>	
Point 1	£70,455
Point 2	£73,059
Point 3	£75,390
Point 4	£80,840

12. The term 'National Significance' as it relates to DNS applications is not defined by PEDW. The definition is established by 62D of the 1990 Act and Regulation 3 of Developments of National Significance (Specified Criteria and Prescribed Secondary Consents) (Wales) Regulations 2016 (as amended).

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 e-mail: [Freedom.ofinformation@gov.wales](mailto: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

Telephone: 0303 123 1113

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Website: [www.ico.org.uk](http://www.ico.org.uk)

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

Yours sincerely

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Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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