

3 March 2025

Dear

## **ATISN 23332 Development of Land at Leasbrook**

### **Information requested**

Thank you for your request which I received on 3 February. You asked for:

- Copies of any advice that Cadw has issued to Monmouthshire County Council in relation to a site north of Dixon Road, Monmouth (HA4, CS0270, CS0182, Land at Leasbrook, Land North of Monmouth, Land East of Monmouth, Land North East of Monmouth).
- In particular, any response to the preferred strategy consultation in 2023 and the initial consultation in 2020.

### **Our response**

The information you requested is enclosed.

- ATISN 23332 - Doc 1 - Advice email on Monmouth LDP Candidate Sites - 2023-04-27
- ATISN 23332 - Doc 1a - Advice on Monmouth LDP Candidate Sites - 2023-04-27 - attachment to Doc 1
- ATISN 23332 - Doc 1b - Advice on Monmouth LDP Candidate Sites - 2023-04-27 - attachment to Doc 1
- ATISN 23332 - Doc 2 - Emails between Monmouthshire County Council and Cadw on LDP Candidate Sites
- ATISN 23332 - Doc 3 - Cadw email response to EIA Screening Request - Development of 285 dwellings, Land East of Monmouth, Dixon Road consultation
- ATISN 23332 - Doc 3a - Cadw response to EIA Screening Request - Development of 285 dwellings, Land East of Monmouth, Dixon Road consultation - attachment to Doc 3

Docs 1a and 1b have been edited to only include Cadw's advice on the relevant candidate site.

The attachments referred to in Doc 2 are not included in this response as they do not constitute Cadw's advice as set out within the parameters of your request, however, the said documents will be available from the Head of Planning at Monmouthshire County Council at [AmyLongford@monmouthshire.gov.uk](mailto:AmyLongford@monmouthshire.gov.uk) .

Our records show that Cadw's response to the 2023 Monmouthshire County Council Preferred Strategy, was included in the Welsh Government response and no

separate response to the Council by Cadw has been made. I have sent a copy of the Welsh Government response to you in other correspondence.

Regarding the 2020 consultation, this was the call for candidate sites which is the first formal stage of preparing a Local Development Plan (LDP). This enables all parties to submit potential sites for inclusion in the plan to the Local Planning Authority (LPA). It will then be for the LPA to assess each site and determine if they are suitable, or not, for inclusion in the plan.

I have redacted the personal information of officials from Cadw and Monmouthshire County Council under Regulation 13 of the Environmental Information Regulations 2004. My reasoning for doing so is set out at Annex A of this letter.

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

Yours sincerely

**Annex A - ATISN 23267 – Regulation 13 of the Environmental Information Regulations 2004**

I have decided to withhold the following information:

<b>Information being withheld</b>	<b>Section number and exception name</b>
Personal information of officials from Cadw and Monmouthshire County Council.	Regulation (13) of the Environmental Information Regulations: the information requested includes personal data of which the applicant is not the data subject.

**Engagement of Regulation 13**

Regulation 13 of the EIRs sets out an exception from the duty to disclose if the information requested is personal data protected by the General Data Protection Regulations (GDPR).

Personal data means information which relates to a living individual who can be identified from that data; or from that data and other information which is in the possession of, or is likely to come into the possession of, the data controller.

I consider that information regarding names and emails of individuals in their capacity as employees of the said organisations is personal information.

Guidance from the Information Commissioner's Office states:

- The starting point is to consider whether it would be fair to the data subject to disclose their personal data;
- If disclosure would not be fair, then the information is exempt from disclosure.

I have assessed that the individual concerned would have a reasonable expectation that their personal data would be kept confidential and not disclosed to the world at large. It would be unfair to the individual concerned to release their personal data. Disclosure would give rise to unfair and unwarranted intrusion on the individual's privacy in the circumstances of this case, and has the potential to cause unnecessary and unjustified harm to the individual in this case.

Release of this information may also breach article 8 of the European Convention on Human Rights – a right to respect for one's "private and family life, home and correspondence."

I have thus concluded that in in this case, disclosure would not have been within the reasonable expectation of the individual and the loss of privacy would cause unwarranted distress. It is my view that disclosure of would breach the first data

protection principle, and thus are exempt from release under regulation 13 of the Environmental Information Regulations 2004.