



Ein Cyf/Our ref: ATISN 10637
Eich Cyf/Your ref:
Dyddiad/Date: 26 August 2016

Dear ,

**ATISN 10637 – REQUEST FOR INFORMATION IN RESPECT OF TOWN AND COUNTRY
PLANNING ACT 1990 – SECTION 77
APPEAL BY TIM HOLT OF HOLT’S CONSERVATORIES FOR THE ERECTION OF 12
DWELLINGS INCLUDING THE DEMOLITION OF EXISTING OUTBUILDINGS AND THE
CREATION OF A NEW ACCESS AT BANK FARM, LOWER MOUNTAIN ROAD,
PENYFFORDD, FLINTSHIRE, CH4 0EX**

Thank you for your request for information received on the 5 July 2016. You asked for:

“all internal Planning Inspectorate correspondence (electronic or otherwise), including notes from meetings, relating to planning applications at Bank Farm, Penyffordd, Flintshire, CH4 0EX from January 1, 2014 to April 1, 2016.

As a separate request I would like to ask for all external Planning Inspectorate correspondence re Bank Farm with
(a) Flintshire County Council planning department and
(b) Welsh Government ministers and officers (including Carl Sargeant AM) during the same period.

I would also be grateful if you could provide a list of Planning Inspectorate decisions regarding Planning Permission that have been subsequently overturned by the Welsh Government minister over the past five years. Please supply date of PI decision, date of WG decision, details of the site in question and the final decision of both organisations (approve/reject).”

Your request is in three parts. I interpreted part 1 of your request as asking for copies of all letters, e-mails and other written correspondence between officials within the Planning



Inspectorate Wales between the 1 January 2014 to 1 April 2016. I interpreted part 2 of your request as asking for copies of correspondence between the Planning Inspectorate Wales and the Planning Department of Flintshire County Council, Welsh Ministers and officials within the Planning Directorate during the same period. I interpreted part 3 of your request as asking for a list of Welsh Ministers' decisions on called-in planning applications which were contrary to the recommendation made by the appointed Inspector between the 5 July 2011 and the 5 July 2016 with copies of the Inspectors Reports and Welsh Ministers' decision letters. You did not confirm in writing that I had correctly interpreted your request, but have considered the request on the basis that I had.

I have enclosed with this letter the information which I believe is what you requested. Items 005 and 006 have information withheld under Regulation 12(4)(d) of the Environmental Information Regulations 2004 as they included material that was still in course of completion, unfinished documents or incomplete data. The final copy of the Inspectors Report has however been included in item 006.

In respect of part 3 of your request the list of the information that you have requested is in the attached table.

Local Planning Authority	Site	Recommendation	Inspectors Report received on	Welsh Ministers Decision issued
Carmarthenshire	Pencwm Stables	Planning permission granted	25/02/2010	29/07/2011
Carmarthenshire	Former Grillo Zinc Oxide Works	Planning permission granted	23/01/2012	21/03/2013
Powys	Lower Leighton Farm	Planning permission refused	01/05/2013	30/10/2013
Flintshire	Bank Farm	Planning permission granted	24/11/2015	14/03/2016

Copies of the Inspectors' Reports and Welsh Ministers' Decision Letters are included at Items 006 to 012 as identified in the enclosed disclosure list.

I treated your request under the Environmental Information Regulations (EIRs) in accordance with advice provided by the Information Commissioner. The Commissioner has advised that any requests for information in respect of matters relating to 'planning' should be considered under the Environmental Information Regulations 2004 (EIRs) rather than under the Freedom of Information Act 2000 (FOIs).

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:

Welsh Government,
Cathays Park,
Cardiff,
CF10 3NQ

or Email: FreedomOfInformationOfficer@wales.gsi.gov.uk

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

Disclosure List – Request for recorded information - Reference Number (10637)

Item number	Item date	Item title or description	Reason for withholding information
001	27/04/2015	Letter from Planning Inspectorate to Flintshire County Council	None
002	09/06/2015	Letter from Planning Inspectorate to Flintshire County Council	None
003	01/07/2016	Letter from Planning Inspectorate to Flintshire County Council	None
004	24/11/2016	E-mail from Planning Inspectorate to Decisions Branch Planning Directorate	Regulation 12(4)(d)
005	17/02/2016	E-mail from Planning Inspectorate to Decisions Branch Planning Directorate	Regulation 12(4)(d)
006	14/03/2016	E-mail from Decisions Branch, Planning Directorate to Flintshire County Council with copy of Inspectors Report and Welsh Ministers Decision Letter on Bank Farm application	None
007	25/02/2010	Pencwm Stables - Inspectors Report	None
008	29/07/2011	Pencwm Stables - Welsh Ministers' Decision Letter	None
009	23/01/2012	Former Grillo Zinc Oxide Works - Inspectors Report	None
010	21/03/2013	Former Grillo Zinc Oxide Works - Welsh Ministers' Decision Letter	None
011	01/05/2013	Lower Leighton Farm - Inspectors Report	None
012	30/10/2013	Lower Leighton Farm - Welsh Ministers' Decision Letter	None