

Ein Cyf/Our ref: ATISN 26770
Eich Cyf/Your ref:
Dyddiad/Date: 1 April 2026

Dear ,

ATISN 26770 – Inspector’s Report Case DNS CAS-01772-Z5P5D2

Thank you for your request submitted on 4 March, which I received on the 5 March.

Your request asked for:

- A copy of the report Planning Inspector’s report prepared for the Welsh Ministers in relation to the Development of National Significance application for Wentlooge Solar (Resubmission), reference number DNS CAS-01772-Z5P5D2, which was completed by Ms Melissa Hall in 2025, following the Public Hearing she conducted on the application on 1st & 2nd July.

Our response

The information caught by your request constitutes environmental information and has been considered for disclosure under the Environmental Information Regulations (“EIRs”). We have one document falling within the scope of your request but have decided the information is exempt from disclosure under Regulation 12(4)(e) of the EIRs. The reason for applying this exemption is set out in full at Annex 1 to 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

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.

Any information released under the Freedom of Information Act 2000 or Environmental Information Regulations 2004 will be listed in the Welsh Government's Disclosure Log (at <https://gov.wales/about/open-government/freedom-of-information/responses/?lang=en>).

Yours sincerely,

Nick Iles
Planning Casework Branch
Planning Directorate

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Regulation 12(4)(e) – Disclosure of internal communications

Regulation 12(4)(e) of the EIRs sets out an exception from the right to know for information contained within documents considered to be internal communications. Where an official prepares advice for the Welsh Ministers into a planning decision, they offer conclusions on the main issues and make a recommendation to the Welsh Ministers. The Welsh Ministers consider those recommendations, which they may choose to accept or reject. Until the Welsh Ministers make a decision, especially as an application for the same form of development, on the same site, remains undetermined the advice previously provided forms part of internal advice, and, as such, falls within the scope of the exception.

The decision by the Minister in this case is part of a wider consideration, yet to be decided. The advice caught by this request will, therefore, continue to form part of internal advice.

This exception is subject to the public interest test, and I must determine whether the public interest favours releasing or withholding this document. This Annex sets out our subsequent consideration of the Public Interest Test.

Public interest arguments in favour of disclosure

The proposal for the erection of a renewable energy hub comprising ground mounted panels and battery storage units (160 units) with a combined installed generating capacity of up to 125MW, underground cabling, grid connection hub, associated infrastructure for a period of 40 years at land on the Wentlooge Levels to the west of Hawse Lane and south of the Cardiff to Newport railway line is controversial with a strong public campaign against the proposal and a strong public and media interest in the proposal. Disclosure would allow the public to better understand the government's internal decision making process and the steps taken by government in considering such proposals, taking account of both short and long term potential benefits and negative impacts to the local communities and the local environment, in order to make decisions in the best interests of Wales.

Public interest arguments in favour of withholding

The fact that this exception exists shows there is an inherent public interest in maintaining that free space where officials can freely discuss matters away from the public gaze, particularly where the discussions and deliberations are ongoing. The advice provided to the Minister is conducive to the public interest which is to have an efficient and transparent planning system, which is fair to all. If the conclusions and recommendations of the officials contained within this advice are released before a final decision is issued, there is a risk it will undermine the efficiency, transparency and impartiality of the planning process.

It is in the wider public interest that officials and Ministers fully weigh up the competing cases and for Ministers to reach a considered decision. Disclosure during such deliberations would only serve to encourage both proponents for and those against the proposal to delay the decision making by re-submitting their case.

Balance of public interest test

On balance I have found that the public interest lies in withholding the information.