Dyddiad/Date: 19 November 2026

Dear

ATISN 26-022 – APPLICATION 2015/00031/OUT AT DAVID DAVIES ROAD, BARRY

Thank you for your request submitted on 27 October, which I received the same day.

You asked for:

- All correspondence with the Vale of Glamorgan Council about planning application 2015/00031/OUT between 1 June 2015 and 31 July 2015.

Our response

The information caught by your request constitutes environmental information and has been considered for disclosure under the Environmental Information Regulations ("EIRs"). I have decided some of the information included in the attached documents is exempt from disclosure under Regulation 13 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,

Regulation 13– Personal data

Regulation 13(1) together with the conditions in Regulation 13(2)(a)(i) and 13(2)(a)(ii) provides an absolute exemption if disclosure of the personal data would breach any of the data protection principles.

'Personal data' is defined in sections 3(2) and (3) of the Data Protection Act 2018 ('the DPA 2018') and means any information relating to an identified or identifiable living individual. An identifiable living individual is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of the individual.

We have concluded that, in this instance, the information requested contains third party personal data.

Under Regulation 13(1) of the EIRs, personal data is exempt from release if disclosure would breach one of the data protection principles set out in Article 5 of the GDPR. We consider the principle being most relevant in this instance as being the first. This states that personal data must be:

"processed lawfully, fairly and in a transparent manner in relation to the data subject"

The lawful basis that is most relevant in relation to a request for information under the FOIA is Article 6(1)(f). This states:

"processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child".

In considering the application of Article 6(1)(f) in the context of a request for information under FOIA it is necessary to consider the following three-part test:

- **The Legitimate interest test**: Whether a legitimate interest is being pursued in the request for information;
- **The Necessity test**: Whether disclosure of the information/confirmation or denial that it is held is necessary to meet the legitimate interest in question;
- **The Balancing test**: Whether the above interests override the interests, fundamental rights and freedoms of the data subject.

1. Legitimate interests

We have been unable to identify a legitimate interest the requester may have in accessing the personal data of officials within the Welsh Government, local planning authority or private individual who made the EIA screening request.

2. Necessity test

I am not aware of another method via which the requestor could obtain the identities of the parties involved in the correspondence subject to this request. Disclosure under EIR would be necessary to identify the relevant personal data of those parties.

3. Balancing test

In this instance, we believe the individuals would have no expectation that this information would be made public. I therefore find that the data subjects' interests outweigh the legitimate interest in releasing this data. As release of the information would not be legitimate under Article 6(1)(f), and as no other condition of Article 6 is deemed to apply, release of the information would not be lawful within the meaning of the first data protection principle. It has therefore been withheld under Regulation 13 of the EIR. This is an absolute exemption and not subject to the public interest test.