



The Planning Inspectorate Yr Arolygiaeth Gynllunio

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Mr Chris Banks (Solar Century Holdings Ltd)
(c/o Mr Paul Burrell (Pegasus Group))

Ein Cyf / Our Ref: DNS/3247619

(Sent via e-mail)

Dyddiad / Date: 30/04/2021

Dear Mr Burrell,

Town and Country Planning Act 1990 (as amended) ('The 1990 Act')
The Developments of National Significance (Wales) Regulations 2016 (as amended) ('The DNS Regulations')
The Developments of National Significance (Procedure) (Wales) Order 2016 (as amended) ('The DNS Procedure Order')

Application by: CHRIS BANKS (SOLAR CENTURY HOLDINGS LTD)
Site address: LAND AT GWERNIGRON FARM, THE ROE, ST ASAPH, DENBIGHSHIRE

The Environmental Statement (ES) has now been assessed by an Inspector who has concluded that it does not meet the minimum requirements of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017. This means it is not considered to be an ES as required by the DNS procedure order.

Please find the Inspector's ES completeness assessment attached with this letter.

As you are aware, The Planning Inspectorate (PINS) has a period of 42 days (from when an application is duly submitted) to either accept or turn away a DNS application. In this instance, the application was fully received on 22 March 2021 and PINS has until 03 May 2021 to accept or turn away the application.

Regrettably, as there is no further time within the statutory validation period to allow the applicant to address the shortcomings of the submitted ES, the application as submitted is invalid.

This letter is to be treated as notice that the Welsh Ministers will not accept the DNS application, under Article 15(5) of the DNS procedure order.

Our records show that your Notification in relation to this application was accepted on 11 May 2020. Please note that if we do not receive a valid application before 11 May 2021, you will have to re-Notify, and once your fresh Notification has been accepted by the Inspectorate consequently re-run your statutory pre-application consultation and publicity ensuring that a copy of the new Acceptance of Notification letter is included in the documents published to your website.

<https://dns.planninginspectorate.gov.uk>



If you intend to re-submit this application, you may wish to consider addressing:

- The matters identified in the Annex to the Inspector's ES completeness assessment.
- Whether you intend to modify the development to address the issues raised by the Welsh Government in relation to Trunk Roads in their correspondence addressed to you on 07 April 2021; any change should be reflected in the ES and other submission documents.
- Liaising with the Transport Orders branch of the Welsh Government to ensure that your Secondary Consent applications under S247 and S248 of the Town and Country Planning Act 1990 are in order, and to prepare draft Orders for submission with the application, so that they may be consulted on¹.
- Undertaking another round of statutory pre-application and publicity which could ensure that parties have had a chance to comment on any amendments to the scheme, and potentially the draft Orders for the S247 & S248 applications.

My colleague will write to you shortly to refund 75% of the fee which has been paid for the application, and the total fee which has been paid for the LPA's Local Impact Report, in line with the Developments of National Significance (Fees) (Wales) Regulations 2016.

I understand that this will be disappointing to you. If anything is unclear, please let us know.

A copy of this letter is being sent to the local planning authority and will be published to the DNS Portal.

Yours sincerely,

H Edgeworth

HARRY EDGEWORTH
Team Leader

¹ The draft Orders will need to be included in any post-submission consultation undertaken by the Inspectorate in accordance with S252 of the Town & Country Planning Act 1990 [as amended by Regulation 16 of The Developments of National Significance (Specified Criteria and Prescribed Secondary Consents) (Wales) Regulations 2016 (as amended)]