

11 February 2025

Dear

## **ATISN 23267 Gaerwen Wind Farm**

### **Information requested**

Thank you for your request which I received on 16 January. You asked for Cadw's files relating to our evaluation for the above wind farm.

### **Our response**

The information you requested is enclosed.

- ATISN 23267 - Doc 1 - Search request and search results for historic assets relating to DNS3276735 (2021)
- ATISN 23267 - Doc 1a - Proforma attachment from email at Doc 1
- ATISN 23267 - Doc 1b - GSI map - ZTV attachment from email at Doc 1
- ATISN 23267 - Doc 2 - Cadw response to Planning Inspectorate on EIA scoping for DNS 3276735
- ATISN 23267 - Doc 3 - Gaerwen Windfarm post-scoping consultation from developer to Cadw
- ATISN 23267 - Doc 3a - Gaerwen Windfarm post-scoping consultation from developer to Cadw - attachment to Doc 3 - CH001\_90
- ATISN 23267 - Doc 3b - Gaerwen Windfarm post-scoping consultation from developer to Cadw - attachment to Doc 3 - CH002\_90
- ATISN 23267 - Doc 3c - Gaerwen Windfarm post-scoping consultation from developer to Cadw - attachment to Doc 3 - CH004\_180
- ATISN 23267 - Doc 3d - Gaerwen Windfarm post-scoping consultation from developer to Cadw - attachment to Doc 3 - CH004\_90
- ATISN 23267 - Doc 3e - Gaerwen Windfarm post-scoping consultation from developer to Cadw - attachment to Doc 3 - CH005\_53-5
- ATISN 23267 - Doc 3f - Gaerwen Windfarm post-scoping consultation from developer to Cadw - attachment to Doc 3 - consultation letter
- ATISN 23267 - Doc 3g - Gaerwen Windfarm post-scoping consultation from developer to Cadw - attachment to Doc 3 - 11863\_FIG\_1\_r1\_ProposedCHViewpointLocations\_A3L
- ATISN 23267 - Doc 4 - Cadw response to Gaerwen Windfarm post-scoping consultation (Doc 3)
- ATISN 23267 - Doc 5 - Gaerwen Wind Farm EIA - Grid Connection Assessment Approach - consultation and Cadw response
- ATISN 23267 - Doc 5a - Gaerwen Wind Farm EIA - Grid Connection Assessment Approach - consultation letter in email Doc 5

- ATISN 23267 - Doc 6 - Cadw internal emails requesting inspector's advice
- ATISN 23267 - Doc 6a - Cadw inspector's advice attachment to Doc 6
- ATISN 23267 - Doc 6b - GIS map attachment to Doc 6
- ATISN 23267 - Doc 6c - GIS map 5km ZTV attachment to Doc 6
- ATISN 23267 - Doc 7 - Cadw response to pre-application consultation
- ATISN 23267 - Doc 8 - Cadw email response to RWE on pre-application consultation with Doc 7 attached

I have redacted the personal information of officials from Cadw, Planning and Environment Decisions Wales (PEDW), Land Use Consultants Ltd (LUC) and RWE Renewables 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>
Cadw, Planning and Environment Decisions Wales (PEDW), Land Use Consultants Ltd (LUC) and RWE Renewables	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.