

# A Charter for a Just Transition to Net-Zero

We accept the transition to net zero will bring change. This Charter sets out the expectations of, and responsibilities to, communities impacted by large scale renewables development in Wales, by the U.K. and Welsh Governments

We want engagement with, and the views of, all political parties, and any pledges they are prepared to make, as they prepare their manifestos for the May 2026 Senedd election

## The Charter

Communities are feeling distressed, disempowered and devalued, and potentially to be displaced, when developments are consented without:

- Full and meaningful consultation of all options
- Holistic analysis of all benefits and losses
- Due regard for our welfare, well-being and livelihood
- Rigorous checks and balances and robust, defensible decision making
- Strategic overview, scrutiny and monitoring of disparate developments
- Consideration of the unintended consequences on individuals, communities, livelihoods, language, landscapes and the environment

## We believe:

- The current system greatly favours developers, with access to legal, planning and financial expertise
- Our democratic rights are being eroded, and our human rights are being breached
- There is no affordable legal redress, compensation nor remedy for those impacted
- There is no certainty local planning authorities have sufficient resources to enforce conditions, resulting in unconditional approval in practice
- There is an unequivocal and irreconcilable contradiction between current policies for energy, agriculture and biodiversity
- The use of policy checks and balances is not evident
- Current guidance (noise, EMF interference, landscape impact) is not fit for purpose nor future proofed
- There is no clear legal accountability nor liability for health and safety matters during construction, operation and de-commissioning of developments
- There is insufficient regard for the adverse impacts on human health including physical, emotional and mental well-being
- Insulting and derisory terminology is used (eg Nimby) to negate valid objections



Credit: Charles Hawes

## We expect governments and regulators to:

### .... always ...

- Engage with impacted communities, as they do with commercial developers
- Give our children a balanced view of impacts, free of developer bias
- Provide up to date information about the number and location of applications
- Place a moratorium on approvals until a strategic approach to reviewing and monitoring cumulative effects is used
- Protect our ancient landscapes and heritage including the status of common land
- Exercise their duty of care by updating guidance and policy in light of research into the adverse effects on health and well-being
- Establish a clearly defined health and safety process in the event of accidents and incidents
- Ensure all technologies have appropriate legislative cover

### ... during consenting ...

- Ensure that all viable development options are considered
- Ensure that developers are not allowed to 'scope out' key elements from Environmental Impact Assessments
- Ensure the consenting system is fit for purpose eg user friendly website, adequately resourced, positively welcome public representation, simplified documentation etc
- Make all planning hearings and inquiries accessible in person and online, with full recording
- Provide impacted communities with professional planning and legal support to make fully informed representations
- Ensure local authorities have sufficient developer funded resources to approve, monitor and enforce planning conditions
- Ensure communities are informed about changes to, and discharge of, planning conditions
- Evidence transparent, robust and defensible decision making

### ... after consenting ...

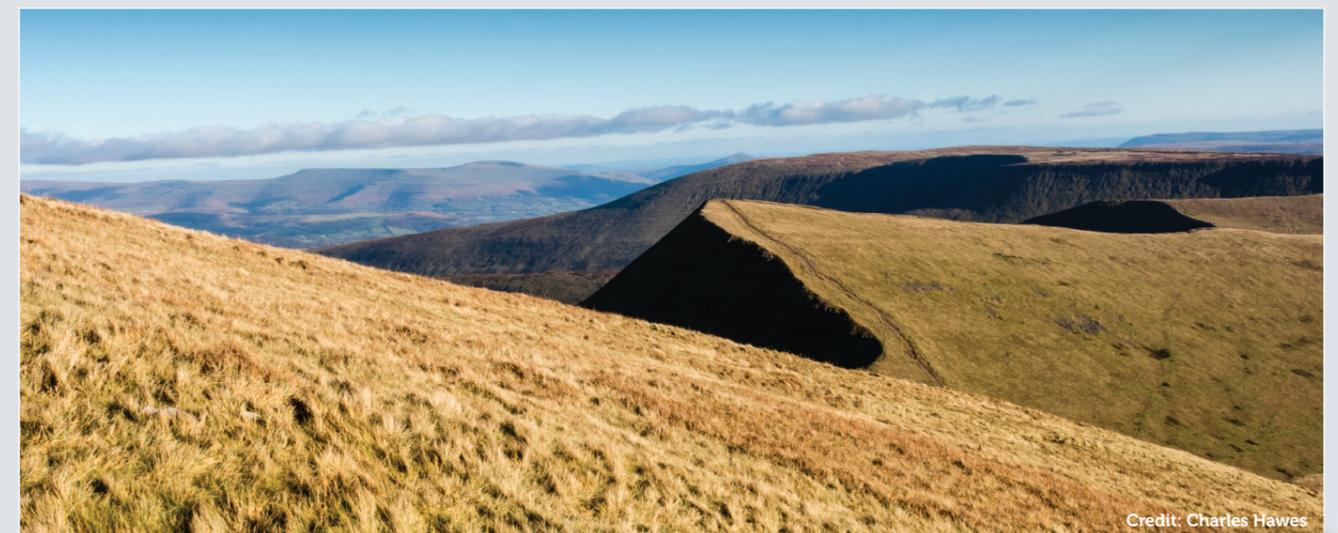
- Provide an accessible legal remedy or recourse that is in keeping with open governance and fair play principles
- Ensure adequate, developer funded, compensation for those adversely impacted
- Future proof community benefit payment pledges and enforce decommissioning arrangements

## Notes

- Typically commercial developers have extensive resources at their disposal to progress applications, whereas members of the public have next to none - see for example: *Review the process for pre-assessed status for onshore turbines, which unfairly disadvantages individuals* – (Senedd Petitions 244968 July 2022)
- The current planning and approval process is at odds with:
  - the 'distinctively Welsh values of community, equality and social justice' heralded as priorities in the Welsh Government Programme (2021 – 2026)
  - the principles of the Well-being of Future Generations (Wales Act 2015)
  - the Ethical Standards Framework for Wales (Part 3 of the Local Government Act 2000) which consists of ten general principles of conduct for members (derived from Lord Nolan's 'Seven Principles of Public Life'): honesty, integrity, objectivity, accountability, selflessness, openness and leadership
- the Aarhus Convention (1998)
- the Gunning Principles (1985)
- There is clear contradiction between the renewable energy policies and:
  - Nature Recovery Action Plan (2015)
  - Environment (Wales) Act 2016
  - Nature Emergency (Welsh Government 2021)
  - National Peatlands Action Programme (Welsh Government 2020)
- the forthcoming 'The Environment (Principles, Governance and Biodiversity Targets) (Wales) Bill
- Insulting and derogatory terminology is frequently used to dismiss valid objections
- see for example the cautionary note by Adam Price, Plaid Cymru MS Carmarthen East and Dinefwr (3 April 2025) regarding Green GEN Cymru's proposal to take legal action

against landowners

- and Devine-Wright, P. (2009). "Rethinking Nimbyism: the role of place attachment and place identity in explaining place protective action"
- Checks and balances in Policy 18 of the Future Wales Plan 2040 are not evident in decision making - see for example DNS/3244499 - Garn Fach, Powys, consented 22/10/2024
- Some of the currently available guidance being used is not fit for purpose - see for example
  - Noise - ETSU-R-97: [https://assets.publishing.service.gov.uk/media/5a798b42ed915d07d35b655a/ETSU\\_Full\\_copy\\_\\_Searchable\\_.pdf](https://assets.publishing.service.gov.uk/media/5a798b42ed915d07d35b655a/ETSU_Full_copy__Searchable_.pdf)
  - and [https://www.dickbowdler.co.uk/content/publications/ETSU-R-97\\_-\\_The\\_Alternative\\_-\\_Incl\\_figures.pdf](https://www.dickbowdler.co.uk/content/publications/ETSU-R-97_-_The_Alternative_-_Incl_figures.pdf)
  - Unacceptable impact - the Lavender Test(2010) relates to 10 x 100m high (to blade tip) turbines
  - Designing for Renewable Energy in Wales (Design Commission for Wales November 2023) does not address the size and scale of current projects
- Accountability and liability for health and safety during construction, operation and de-commissioning is at best unclear - for example Pant y Wal (turbine collapse), Gilfach Goch, RCT February 2022, Blaen Bowi (turbine fire), Carmarthenshire, January 2024
- Some local planning authorities have stated they have insufficient resources to enforce planning conditions, resulting in *de facto* unconditional approval, and in some cases such as Henty Wind Farm, Powys, unlawful development
- Some developers have seemingly unrestricted access to schools to "educate" pupils into their approach to renewable energy development - see for example the Bute Energy partnership with Our Classroom Climate and Powys County Council Education Department
- Concerns about application of the Treasury Green Book have been raised repeatedly during consultation, and dismissed as not relevant by PEDW. However advice from leading Council (Right Hon Lord Banner KC) for directly analogous projects is that this is simply wrong in law
- The Llanfabon Cupmarked Stone, a scheduled monument of national importance (CADW GM637 Designation 19/05/2023), is a good example of the need to preserve our heritage.



Credit: Charles Hawes

# Siarter ar gyfer Pontio Teg i Sero Net

Rydym yn derbyn y bydd y pontio i sero net yn achosi newid.Mae'r Siarter hon yn nodi disgwyliadau ar gyfer y cymunedau yr effeithir amynt gan ddatblygiad ynni adnewyddadwy ar raddfa fawr yng Nghymru, gan Lywodraethau'r DU a Chymru, a'r cyfrifoldebau amynt

Rydym eisiau ymgysylltu â'r holl bleidiau gwleidyddol, ac unrhyw addewidion y maent yn barod i'w gwneud, wrth iddynt baratoi eu maniffestos ar gyfer etholiad y Senedd ym mis Mai 2026, ynghyd â'u safbwyntiau

## Y Siarter

Mae cymunedau yn teimlo'n ofidus, heb awdurdod ac wedi'u dibrisio, ac o bosibl i gael eu dadleoli, pan fydd datblygiadau'n cael cydsyniad heb:

- Ymgynghoriad llawn ac ystyrlon o'r holl opsiynau
- Dadansoddiad cyfannol o'r holl fuddion a cholledion
- Ystyriaeth ddyledus i'n lles a'n bywoliaeth
- Rhwystrau a gwrthbwysau trylwyr a gwneud penderfyniadau cadarn, amddiffynnol
- Trosolwg strategol, craffu a monitro datblygiadau gwahanol
- Ystyried y canlyniadau anfwriadol ar unigolion, cymunedau, bywoliaethau, iaith, tirweddau a'r amgylchedd

## Rydym yn credu:

- Mae'r system bresennol yn ffafrio datblygwyr yn fawr, â mynediad at arbenigedd cyfreithiol, cynllunio ac ariannol
- Mae ein hawliau democrataidd yn cael eu herydu, ac mae ein hawliau dynol yn cael eu torri
- Nid oes unrhyw iawndal cyfreithiol, iawndal na chywiro fforddiadwy i'r rhai yr effeithir amynt
- Nid oes sicrwydd bod gan awdurdodau cynllunio lleol ddigon o adnoddau i orfodi amodau, gan arwain at gymeradwyaeth ddiamedol yn ymarferol
- Mae gwrthgyferbyniad diamwys ac anghyson rhwng polisiau cyfredol ar gyfer ynni, amaethyddiaeth a bioamrywiaeth
- Nid yw'r defnydd o rwystrau a gwrthbwysau polisi yn amlwg
- Nid yw'r canllawiau cyfredol (sŵn, ymyrraeth maes electromagnetic, effaith ar dirwedd) yn addas i'r diben nac yn addas i'r dyfodol
- Nid oes atebolrwydd cyfreithiol clir nac atebolrwydd am faterion iechyd a diogelwch yn ystod adeiladu, gweithredu a datgomisiynu datblygiadau
- Nid oes digon o sylw i'r effeithiau andwyol ar iechyd dynol gan gynnwys lles corfforol, emosiynol a meddyliol
- Defnyddir terminoleg sarhaus a chwerthinllyd (e.e. Nimby) i negyddu gwrthwynebiadau dilys

## Rydym yn disgwyl i lywodraethau a rheoleiddwyr:

### .... bob amser...

- Ymgysylltu'n uniongyrchol â chymunedau yr effeithir amynt,



Credyd: Charles Hawes

fel y maent yn ei wneud â datblygwyr masnachol

- Rhoi barn gytbwys i'n plant ar effeithiau, heb ragfam datblygwyr
- Darparu gwybodaeth gyfredol am nifer a lleoliad ceisiadau
- Gosod moratoriwm ar gymeradwyaethau nes bod dull strategol o adolygu a monitro effeithiau cronns yn cael ei ddefnyddio
- Diogelu ein tirweddau a'n treftadaeth hynafol gan gynnwys statws tir comin
- Ymarfer eu dyletswydd gofal trwy ddiweddarau canllawiau a pholisiau yng ngoleuni ymchwil i'r effeithiau andwyol ar iechyd a lles
- Sefydlu proses iechyd a diogelwch wedi'i diffinio'n glir ar gyfer damweiniau a digwyddiadau
- Sicrhau bod pob technoleg yn cael sylw deddfwriaethol priodol

### ... yn ystod cydsynio ...

- Sicrhau bod yr holl opsiynau hyfyw yn cael eu hystyried
- Sicrhau nad yw datblygwyr yn cael eu caniatáu i 'bennu cwmpas' elfennau allweddol o Asesiadau Effaith Amgylcheddol
- Sicrhau bod y system cydsynio yn addas i'r diben e.e. gwefan hawdd ei defnyddio, adnoddau digonol, cynrychiolaeth gyhoeddus sy'n cael ei groesawu'n gadarnhaol, dogfennaeth symlach ac ati

- Sicrhau bod yr holl wrandawiadau ac ymholiadau cynllunio yn hygyrch yn bersonol ac ar-lein, â recordiad llawn

- Darparu cynllunio proffesiynol a chymorth cyfreithiol i gymunedau yr effeithir amynt i gynnig sylwadau hollol wybodus

- Sicrhau bod gan awdurdodau lleol ddigon o adnoddau y mae datblygwyd yn eu hariannu i gymeradwyo, monitro a gorfodi amodau cynllunio

- Sicrhau bod cymunedau'n cael eu hysbysu am newidiadau i'r amodau cynllunio a'u cyflawniad

- Tystiolaethu y gwneir penderfyniadau tryloyw, cadarn ac amddiffynadwy

### ... ar ôl cydsynio ...

- Darparu rhwymedigaeth gyfreithiol hygyrch sy'n cyd-fynd ag egwyddorion llywodraethu agored a chwarae teg

- Sicrhau iawndal digonol, wedi'i ariannu gan ddatblygwyr, i'r rheiny yr effeithir amynt yn andwyol

- Diogelu talu addewidion budd cymunedol yn y dyfodol a gorfodi trefniadau datgomisiynu • Sicrhau iawndal digonol, wedi'i ariannu gan ddatblygwyr, i'r rheiny yr effeithir amynt yn andwyol

- Diogelu talu addewidion budd cymunedol yn y dyfodol a gorfodi trefniadau datgomisiynu

## Nodiadau

- Yn nodweddiadol, mae gan ddatblygwyr masnachol adnoddau helaeth ar gael i fwrw ymlaen â cheisiadau, tra bod gan aelodau o'r cyhoedd bron dim - gweler er enghraifft: Dylid adolygu'r broses o ran statws ardaloedd wedi'u rhag-asesu ar gyfer tyrbinau ar y tir, sy'n rhoi unigolion dan anfantais annheg – (Deisebau'r Senedd 244968 Gorffennaf 2022)

- Mae'r broses gynllunio a chymeradwyo bresennol yn groes i:

- y 'gwerthoedd Cymreig nodedig o gymuned, cydraddoldeb a chyfiawnder cymdeithasol' a gyhoeddwyd fel blaenoriaethau yn Rhaglen Llywodraeth Cymru (2021 – 2026)

- egwyddorion Llesiant Cenedlaethau'r Dyfodol (Deddf Cymru 2015)

- Fframwaith Safonau Moesegol Cymru (Rhan 3 o Ddeddf Llywodraeth Leol 2000) sy'n cynnwys deg egwyddor gyffredinol ymddygiad i aelodau (sy'n deillio o 'Saith Egwyddor Bywyd Cyhoeddus' yr Arglwydd Nolan): gonestrwydd, uniondeb, gwrthrychedd, atebolrwydd, anhunanoldeb, bod yn agored ac arweinyddiaeth

- Confensiwn Aarhus (1998)

- Egwyddorion Gunning (1985)

- Ceir gwrthgyferbyniad clir rhwng y polisiau ynni adnewyddadwy a:

- Chynllun Gweithredu Adfer Natur (2015)

- Deddf yr Amgylchedd (Cymru) 2016

- Argyfwng Natur (Llywodraeth Cymru 2021)

- Rhaglen Weithredu Genedlaethol ar Fawndiroedd (Llywodraeth Cymru 2020)

- 'Bil yr Amgylchedd (Egwyddorion, Llywodraethu a Thargedau Bioamrywiaeth) (Cymru) sydd ar ddod

- Defnyddir terminoleg sarhaus a difriol yn aml i wrthod gwrthwynebiadau dilys

- gweler er enghraifft y nodyn rhybuddio gan Adam Price, Aelod Plaid Cymru Dwyrain Caerfyrddin a Dinefwr (3 Ebrill

2025) ynglŷn â chynnig Green GEN Cymru i gymryd camau cyfreithiol yn erbyn tirfeddianwyr

- a Devine-Wright, P. (2009). "Rethinking Nimbyism: the role of place attachment and place identity in explanation place protective action"

- Nid yw rhwystrau a gwrthbwysau Polisi 18 o Gynllun Cymru'r Dyfodol 2040 yn amlwg wrth wneud penderfyniadau - gweler er enghraifft DNS/3244499 - Gam Fach, Powys, a gafodd ganiatâd 22/10/2024

- Nid yw rhai o'r canllawiau sydd ar gael ar hyn o bryd yn addas i'r diben - gweler er enghraifft

- Sŵn - ETSU-R-97: [https://assets.publishing.service.gov.uk/media/5a798b42ed915d07d35b655a/ETSU\\_Full\\_copy\\_Searchable\\_.pdf](https://assets.publishing.service.gov.uk/media/5a798b42ed915d07d35b655a/ETSU_Full_copy_Searchable_.pdf)

- a [https://www.dickbowdler.co.uk/content/publications/ETSU-R-97\\_-\\_The\\_Alternative\\_-\\_Incl\\_fi\\_gures.pdf](https://www.dickbowdler.co.uk/content/publications/ETSU-R-97_-_The_Alternative_-_Incl_fi_gures.pdf)

- Effaith annerbiniol - mae'r Prawf Lafant (2010) yn ymwneud â thyrbinau 10 x 100m o uchder (i flaen y llafn)

- Nid yw Dylunio ar gyfer Ynni Adnewyddadwy yng Nghymru (Comisiwn Dylunio Cymru Tachwedd 2023) yn mynd i'r afael â maint a graddfa'r prosiectau cyfredol

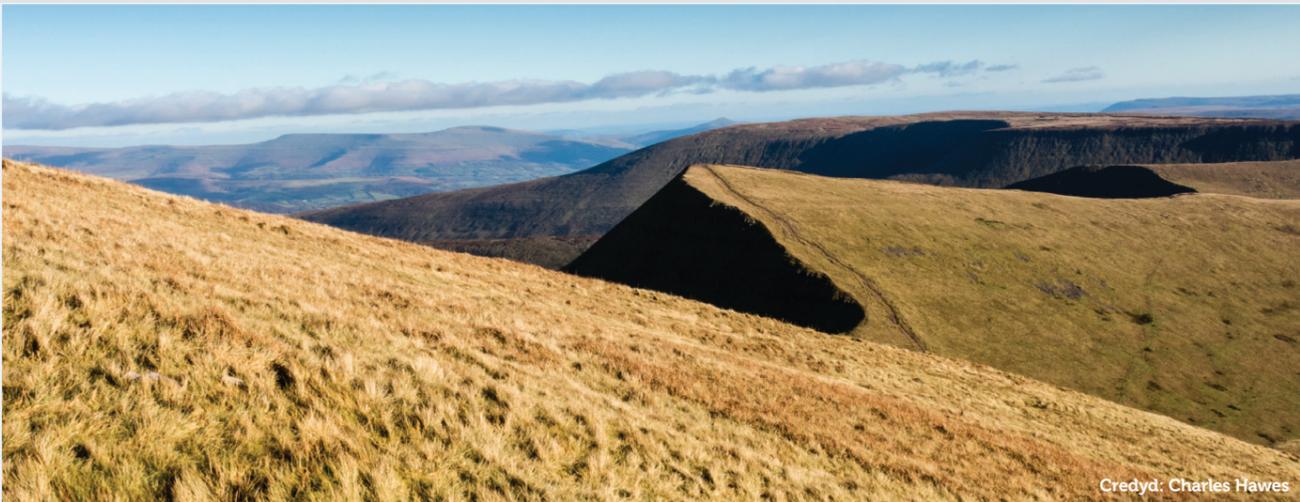
- Mae cyfrifoldeb ac atebolrwydd am iechyd a diogelwch yn ystod y gwaith adeiladu, gweithredu a datgomisiynu yn aneglur ar y gorau - er enghraifft Pant y Wal (cwmp tyrbîn), Gilfach Goch, Rhondda Cynon Taf Chwefror 2022, Blaen Bowi (tân tyrbinau), Sir Gaerfyrddin, Ionawr 2024

- Mae rhai awdurdodau cynllunio lleol wedi datgan nad oes ganddynt ddigon o adnoddau i orfodi amodau cynllunio, gan arwain at gymeradwyaeth ddiamedol de facto, ac mewn rhai achosion fel Fferm Wynt yr Hendy, Powys, datblygiad anghyfreithlon

- Mae gan rai datblygwyr fynediad digyfyngiad i ysgolion i "addysgu" disgyblion i'w dull o ddatblygu ynni adnewyddadwy - gweler, er enghraifft, partneriaeth Bute Energy â Hinsawdd Ein Dosbarth ac Adran Addysg Cyngor Sir Powys

- Mae pryderon ynglŷn â chymhwysu Llyfr Gwyrdd y Trysorlys wedi cael eu codi dro ar ôl tro yn ystod yr ymgynghoriad, ac wedi'u gwrthod oherwydd nad ydynt yn berthnasol gan PEDW. Fodd bynnag, y cyngor gan y Cwnsler blaenllaw (y Gwir Anrhydeddus Arglwydd Banner CB) ar gyfer prosiectau sy'n uniongyrchol gyfatebol yw bod hyn yn anghywir yn gyfreithiol

- Mae Maen Hoel Cwpan Llanfabon, cofeb cofrestredig o bwys cenedlaethol (CADW GM637 Dyddiad Dynodi 19/05/2023), yn enghraifft dda o'r angen i warchod ein treftadaeth.



Credyd: Charles Hawes