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Jane Davidson AM
Minister for the Environment, Sustainability and Housing
Welsh Assembly Government
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28th June 2009

Your ref. JD/00748/09

Dear Ms Davidson,

Thank you for your letter of 21st June concerning your decision not to call-in the application for Bettws Newydd, Newport (NP/08/361). We appreciate very much that you have replied to our concerns in addition to the letters that we have received from your officials.

We do however have comments to make on the call-in decision. We would be grateful if you would consider these as set out in this letter now, as we predict that we may need to return to you in future to formally request that you reconsider your decision.

We understood that our application for a call-in would be considered by judging the national importance of the decision whether or not to grant consent. We have been told of no other test. We have simply not been able to gather from the responses that we have received whether or not your officials judge the impact of this development, if it were to be allowed to remain, to be of national importance.

You have more than 40 letters from concerned people explaining why they believe that it is and we had hoped that your officials would at least come here to judge this for themselves.

We have been given to understand by the Chief Executive of the Pembrokeshire Coast National Park Authority that the only documentation requested by your officials from PCNPA was a copy of the application and the then current Officers' Report to the Development Management Committee which was the May 2009 Report. Mr Wheeler added that this "is standard" and that the National Park was not allowed to make a case in any separate statements.

These papers alone are far from adequate in giving any understanding of this application. Furthermore, since May we have successfully argued their inadequacy so that major changes and additions were made to the Officer's Report in June.

They do however state, though not very clearly, that this is an application under s.73 A for retrospective consent for a development which has not complied with conditions attached to the 2006 consent. As such, it must be judged as a whole against the Development Plan and National Planning Policies. This is the clear advice received by the National Park from its own counsel.

However, you say that

“The latest application was only for revisions to the existing permission and it is issues associated with those revisions which are not considered to be of more than local importance”

We put it to you that you have been wrong to judge the application in this way for it is the whole development on which you must decide whether or not this is an issue of national importance.

You say that,

“A number of those requesting call-in appeared to believe that this current application was for a significantly larger house on the site whereas, in fact, permission for that had already been granted in 2006”

I have reread the nearly 40 letters to you that have been copied to us and they are not claiming that the application is significantly larger than the 2006 approved development but concentrate, as they should, on the hugely significant differences between the application and the original dwelling on the site which was completely un-intrusive in this nationally important coastal landscape setting.

We would like to be able to understand fully how conclusions were reached and what part the inadequacy of the documentation available played. Therefore, we do now formally request, under the powers afforded under the Freedom of Information Act 2000, the release to us of the report of your officials and the advice received from all consultees.

You may be aware that at the June 2009 PCNPA Development Management Committee (DMC) Meeting, the decision was made by a vote of 12 to 2 to refuse retrospective approval, contrary to the recommendation of the Development Management Team.

I attach for your information, the Officers' Report to that Meeting and some of the more recent letters sent to the Committee by members of the Bettws Newydd Opposition Group.

We believe there is a possibility that the officers may yet return to the DMC, recommending that the decision be revisited. If this happens, then we would wish to ask you to consider again your calling-in the application.

You add advice concerning representation to the independent Monitoring Officer at the National Park and to the Public Services Ombudsman for Wales. We are pursuing complaints by these routes with some difficulty, specifically over arguing “standing”. If you would be interested to know more about this, we would forward details.

Thank you for your kind attention.

Yours sincerely,

R.W Atkinson Chairperson Bettws Newydd Opposition Group

Encl: