

To: Supporters of the Bettws Newydd Opposition Group

Subject: The Inspector's Decision: We have decided not to appeal.

21st January 2011

Dear Supporter,

This is to let you know as soon as possible that, following legal advice, we have decided not to lodge a legal appeal as described in previous newsletters. (Today was the last day to launch a legal challenge.)

Unfortunately the advice that we have received is that such an appeal would be unlikely to succeed, and that if we were to launch it we would potentially be liable to substantial costs.

We want to get this news to you as quickly as possible, as funds are continuing to arrive each day and there is now no point in sending more contributions.

We will send out a more detailed explanation of what has happened and the reasoning behind this decision when we have more time.

We will also be refunding a proportion of all contributions received as soon as possible. We need to get the bill for the legal advice we have just received (now expected to be of the order of £2000) before we can estimate exactly how much we are able to refund.

We are deeply sorry to have reached this position. We think that it is quite outrageous that a building which everyone now agrees breaches planning policy in many ways can be allowed to remain. We continue to think that the Inspector was wrong to reach the decision he did. He decided that the building given permission in 2006 was equally as bad as the unauthorised building that has been constructed and there is little point therefore in knocking this down. This decision is based on the Inspector's planning judgement and this can only be disputed in court if the Inspector had made an error in law. Advice received by BNOG is that our argument that this was in fact the case would not succeed.

The Inspector also gave weight to evidence on levels which we dispute, and the decision by the National Park that their planning officers should not appear to testify at the Inquiry means that no evidence to dispute some of the claims about agreements on levels was given. Had they done so we believe the outcome could well have been different.

We think the National Park has let us all down very badly in this and many other respects. But it seems that our planning processes can do nothing to rectify this wrong.

We will continue to press the National Park to ensure nothing of this sort can ever happen again, and we are meeting with the Monitoring Officer next week to continue this process.

We would like to thank all of you who have contributed for your very generous and very fast support. It has been very gratifying to find that so many of you were willing to contribute to opposing this development.

We will issue a further newsletter once we have had more time to better express why the legal advice was not to proceed.

Thanks again for your support,

From the Bettws Newydd Opposition Group.

More information about us, including full contact details, is on our web site at <http://parrog.org.uk>

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