

## **Press Release from the Bettws Newydd Opposition Group (BNOG)**

### **HOW TO GET WHAT YOU WANT IN THE NATIONAL PARK**

**This building should never have been built. Officers have finally admitted (for this DMC) that the flawed 2006 permission breaches the development plan.** Therefore consent should never have been given, the result of mistake after mistake by the National Park Planners. They should be deeply ashamed.

Had Officers taken the right actions when complaints about levels were first raised in 2007 the compensation costs (if any) would have been tiny and the building could have been removed. Instead the town of Newport, and all our visitors, are now saddled with an eyesore of a building that has driven a “coach and horses” through the planning rules.

In addition this development sets a dangerous precedent and a signal has been raised to other developers that this incompetent Planning Authority is “fair game” for more “trophy houses”.

We await the result of the internal inquiry into what went wrong and hope those responsible will be held accountable.

#### **In more detail**

**Bettws Newydd, the controversial huge house at Newport which has so upset many locals and visitors since its construction in 2007 (because it totally spoils a once beautiful coastline by towering incongruously above the pretty Conservation Area of Parrog) will now definitely remain.**

**The last battle to achieve its removal was lost by BNOG last Wednesday, when the National Park Planning Committee went with the recommendation of the Head of Development Management (the former Case Officer to this development), to not issue a Discontinuance Order for Removal of the Building.**

**Consequently, BNOG is concerned that this could happen all over again and has warned the Authority that “there are plenty of people waiting in the wings for a trophy house with splendid sea views”**

**Unfortunately this has been a saga which should interest anyone seeking to develop in future within the Pembrokeshire Coast National Park, especially those who wish to avoid complying with planning rules and policies in order to achieve what they want.**

The granting of consent on Bettws Newydd in 2006 was a decision delegated by the Planning Committee to National Park Planning Officers “on receipt of satisfactory amended plans”, The Case Officer sought particularly reduction in the overall height with reduction in the number of storeys to a “more conventional 2 storey building”, but these were not negotiated before consent was issued, even 7 months later.

Seriously flawed plans were stamped approved with a fictitious site plan , wrong orientation on all elevations and no levels marked.

The Developer started work without complying with conditions that should have been met before work/construction began and none of these were ever properly complied with. He built to Building Regulation drawings which were markedly different from those stamped approved for planning. Yet the Case Officer agreed levels after the foundations (68 lorry loads) had been laid) and, at the Developer's request, wrote a letter stating that the building was in accordance with approved plans, which it was not, and that the levels were approved when she was clearly in breach of her own condition, 7 months into construction work.

As a result of complaints including a call for revocation of the 2006 consent, the issue went before the National Park Planning Committee in October 2007, when critically the possibility of removing the building was first discussed. But Members were told, wrongly, by the then Head of Development Management that Bettws Newydd was in compliance with approved plans and the Development Plan and that it would look alright when finished, and there was no need for a site visit. Had Members been told the true story and visited three and a half years ago, it is highly likely this development would have come down then and at very little cost to the Authority.

Subsequently the Developer twice applied for retrospective consent for which the Officers recommended approval but the Planning Committee twice refused, also eventually agreeing an Enforcement Order for removal of the building.

The Developer went to Appeal.

The Government Inspector found the development to contravene several planning policies, being for instance "*visually intrusive*", failing "*to harmonise with, or enhance the landform and landscape character of the National Park*", "*uncompromisingly contemporary, with little concession made to the vernacular architecture of the area or the large historic buildings that form the core of the Parrog Conservation Area*", but granted consent and quashed the Enforcement Order, basically because he found the 2006 consented scheme almost as bad and had been told by the Developer this would be built if he lost.

BNOG disagreed with the Inspector, arguing that the 2006 scheme should be set a storey lower into the landscape and that this is how the Planning Committee had read the scheme in 2006.

The National Park's barrister subsequently told the Authority that the Inspector had erred in law in taking into account, in his definition of the 2006 consent, the levels unlawfully agreed by an Officer in the unauthorised development in 2007.

BNOG considered further legal action but the potential cost was astronomical and Advice received was that the case was not strong enough to be sure of winning, so despite generous financial help from many supporters the decision was regretfully made not to go ahead.

**When the Planning Committee considered removing the building at BNOG's request last Wednesday, the Chairman of the Authority spoke saying that he disagreed with the Head of Development Management that the Bettws Newydd case does not have implications for the whole of the National Park, that he feared Developers may now act in the same cavalier way and just go to appeal if necessary.**

**Despite one Member calling the development “an abortion” and another agreeing that it could set a dangerous precedent, the Committee voted not to issue an Order.**

**So even with huge efforts by campaigners for nearly 4 years, the Developer has got what he wanted in the end despite so many planning policies not complied with and so many planning rules flouted.**

**There is something seriously wrong here.**

**Both BNOG and Newport Town Council have asked for a thorough investigation, to which both the Chairman of the Authority and the Chief Executive are now committed. We await the Monitoring Officer’s Report which should be delivered soon.**

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