

Mr J Boswall

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Solicitors

Bradley Court

Park Place

Cardiff

CF10 3DP

Eich cyf . Your ref: JRJB/com 423381.1

Ein cyf . Our ref: A-PP185-98-002

Dyddiad . Date: 23 January 2004

Dear Sir

Town and Country Planning Act 1990:

Section 78 appeal by Community Power Ltd

Proposed erection of 11 3-bladed wind turbines, each with a hub height of 49m and a blade length of 26m; a length of new access track to turbine 10; and associated cable routes on land at Ton Mawr Farm near Margam and Castell Farm near Llangynwyd

1. Consideration has been given to the report of the Inspector, Alwyn B Nixon BSc (Hons) MRTPI, who held a public local inquiry into your client's appeal under Section 78 of the Town and Country Planning Act 1990 (the 1990 Act) against the decision of Neath Port Talbot County Borough Council to refuse planning permission for the proposed erection of wind turbines on land at Ton Mawr Farm near Margam and Castell Farm near Llangynwyd.

2. On 22 November 2002 a direction was issued by the Planning Inspectorate, under powers delegated by the National Assembly for Wales, that the appeal should be determined by the National Assembly rather than by a planning Inspector. On 13 January 2004 the National Assembly resolved that a committee to be known as Planning Decision Committee (2) 2003/2 be established in accordance with Assembly Standing Order 35 to discharge the functions of the Assembly under Section 79 of the Town and Country Planning Act 1990 in respect of the above appeal. Accordingly, the Planning Decision Committee has considered the appeal and has resolved under Standing Order 35.16 to adopt this letter.

3. The Inspector's conclusions are set out in paragraphs 11.1 to 11.11.7 of his report, a copy of which is enclosed, and those conclusions are reproduced as an Annex to this letter. The Inspector recommended that the appeal be dismissed. The Planning Decision Committee agree with his conclusions and accept his recommendation.

4. The Planning Decision Committee agree with the Inspector, for the reasons given by him, that the development would have serious and highly significant adverse environmental impacts, in terms of Margam Park and its setting; its effects on the settings of individual scheduled ancient monuments, and in one case on the scheduled monument area itself; and its effects on the Mynydd Margam landscape of special historic interest. The Planning Decision Committee also agree with his conclusion that the development would have a significant adverse impact on the character of the Llangynwyd Conservation area and its setting and that this weighs heavily against the scheme. Overall, the Planning Decision Committee agree with the Inspector that these compelling objections to the scheme constitute unacceptable environmental effects which far outweigh the factors in favour of the scheme and render the scheme contrary to the development plan and national policy guidance the latter which, while encouraging renewable energy schemes, seeks to do so in an environmentally sound manner. The Planning Decision Committee agree with the Inspector that, having regard to all other matters raised, there were none sufficient to outweigh the factors leading to the his recommendation.

Formal Decision

5. For the reasons given by the Inspector the Planning Decision Committee hereby refuse your client's appeal under Section 78 of the Town and Country Planning Act 1990.

6. A copy of this letter has been sent to the Head of Legal Services, Neath Port Talbot County Borough Council and to those persons and organisations who appeared at the inquiry.

Yours faithfully

Carwyn Jones AM

Chair, Planning Decision Committee (2)2003/2

Enc; Leaflets "H" and "HC"