

Subject: Bettws Newydd Supporters' Newsletter: Appeal for Funds

10th January 2011

Dear Supporter,

Our last newsletter reported that the Government Inspector had allowed the appeals so that the as-built Bettws Newydd can stay

(see this at: <http://parrog.org.uk/101212-Supporters-Newsletter.pdf>)

What will happen next? It will depend on you.

We believe that the Inspector's decision was wrong in law, and that his decision could be challenged through the legal system. But we need substantial funds to do this.

This letter is to appeal for those funds.

Without these funds making possible proposed action by BNOG, the community and visitors will have to live with this eyesore for the foreseeable future and, more importantly, disturbing precedents have been set.

We have some offers already, and a small balance available from previous donations. But we need additional funds as follows:

1. £2000 *now* to seek legal advice on whether a challenge would succeed
2. Up to around £30,000 if we were to challenge in court and then lose the case.

Note that if we do not decide to proceed to stage 2 because the advice received is that our case is not strong, we will return unspent funds on a pro-rata basis. If we do proceed and win the case, our costs would be refunded, in full or part, and we would then pass those refunds back to those who contributed.

However, we do need to show the court that we have sufficient funds to proceed and therefore need the total money in the BNOG bank account within the next 10 days.

Will you help us challenge the Inspector's decision?

If so please reply to this note by return, or please contribute to our "Fighting Fund" as described here: <http://parrog.org.uk/donate.htm>

Please also forward this note on to anyone else you know who you think might assist.

Why we believe that the Inspector's decision was wrong:

The Inspector's decision can be summarised as follows:

He decided that the building as constructed breached planning policies in numerous ways, as we have been saying for some time.

However, the Inspector concluded that since he believed that the developer has permission to build something that he decided would be equally as bad (the flawed planning permission obtained in 2006), there is no point in pulling down the existing unauthorised

building. Therefore, in the Inspector's view, the material consideration of the existence of the 2006 permission overrode policies, and the appeals were allowed.

The Inspector made the mistake of accepting post-construction agreements between the developer and an Officer, which in BNOG's view had no legal force.

In reaching his decision the Inspector took the level for the upper-ground floor of the building, approved 7 months into construction of the unauthorised as-built dwelling, to be the approved level of the 2006 consented scheme.

As you will recall BNOG contends that permission was not given to construct a 3 storey building at this level or in this location on the site and therefore the development is very different from the 2006 approved scheme. The Inspector should therefore have rejected the appeals. There is significant evidence to support this view, ignored by the Inspector.

You can see the Inspector's report at:

<http://parrog.org.uk/Decision%202131835%20&%202128919.pdf>

We plan to update the website as soon as possible to give more details of the grounds for action.

What next?

Before committing to legal action we will first seek Counsel's opinion on the validity of our position. This will cost about £2000.

Should that opinion be that we have a very good chance of winning a case, we will launch a legal challenge to the Inspector's decision, funds permitting.

However, we have less than two weeks in which to make that challenge so it is important to know if this is financially possible.

How can you help fund this action?

Details of how to contribute to our "Fighting Fund" are at:

<http://parrog.org.uk/donate.htm>

You can also reply to this email if you have any queries or suggestions. Other actions may also assist (for example, organising fund raising events).

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>

Note: You are receiving this newsletter as a result of providing your email when signing the petition regarding Bettws Newydd, or contacting us as a supporter. If you don't want to receive these newsletters, please send

an email to info@parrog.org.uk . Anyone wanting to join the distribution list can also write to this address, or preferably submit the form at <http://parrog.org.uk/joinus.htm> We apologise for not replying individually to every email received.