

Bailhache LAW

Your Ref :
Our Ref :
Date :

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Newport City Council,
Planning Department,
Civic Centre,
Newport, S. Wales
NP20 4UR

By post and email

URGENT

Dear Sirs,

**Re: Planning Application for Change of Use; ref 25/0217
at 221 Mill Heath, Bettws, Newport NP20 7RD**

We act for [redacted] of 219 Mill Heath who has consulted us regarding the above planning application at the adjoining property 221 Mill Heath. Our client has only just received notification of the proposal.

Our client wishes to place on record her strong objections to the proposal both on planning grounds and on covenant grounds as set out below.

1. Both properties form part of the Mill Heath Estate, Bettws, Newport (the Estate) which was laid out and developed as a residential housing development by Westbury Homes (Holdings) Limited some 35 to 40 years ago. Every property on the Estate is subject to the same legal provisions contained in the standard form of legal transfer (the Transfer) implemented by Westbury when each dwelling was sold by them.

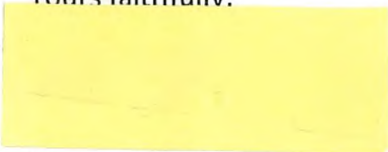
2. The Transfer contains the following restrictions which each owner covenants to observe and perform "for the benefit of the Estate and each and every part thereof" :-

1. Not use the Property or any part thereof for any purpose whatsoever other than as private dwellings and outbuildings belonging thereto and
2. Not to do or cause or permit or suffer to be done on the Property anything which may be or become a nuisance or annoyance or may cause damage to the Vendor or the owners and occupiers of adjoining premises.

The proposed development will be in breach of these legal restrictions.

3. The application is for change of use of the property from a dwelling (C3 use) to a Children's Care Home (C2 use). In conjunction with the application (and in advance of obtaining planning consent) the applicant has installed flood lighting and security cameras at the Property which are an annoyance to our client and the cameras in particular are an invasion of her privacy as they are directed at and into her property.
4. The property is subject to a mortgage and the proposal may also be in breach of the mortgage lender's conditions which could lead to security implications for the occupiers of the property which in turn could cause a nuisance or annoyance to our client and neighbouring properties.

Yours faithfully,


Edmund Bailhache
01823 333098

Bailhache LAW

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