

Mr William James Cook

20160920

21 SEP 2016

STATUTORY DECLARATION

Gravesham Borough Council



Patrick Durr Associates
Planning & Development

I, Mr William James Cook of Little Acres, Longfield Avenue, Longfield, DA3 7LA do solemnly and sincerely declare as follows:

1. On 8 June 2006 I purchased Little Acres which I highlight in blue at Exhibit WJC Document 1.
2. At the time of purchase the property was quite rundown and the garden was overgrown.
3. In autumn 2006, I applied for a replacement dwelling on site which was granted on 13 November 2006, planning reference 20060896.
4. In November 2008, I applied to alter planning condition 2 from 20060896 which restricted the use of an outbuilding for the storage of vehicles only. I proposed to change this to ancillary living area which was subsequently approved in June 2009, planning reference 20080987. [REDACTED]
5. Over the proceeding years I have made a number of changes and improvements to the property to make it a more desirable family home. For the purposes of this declaration, I list a number of changes as follows and identify the locations of the developments at Exhibit 2 Document X:
 - Marked "X" (personal pets)
 - A. Dog (internal galvanised kennel) and chicken building erected in c. 2009/2010
 - B. Dog kennels (external) erected in c. 2011
 - Marked "Y" (personal storage)
 - C. Black shed erected in c. 2011
 - Marked "Z" (personal horse keeping)
 - D. Isolation stables erected in c. 2012
 - E. Tea shed erected in c. 2012
 - F. External W.C. erected in 2015
 - G. Hay and stall building erected in early 2016
6. In 2009, I applied to retain two caravans on site (20090299). This application was granted on 15 April 2009 for a temporary period up to 31 July 2010.
7. [REDACTED] I proposed to retain one of the caravans temporarily on site for use as ancillary accommodation, planning reference 20100810. I was advised by the Council that this required planning permission and therefore I applied out of good will. This application was subsequently approved on 16 March 2010.
8. In approximately 2010 I erected 10 stables to the rear extent of my garden for use by my children and as a personal hobby to keep and drive welsh mountain ponies. As part of this, my daughters wanted to ride the ponies more often and therefore I constructed a circa 17m by 35m manège in approximately 2011. I identify this area as 'S1' and 'M1' at Exhibit WJC Document 2.
9. I note that despite the stables and manège being erected and visible to all surrounding neighbours and during subsequent Council visits, at no point was I contacted or advised by the Council that planning permission was required. In fact, before building the stables I telephoned the Council to query whether the stables would require planning permission and I was advised that they would be allowed under Class E, Part 1, Schedule 2 of the Town and Country Planning (General Development Procedure) Order 1995 as permitted development.
10. More recently, due to the main house being small and having a large family, [REDACTED] I submitted an application for such development on 12 February 2014, planning reference 20140129, which was unfortunately refused by the Council (11 April 2014) and later by the Planning Inspectorate on appeal (6 January 2016), Planning Inspectorate Reference: APP/K2230/A/14/2227/76.
11. In 2015, I started erecting a new storage shed to the eastern boundary of Little Acres. I use this for personal and domestic storage as some of my [REDACTED] related items are bulky. This building was

allowed as permitted development and I identify its location as "B" at Exhibit WJC Document 2. For the avoidance of doubt, I note that a similar development was approved by planning application on 30 May 2014, planning reference 20140051. However, the current storage building is not built to the same specification or location as the one previously approved, as I was advised planning permission was not actually required in the first place, again under the same Statutory Instrument explained at Statement 9 of this Declaration. For all intents and purposes planning permission 2014005 was never implemented.

12. I can confirm that I have continuously used and maintained the land highlighted in blue at Exhibit WJC Document 1, as residential amenity land in connection with the main dwelling during my ownership. The site is one private dwelling property. More specifically, I have used different parts of the property to (i) park private vehicles, (ii) keep animals as pets connected to the main dwelling and (iii) erect buildings for internal storage and also outdoor storage. This is a non-exhaustive list.
13. Land immediately north of the dwelling has been mainly lawned and recently fenced for the younger children to play and not wander too far from the dwelling. However, previously this fence division between paddock and lawn did not exist or was in differing locations depending on the age of the children, the number of ponies onsite or the children's interaction between both areas. The current paddock area north of the lawned area has been used by my family for keeping their ponies, playing football and other games, and riding their push and motorised bikes. There is little to no difference between the use of both the immediate lawned area and paddock area at Little Acres. It was not my intention to separate uses by erecting a fence, but instead to keep my children/grandchildren and pets safe.
14. The stables to the north of the site are currently, mainly used for storage and some intermittent equestrian use, facilitated by a reduction in pony keeping. Furthermore, one stable has been recently used for puppies, also only on occasions.
15. Equally, it is stated that the neighbouring manège has only ever been used by my family and is not rented or used by any other individuals.
16. I note that like any large garden, the specific residential uses of the land has been compartmentalised and from south to north these can be identified as: immediate parking, residential dwelling and ancillary accommodation, storage; animal keeping and lawned garden, paddock for general play and horse keeping, manège; secondary parking and stable block. This compartmental approach does not reflect separate uses, but in fact are all uses in connection with the main dwelling and occupants of the main dwelling. For such a large garden this is the only approach to make it work for a multigenerational family and to ensure areas do not fall into neglect as it seems happened prior to my purchase of the property.
17. To summarise:
18. I can confirm that the land south of the main dwelling has been used for parking domestic vehicles ancillary to the main dwelling and persons living onsite during my ownership.
19. I can confirm that stables to the north of the property were used for private equestrian use as a hobby only, and more recently for private residential storage use.
20. The manège has only been used by me, my children and grandchildren.
21. I can confirm that any caravans or ancillary accommodation on site have been occupied by my immediate family only (children and grandchildren). This includes their respective spouses or partners.
22. I can confirm that the land immediately north of the main dwelling has been kept as mowed lawn. I can confirm that the paddock beyond has been used for pony grazing and for my children/grandchildren playing with their animals, other children and bikes. This has occurred since we purchased the property; in excess of ten continuous years.
23. I confirm that the land highlighted blue at Exhibit WJC Document 1 has been used as a single residential unit with ancillary uses connected with the main dwelling. In my opinion, there is no separate use on site and the property is one, as it was sold, and as is similar to neighbouring properties to the east of Little Acres. The address is just a large plot with an active large family making use of their home. I can confirm

that the land in this Statement has been used as a single residential use with main dwelling and surrounding ancillary residential development, all in connection with the main dwelling. This has occurred for in excess of ten continuous years and at least during my ownership.

AND I MAKE THIS SOLEMN DECLARATION conscientiously believing the same to be true by virtue of the Statutory Declaration Act 1835.

Signed :

Name :

Before me :

Solicitor/Commissioner of Oaths

Date :

2 September 2016

Joanna Kenneally
Solicitors & Comm. For Oaths
STIN TOLHURST PARTNERSHIP

51b Station Road Longfield
Kent DA3 7QA

● **Mr William James Cook**

EXHIBIT

Gravesham Borough Council



Patrick Durr Associates
Planning & Development

EXHIBIT OF WILLIAM JAMES COOK

List of Exhibit Documents

Exhibit WJC Document 1 Location Plan - COO1/01
Exhibit WJC Document 2 Site Plan - COO2/02

These are the Documents of the Exhibit, AND I MAKE THIS SOLEMN DECLARATION conscientiously believing the same to be true by virtue of the Statutory Declaration Act 1835.

Signed:

Name:

Before me:

Solicitor/Commissioner of Oaths

Date: 2 September 2016

Joanna Kenneally
Solicitors & Comm. For Oaths
MARTIN TOLHURST PARTNERSHIP
61b Station Road Longfield
Kent DA3 7QA

EXHIBIT WJC DOCUMENT 1

Gravesham Borough Council



SCALE BAR - 1:1250 @ A4



Patrick Durr Associates
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client. Mr W Cook
project. LDC Curtilage
address. Little Acres, Longfield Avenue
Longfield, Kent DA3 7LA

title. Location Plan

scale. 1:1250 @ A4
reference. CO01/01

date. 12.02.2016
revisions. -

EXHIBIT WJC DOCUMENT 2

Gravesham Borough Council



Patrick Durr Associates
Planning & Development

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client.	Mr W Cook
project.	LDC Curtilage
address.	Little Acres, Longfield Avenue Longfield, Kent DA3 7LA

title.	Site Plan
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scale.	1:1250 @ A4
reference.	CO02/02

date.	15.08.2016
revisions.	-

SCALE BAR - 1:1250 @ A4

