STATUTORY DECLARATION

Application:	Application for a Certificate of Lawfulness in respect of the commercial use of multiple agricultural buildings.
Property:	Buildings to the rear of 1 West View, Stockley Lane, Stockley, Calne, Wiltshire SN11 0NP
Client:	Mr J Brown & Mr P Brown
Date:	September 2023

Neither the whole nor any part of this report nor any references to it should be included in any published document, circular or statement, nor published in any way without Woolley & Wallis having given prior written approval as to the form and context in which it may appear

Woolley & Wallis LLP 4-5 Hughenden Yard, High Street, Marlborough, Wiltshire, SN8 1LT
01672 515252, marlborough@w-w.co.uk , w-w.co.uk

APPLICATION FOR CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

TOWN & COUNTRY PLANNING ACT 1990

We, Mr Jeffrey Brown of Broadlands, Stockley Lane, Calne SN11 0NH & Mr Philip Brown of The Nook, Stockley Hollow, Calne SN11 0NN do solemnly and sincerely declare that:

1. We make this Statutory Declaration from facts within our knowledge except where otherwise stated. Where information has been given to us by another person, then we have identified the source of the information and believe it to be true.

2. We are the freehold owners of the Buildings to the rear of 1 West View, Stockley Lane, Stockley, Calne, Wiltshire SN11 0NP as shown edged red within "**exhibit 1**".

UNIT 1

3. We confirm that Unit 1, edged in blue and labelled on "**exhibit 1**" has been in continuous commercial use, specifically falling within Use Class B2 (general industrial) for well in excess of 10 years.

4. The unit is currently occupied by Mr Howell trading as MR Fencing who took occupation of the building in October 2021. Their occupation has been continuous up to the present day. Within "**exhibit 2a**" we include record of the initial rental payment from October 2021 and a recent rental payment confirming their current occupation. Lastly, within **"exhibit 2b"** we include a signed letter from Mr Howell of MR Fencing confirming his occupation.

5. Before MR Fencing took occupation, the building and adjoining yard was occupied by Mr Daniel Stephens trading as DMS Recovery. Mr Stephens occupied the building continuously between June 2015 and August 2021 and used the building and yard for vehicle mechanics, car breaking and a car recovery hub. Within "**exhibit 3a**" we include a signed letter from Mr Stephens confirming his occupation of the building. Within "**exhibit 3b**" we include a letter signed by Pauline Crane being the tenant of No. 2 West View, Stockley which overlooks Unit 1. The letter corroborates Mr Stephens occupation of the building. Within "**exhibit 3c**" we include aerial photographs from 2016, 2017, 2018 and 2021 showing the yard outside unit 1 being used by Mr Stephens.

6. Prior to Mr Stephens taking occupation of the property, the unit was continuously occupied by Wiltshire Heavy Building Materials Ltd (WHBM Ltd) as a lorry maintenance and servicing depot. They occupied the building between May 2005 up until May 2015 at which point, they relocated to Hopton Trading Estate. Within "**exhibit 4a**" we include a letter signed by Mr McQuaid being an owner of WHBM Ltd at the time, confirming their continuous occupation of the building. To further corroborate this "**exhibit 4b**" is a historic aerial image showing WHBM Ltd lorries parked infront of the unit. Mrs Crane confirms WHBM Ltd's occupation within her letter in "**Exhibit 3b**".

7. For the avoidance of doubt unit 1 has not been used for agricultural purposes for in excess of 10 years from the date of this declaration.

UNIT 2

8. We confirm that Unit 2, edged blue and labelled on "**exhibit 1**" has been in continuous commercial use, specifically falling within Use Class B8 (storage and distribution) for in excess of 10 years.

9. The unit is currently occupied by Mr N Barker who took occupation of the unit on 1st March 2023 and occupies it for art storage. His occupation has been continuous up to the present day. Within "**exhibit 5a**" we include his first rental payment made to the landlord and we include a recent rental payment.

10. Prior to Mr Barker's occupation, the building was occupied by Mr Smith trading as DMS Scaffolding for the purpose of scaffolding storage. DMS Scaffolding took occupation of the building in 2010 and occupied it continuously up until 31st January 2023. Confirmation of the last rental payment is included within "**exhibit 5b**". Within "**exhibit 5c"** we include a signed letter from the tenant confirming his occupation of the building.

11. For the avoidance of doubt Unit 2 has not been used for agricultural purposes for in excess of 10 years from the date of this declaration.

-:and we make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declarations Act 1835.

Signature of Declarant .....

Mr Jeffrey Brown

Declared at ....GOUGHS SOLICITORS, THE STRAND, CALNE, WILTSHIRE.

Declared on ....6 SEPTEMBER 2023.....

Before me, signed .

GOUGHS Solicitors
The Strand
Calne
Wiltshire
SN11 0JU

Signature of Declarant .....

Mr Philip Brown

Declared at ....GOUGHS SOLICITORS, THE STRAND, CALNE, WILTSHIRE.

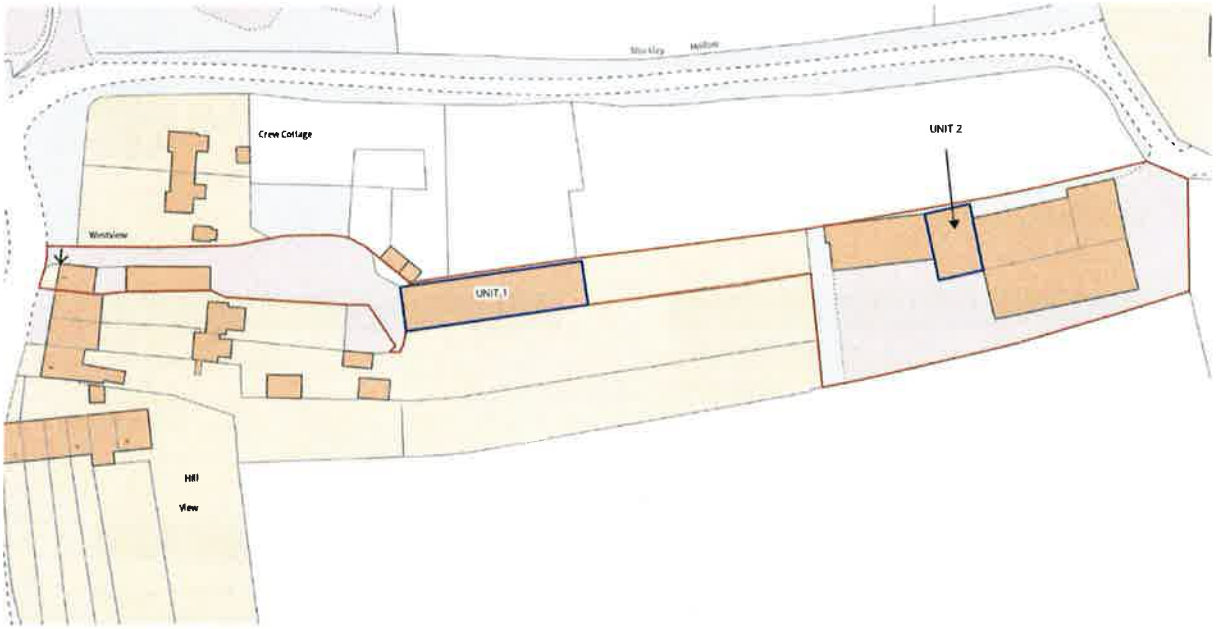
Declared on ....6 SEPTEMBER 2023.....

Before me, signed ..

GOUGHS Solicitors
The Strand
Calne
Wiltshire
SN11 0JU

Exhibit 1 – Ownership Plan

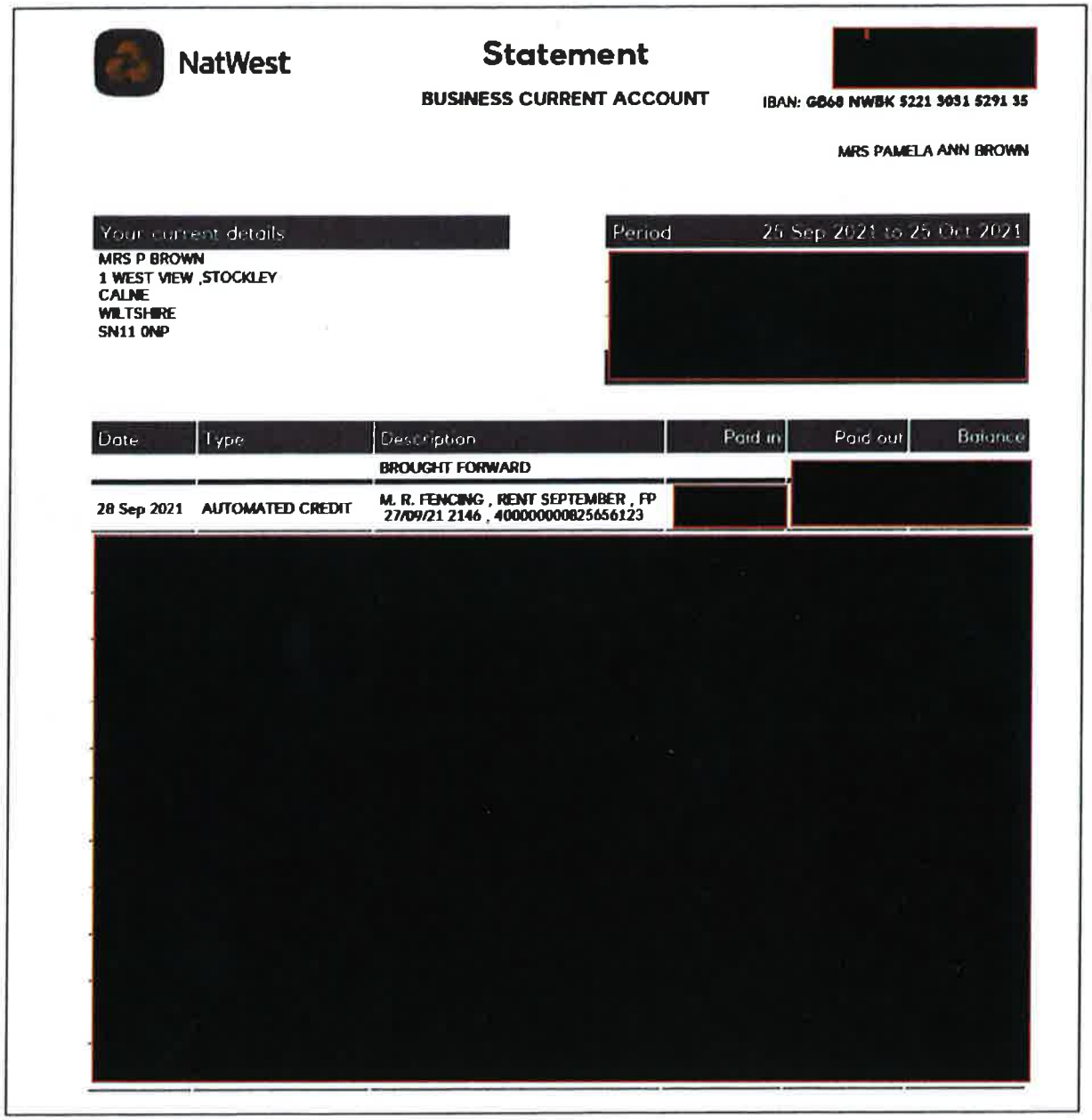
This is the Exhibit marked **"Exhibit 1"** referred to in the Statutory Declaration of Mr P & Mr J Brown dated this day of 2023.



Solicitor / Commissioner for Oaths

Exhibit 2a - MR Fencing's Initial rental payment (October 2021 paid in advance) and recent rental payment (May 2023 paid in advance).

This is the Exhibits marked **"Exhibit 2a"** referred to in the Statutory Declaration of Mr P & Mr J Brown dated this day of 2023.



NatWest

Statement

BUSINESS CURRENT ACCOUNT

[redacted]

IBAN: GB68 NWBK 5221 3031 5291 35

MRS PAMELA ANN BROWN

Your current details

MRS P BROWN
1 WEST VIEW ,STOCKLEY
CALNE
WILTSHIRE
SN11 0NP

Period 25 Sep 2021 to 25 Oct 2021

[redacted]

Date	Type	Description	Paid in	Paid out	Balance
		BROUGHT FORWARD			[redacted]
28 Sep 2021	AUTOMATED CREDIT	M. R. FENCING , RENT SEPTEMBER , FP 27/09/21 2146 , 4000000008256561 23	[redacted]		

[redacted]

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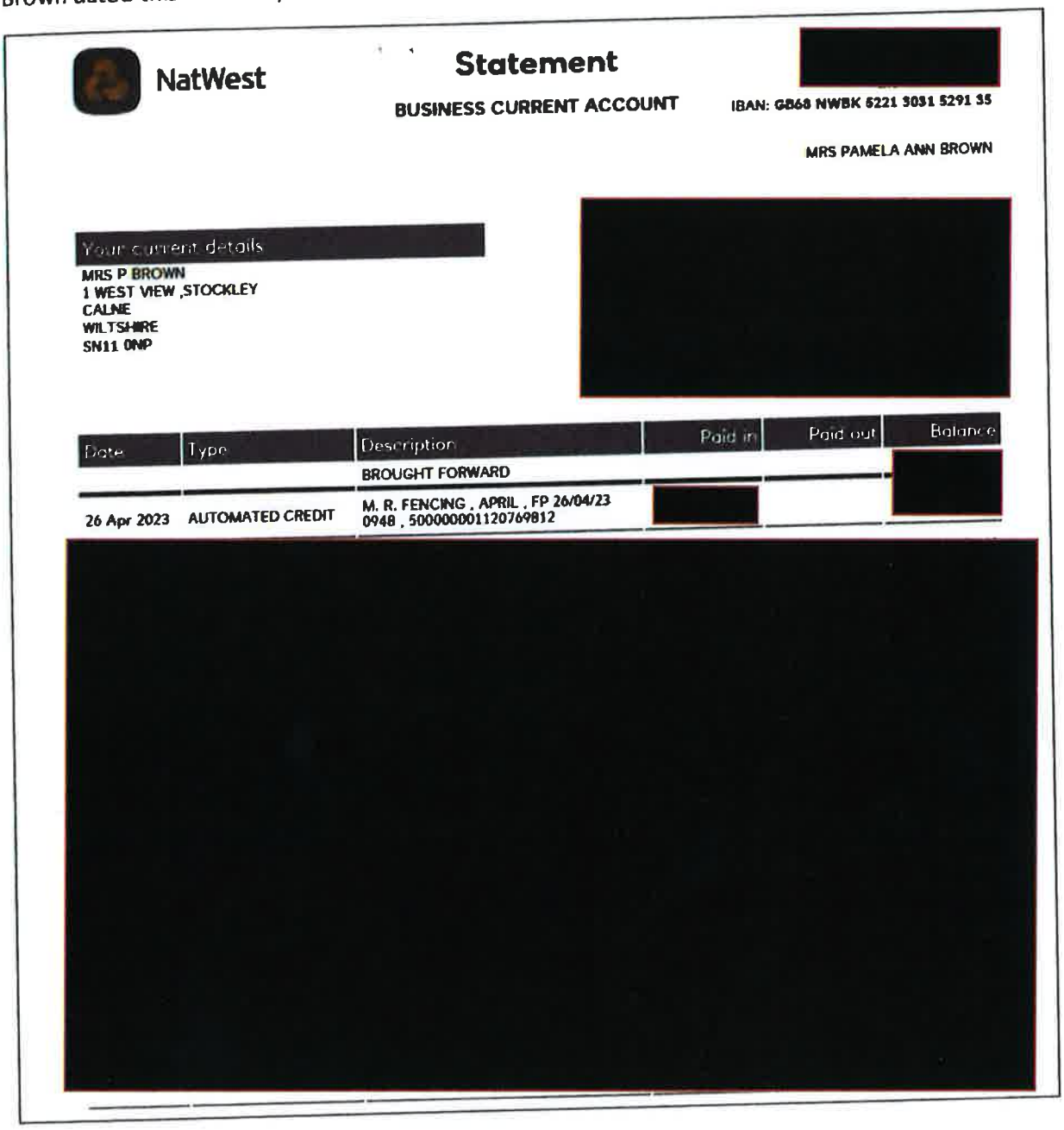
Solicitor / Commissioner for Oaths

Exhibit 2a continued

This is the Exhibits marked **"Exhibit 2a"** referred to in the Statutory Declaration of Mr P & Mr J Brown dated this day of 2023



NatWest

Statement

[redacted]

BUSINESS CURRENT ACCOUNT

IBAN: GB68 NWBK 5221 3031 5291 35

MRS PAMELA ANN BROWN

[redacted]

Your current details

MRS P BROWN
1 WEST VIEW ,STOCKLEY
CALNE
WILTSHIRE
SN11 0NP

Date	Type	Description	Paid in	Paid out	Balance
		BROUGHT FORWARD			[redacted]
26 Apr 2023	AUTOMATED CREDIT	M. R. FENCING , APRIL , FP 26/04/23 0948 , 500000001120769812	[redacted]		

[redacted]

Solicitor / Commissioner for Oaths

Exhibit 2b – Letter from MR Fencing (tenant) confirming occupation.

This is the Exhibits marked **"Exhibit 2b"** referred to in the Statutory Declaration of Mr P & Mr J Brown dated this day of 2023.

GARDENS BY HOWELL

M.R. Fencing
Decking, Fencing & Landscaping

11 Ebor Gardens
Calne
Wiltshire
SN11 0AJ

28/08/23

To Whom it may concern,

M R Fencing (Calne) Ltd has occupied the barn at 1 West View Cottage since 01/10/21. The barn is used to store tools excess materials and vehicles. We are a landscaping company.

Kind regards,
Martin Howell
mrfencingcalne@hotmail.co.uk

millboard APPROVED Installer

quick grass approved installer

SOUTH WEST ENGLAND PRESTIGE AWARDS

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Solicitor / Commissioner for Oaths

Exhibit 3a – Letter signed by DMS Recovery (tenant) confirming occupation.

This is the Exhibits marked **"Exhibit 3a"** referred to in the Statutory Declaration of Mr P & Mr J Brown dated this day of 2023.

1 Council Houses

Stockley

Calne

Wilts

SN11 0NL

To whom it may concern,

I Danny Stevens trading as DMS Recovery confirm that I was in occupation of Unit 1 & yard at 1, West View, Stockley, Calne, Wilts. SN11 0NP between June 2015 & August 2021.

Yours sincerely

Solicitor / Commissioner for Oaths

Exhibit 3b – Letter from neighbour confirming occupation of the building.

This is the Exhibits marked **"Exhibit 3b"** referred to in the Statutory Declaration of Mr P & Mr J Brown dated this day of 2023.

Pauline Crane
2 West View
Stockley
Calne
Sn11 ONP

07/08/2023

To whom it may concern.

I have been a resident at the above address since the beginning of July 2012.

During this time and up until May 2015 the workshop behind my garden was used by Wiltshire Concrete. It was then taken over by DMS Recovery until August 2021.
The unit was then taken over by MR Fencing and they still use this unit currently.

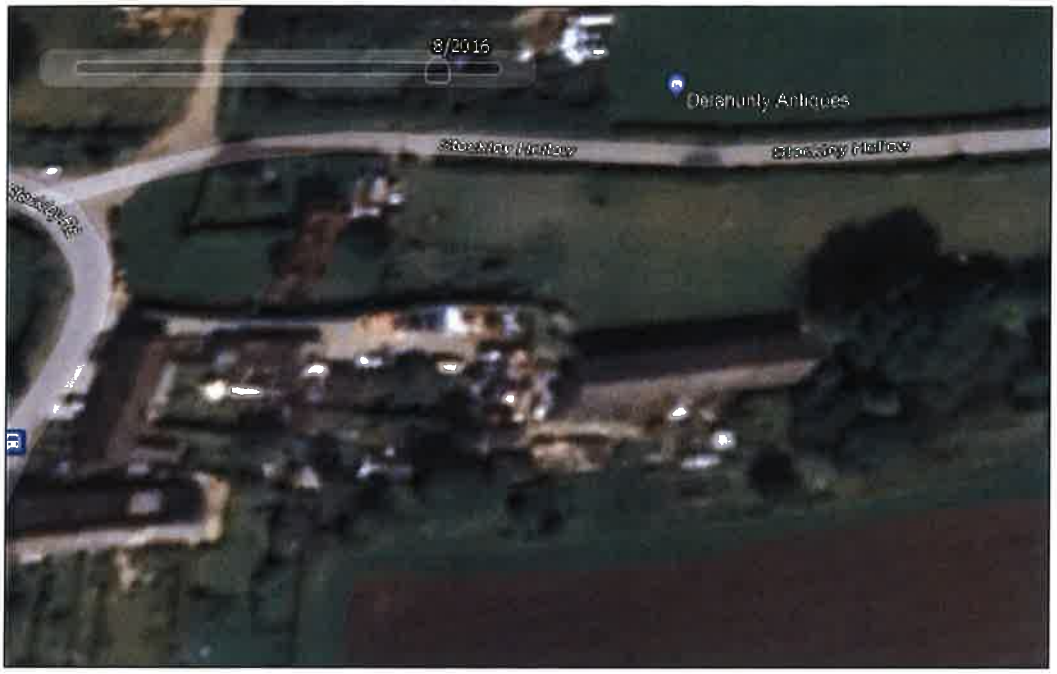
Many thanks

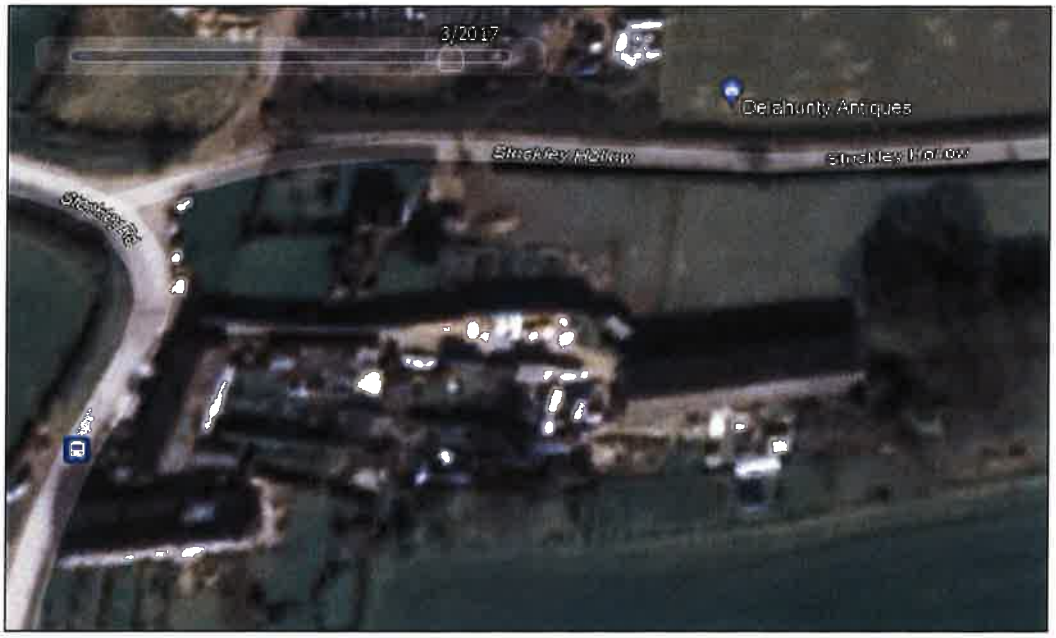
Pauline Crane

Solicitor / Commissioner for Oaths

Exhibit 3c – Ariel imagery from during DMS Recovery's tenure. The images clearly show a large number of vehicles parked outside the unit.

This is the Exhibits marked **"Exhibit 3c"**, referred to in the Statutory Declaration of Mr P & Mr J Brown dated this day of 2023.





Solicitor / Commissioner for Oaths

Exhibit 3c – continued.

This is the Exhibits marked **"Exhibit 3c"** referred to in the Statutory Declaration of Mr P & Mr J Brown dated this day of 2023.





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Solicitor / Commissioner for Oaths

Exhibit 4a – Letter from Kevin McQuaid confirming occupation by Wiltshire Heavy Building Materials Ltd.

This is the Exhibit marked **"Exhibit 4a"** referred to in the Statutory Declaration of Mr P & Mr J Brown dated this day of 2023.

Exhibit 4a -

WILTSHIRE
HEAVY BUILDING MATERIALS LTD

BS 8500
Licence No KM 97722

To Whom it may concern,

I am writing to confirm that Wiltshire Heavy Building Materials Ltd occupied the building to the rear of 1 West View Stockley between May 2005 and May 2015 – during this period I was a co-owner of the business. During this period our occupation was continuous.

As well as occupying the above mentioned building Wiltshire Heavy Building Materials Ltd also used the rear yard continuously for lorry parking between September 2002 and 2015. The yard was accessed via Stockley Hollow.

Kind regards

Kevin McQuaid

Managing Director

Wiltshire Heavy Building Materials Ltd

Solicitor / Commissioner for Oaths

Exhibit 4b – Historic aerial imagery showing WHBM Ltd's lorries parked infront of unit in April 2015.

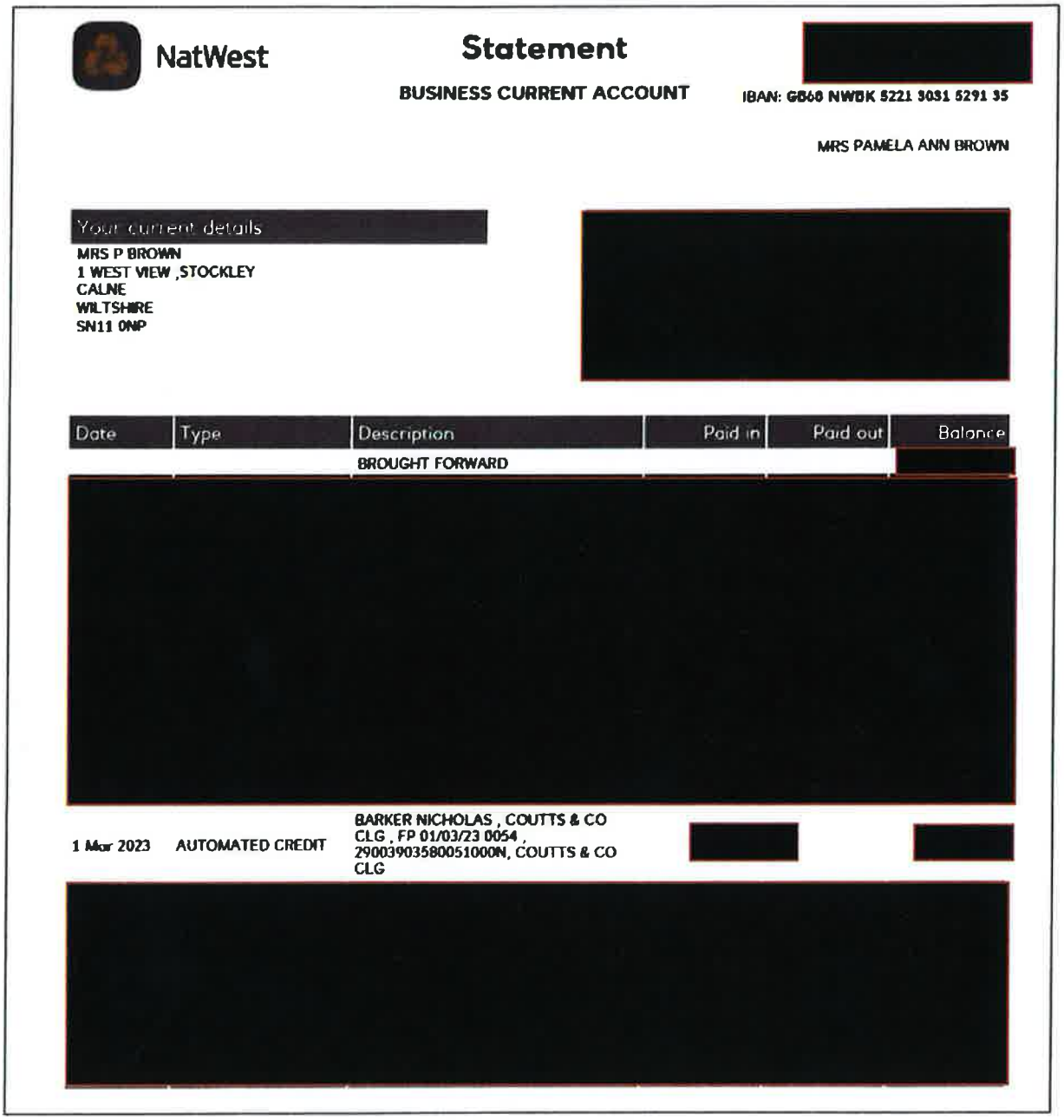
This is the Exhibit marked **"Exhibit 4b"** referred to in the Statutory Declaration of Mr P & Mr J Brown dated this day of . 2023.



Solicitor / Commissioner for Oaths

Exhibit 5a – Proof of first and recent rental payment (Mr N Barker)

This is the Exhibit marked **"Exhibit 5a"** referred to in the Statutory Declaration of Mr P & Mr J Brown dated this day of 2023.



NatWest

Statement

[redacted]

BUSINESS CURRENT ACCOUNT

IBAN: GB60 NWBK 5221 3031 5291 35

MRS PAMELA ANN BROWN

Your current details

MRS P BROWN
1 WEST VIEW ,STOCKLEY
CALNE
WILTSHIRE
SN11 0NP

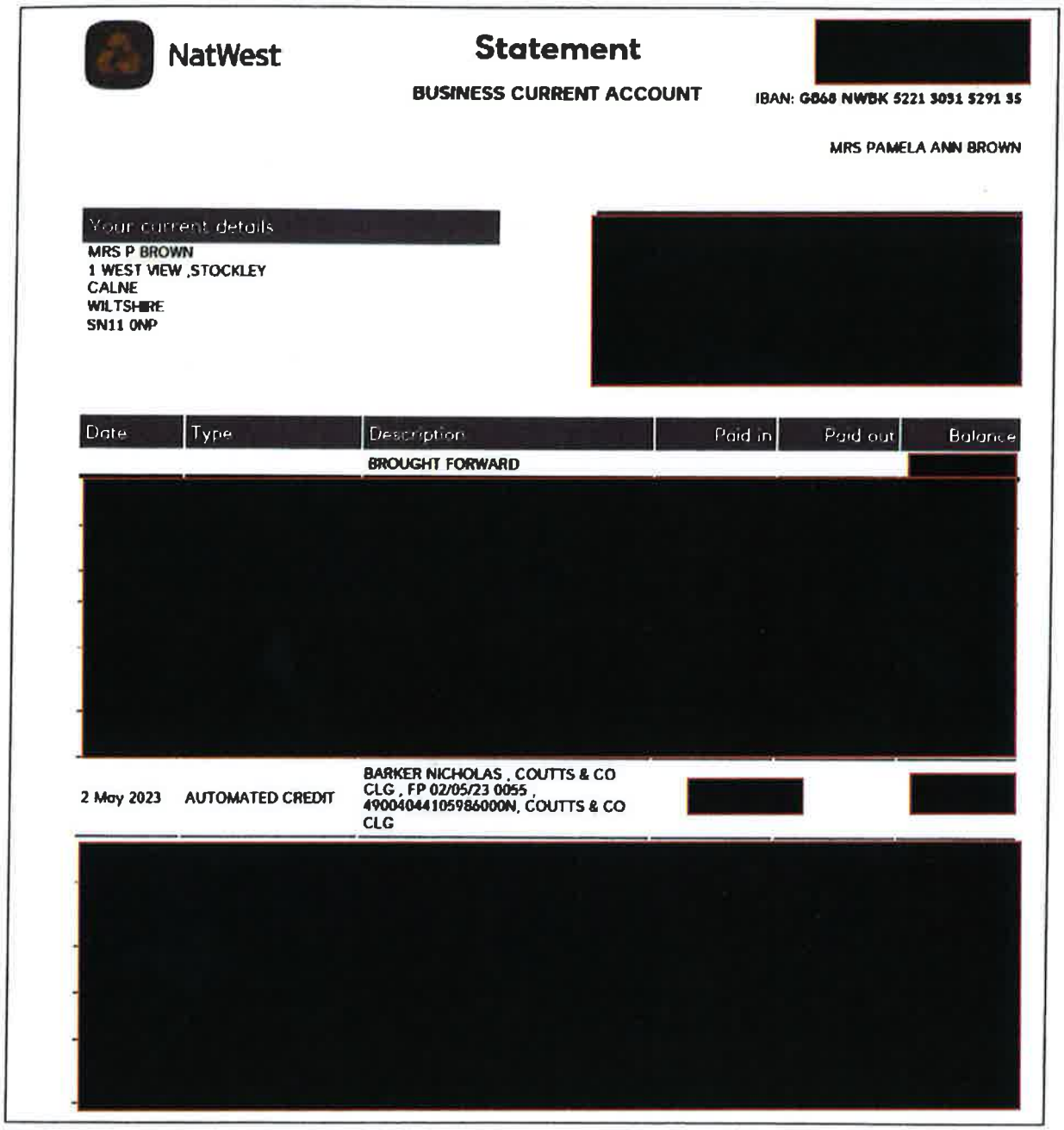
[redacted]

Date	Type	Description	Paid in	Paid out	Balance
		BROUGHT FORWARD			[redacted]
[redacted]					
1 Mar 2023	AUTOMATED CREDIT	BARKER NICHOLAS , COUTTS & CO CLG , FP 01/03/23 0054 , 29003903580051000N, COUTTS & CO CLG	[redacted]		[redacted]
[redacted]					

Solicitor / Commissioner for Oaths

Exhibit 5a – continued

This is the Exhibit marked **"Exhibit 5a"** referred to in the Statutory Declaration of Mr P & Mr J Brown dated this day of 2023.



NatWest

Statement

BUSINESS CURRENT ACCOUNT

[redacted]

IBAN: GB68 NWBK 5221 3051 5291 55

MRS PAMELA ANN BROWN

Your current details

MRS P BROWN
1 WEST VIEW ,STOCKLEY
CALNE
WILTSHIRE
SN11 0NP

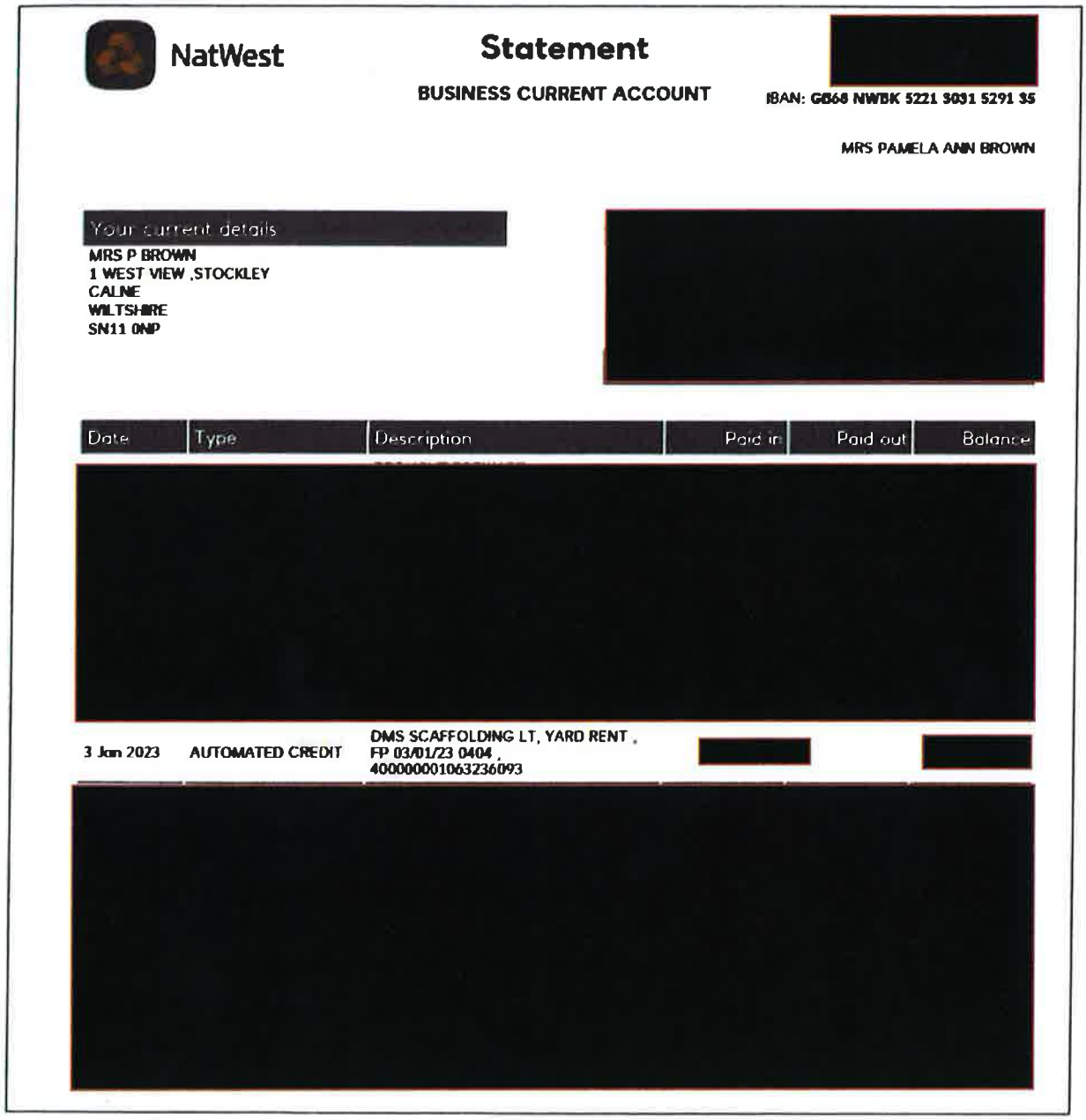
[redacted]

Date	Type	Description	Paid in	Paid out	Balance
		BROUGHT FORWARD			[redacted]
[redacted]					
2 May 2023	**AUTOMATED CREDIT**	**BARKER NICHOLAS , COUTTS & CO CLG , FP 02/05/23 0055 , 490040441059860000N, COUTTS & CO CLG**	[redacted]		[redacted]
[redacted]					

Solicitor / Commissioner for Oaths

Exhibit 5b – Confirmation of last rental payment (DMS Scaffolding)

This is the Exhibit marked **"Exhibit 5b"** referred to in the Statutory Declaration of Mr P & Mr J Brown dated this day of 2023.



NatWest

Statement

[redacted]

BUSINESS CURRENT ACCOUNT

IBAN: GB68 NWBK 5221 3031 5291 35

MRS PAMELA ANN BROWN

Your current details

MRS P BROWN
1 WEST VIEW ,STOCKLEY
CALNE
WILTSHIRE
SN11 0NP

[redacted]

Date	Type	Description	Paid in	Paid out	Balance
[redacted]					
3 Jan 2023	AUTOMATED CREDIT	DMS SCAFFOLDING LT, YARD RENT , FP 03/01/23 0404 , 400000001063236093	[redacted]		[redacted]
[redacted]					

Solicitor / Commissioner for Oaths

Exhibit 5c – Letter from DMS Scaffolding confirm occupation.

This is the Exhibit marked **"Exhibit 5c"** referred to in the Statutory Declaration of Mr P & Mr J Brown dated this day of 2023.

DMS Scaffolding Ltd

08/08/2023

To Whom it may concern,

I Mark Smith of DMS Scaffolding Ltd make this declaration in respect of my occupancy at the rear of 1 West View Stockley Calne Wilts, SN11 0NP.

I occupied this unit for scaffolding storage from Jun 2010 until 31st Jan 2023

In this time we also used this property as our transport yard for parking our commercial vehicle. Our operators licence is still current and valid at this address

Yours sincerely

Mark Smith

Solicitor / Commissioner for Oaths