Dated: 4th December 2023

STATUTORY DECLARATION

of

CHARLES DAVID ROBERT WOLSELEY BRINTON

Brimble Lea
Unit 3 Kingsmead Business Park
Shaftesbury Road
Gillingham, Dorset
SP8 5FB
Tel: 01747 823232
E-mail: _____

I, CHARLES DAVID ROBERT WOLSELEY BRINTON of Bevisfield, Cow Drove, Chilmark, Wiltshire, SP3 5AJ **DO SOLEMNLY AND SINCERELY DECLARE** as follows:

1. In October 2017, my wife and I purchased the property known as Bevisfield comprising a residential bungalow with access and garden, adjacent yard enclosed on 3 sides by 2 'barns' and a stable building along with 14.8 acres of land.

2. On Drawing 20219-13A (attached hereto as APPENDIX A) the house and garden area as it was when we purchased the property is shown edged green. The adjacent yard area and buildings referred to above, subject to a current application for a Certificate of Lawfulness of Existing Use or Development (CLEUD), is shown edged red. The remainder of the land in our ownership is shown edged blue.

3. I am advised that planning permission was granted in 2006 under reference S/2006/1623 for the 'Construction of 2 new storage barns for agricultural use'. These buildings were erected on the northern and western side of the yard area directly above the house to form an enclosed courtyard adjacent to an existing stable framing the western edge of the yard.

4. Prior to our purchase of the property, it was owned by a Mr David Williams. When we submitted a planning application in June 2023 to 'Carry out alterations to barn to facilitate permitted commercial use' Mr Williams wrote to the Local Planning Authority advising as follows: *'Statement regarding use of barn building - 24/7/23 I understand that you need to know what activity was occurring in the buildings at Bevisfield, July 2012, specifically the barn. The barn was used as a workshop and storage space. In the building there was: a work bench and hand tools, plus a compressor and grinder. A towed flail mower which was used to maintain the dog kennels exercise paddock. The quad*

bike which towed the kennels' mower. Our touring caravan. Our daughter's horse box. A small road trailer used for general transport, mainly garden waste! The 'storage barn' was not involved in any of the agricultural activity at Bevisfield.'

5. When Mr Williams vacated the premises in October 2017, we moved in immediately. Following him clearing out the buildings framing the yard, we continued, straightaway, to use them for domestic purposes including storage and for purposes incidental to the enjoyment of the dwelling (Bevisfield).

6. We have used the 3 buildings framing the yard for such purposes from the point we owned the property up until the present day and this domestic storage has been continuous and is on-going.

7. In support of our assertion that these buildings have only been used for purposes incidental to the enjoyment of Bevisfield, APPENDIX B includes a series of dated photographs each with their own caption.

8. The photographs are separated into three parts relating to the larger (enclosed) barn, the smaller (open) barn and the stables building.

9. These show how the buildings have been utilised for the following purposes throughout the time we have owned Bevisfield:
Stables - these have been used exclusively to store our own personal and household effects including (a) school trunks, sporting goods, files; (b) tools and garden equipment; (c) dog kennel, and whelping area for puppies; (d) furniture storage not being used in our house.
Large enclosed barn - (a) storage container with excess furniture from the house; (b) gym and general play area for children; (c) surf boards and beech paraphernalia; (d) cars, bikes and lawn mower; (e) workshop.
Open barn - (a) hay for donkey; (b) storage of machinery.

10. It is acknowledged that the open barn has been used recently for storing building materials associated with the re-development/re-building of Bevisfield. Such storage is on a temporary basis but is also directly related to the replacement of the existing single residential property and not for any separate commercial purposes.

11. Based on the fact that Mr Williams has stated the buildings were not used for agricultural purposes as of 2012, or thereafter, and that we have continued to use all 3 buildings and yard area solely for our domestic enjoyment and for purposes incidental to Bevisfield, it is my assertion that the yard area and buildings upon it have been used continuously over the past 10 years for non-agricultural purposes.

12. I am advised, under the Town and Country Planning legislation, that where such a use has been undertaken continuously for a 10-year period it becomes lawful as the time period for the Local Planning Authority to take any enforcement action will have expired.

AND I MAKE this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declarations Act 1835.

DECLARED by the said **CHARLES DAVID ROBERT WOLSELEY BRINTON**

at: RODRICK-BARKER & CO
SOLICITORS
Aerglow House, The Square
Wiltshire SP3 6JP

This 4th day of December 2023

Before me,

Solicitor/Commissioner for Oaths 14751

This is **APPENDIX A** referred to in the Statutory Declaration of **CHARLES DAVID ROBERT WOLSELEY BRINTON** hereunto annexed and declared

before me this 4th day of December 2023

.....

Solicitor/Commissioner for Oaths

RODRICK-BARKER & CO
SOLICITORS
Bridgelow House, The Square
Tisbury, Wiltshire SP3 6JP

14791

Bevisfield

Littledown

N

METRES

0 20 40 60 80 100

Rev	Drn	Date	Description
-	-	-	-

PROJECT

Bevisfield
Cow Drove
Chilmark, SP3 5AJ

DRAWING

Location Plan

SCALE 1:1250 @ A3

DRAWING ORIGINATOR DWR

DRAWING No. 20219 - 13

REVISION A

DATE 10.12.21

BRIMBLE LEA

Chartered Planning Consultants & Architects

Unit 3, Kingsmead Business Park,
Gillingham, Dorset, SP8 5FB

T (01747) 823232 www.brimblelea.com

This is **APPENDIX B** referred to in the Statutory Declaration of **CHARLES DAVID ROBERT WOLSELEY BRINTON** hereunto annexed and declared

before me this 4th day of December 2023

BRODRICK-BARKER & CO
SOLICITORS
Daerglow House, The Square
Pewsey, Wiltshire SP9 6JP

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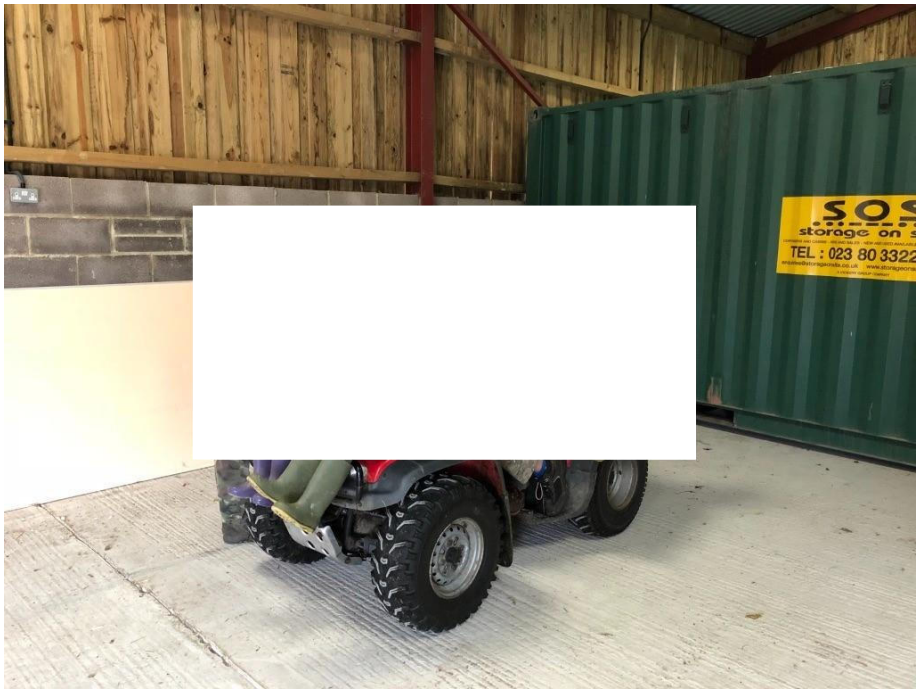
Solicitor/Commissioner for Oaths

14795 1

PHOTOGRAPHS OF BARNS/STABLES BUILDING

Larger (enclosed) Barn

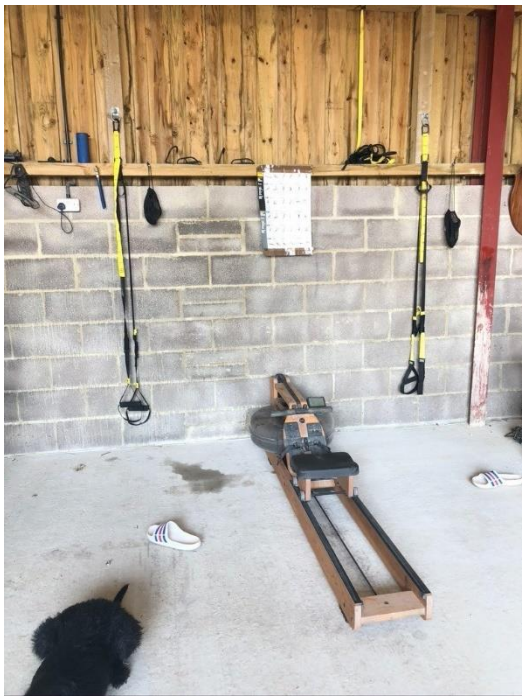
2017 - Shortly after moving in with cousins. Storage container with excess furniture in background.



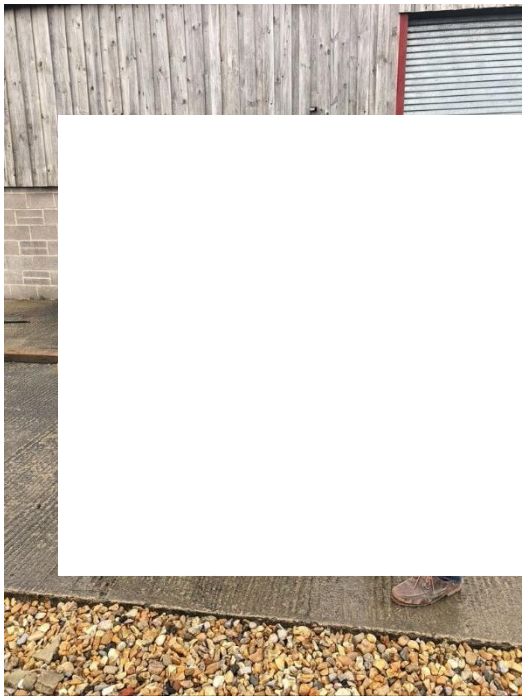
2020 - Lockdown gym project.



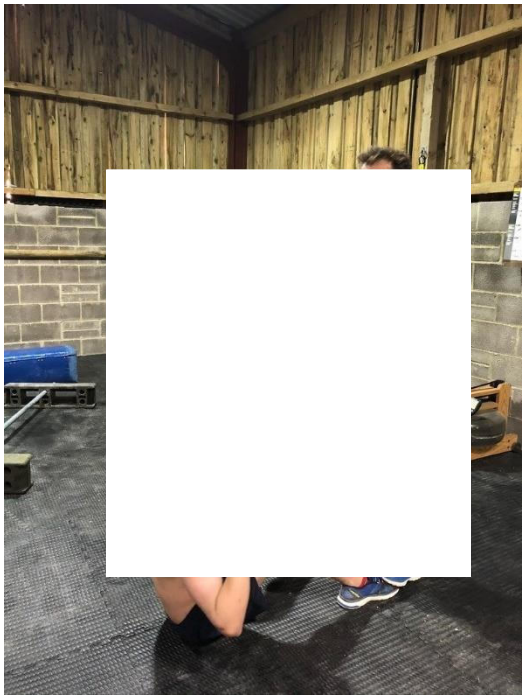
2020 - Lockdown gym project.



2019 - Bike for Fred.



2020 - Gym in use.



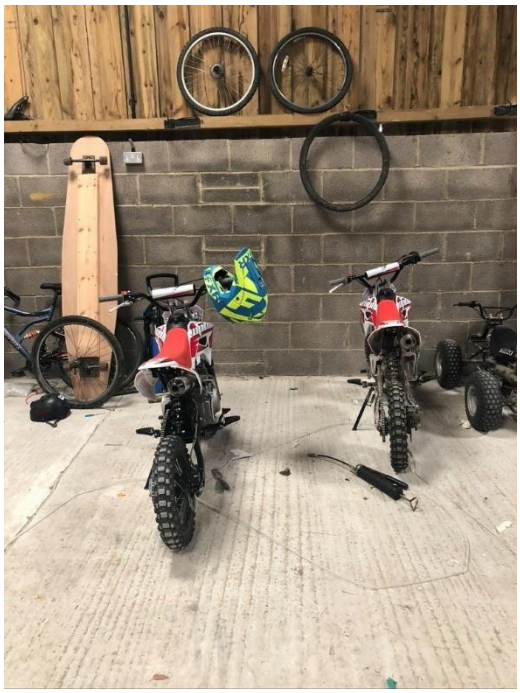
2020 - Gym and bikes.



2020 - Various mowers, quad bike and gym floor.



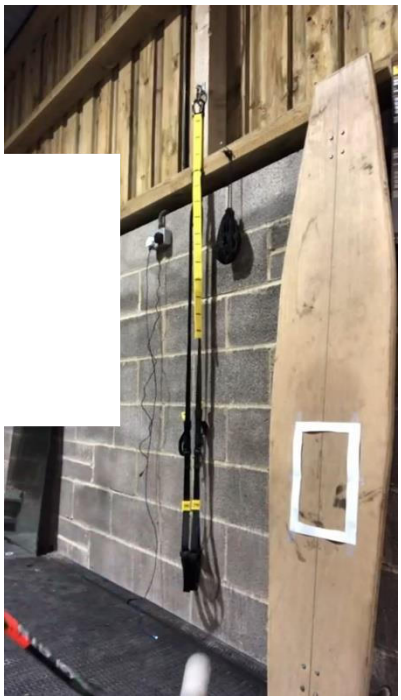
2019 - Bikes, skateboards and quad bike.



2018 - Sorting the container.



2021 - Archie in gym playing hockey.



Pre - lockdown closed barn.



Pre - lockdown. Cupboard purchase.



Smaller (open) barn

2018 Donkeys in the barn.



2018 - Donkey open barn.



2018 - Donkey hay.



Open barn with stone machine and telehandler temporarily stored prior to selling it.



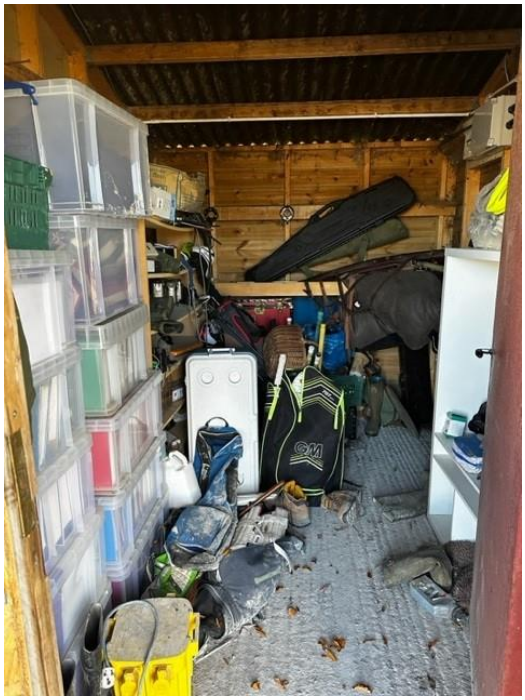
Stables Building

One of 3 litters from 2018-2022.





Tack room with sporting goods, files, etc.



2022 – stable with various stored items from house.

