

Certificate of Lawful Existing Use for the primary (C3) residential occupation of a static caravan and associated access, private amenity space and ancillary outbuildings at Bank Farm, Shenton Lane, Dadlington, CV13 6JD.

The Town and Country Planning (Development Management Procedure)(England) Order 2015 and the Town and Country Planning Act (TCPA) 1990 (Section 191) as amended by Section 10 of the Planning Compensation Act 1991 provide advice and guidance in respect of applications for certificates of lawfulness of existing or proposed use or development.

Section 191 of the Town and Country Planning Act 1990 (as amended) provides that if a person wishes to ascertain whether any existing use of buildings or other land is lawful, then he/she can apply to the Local Planning Authority for a certificate to that effect.

Uses are lawful at any time if no enforcement action is taken by the Council where the applicant can demonstrate the claimed use has been continuous for a period of ten years from the date of this statutory declaration.

The burden of proof is on the applicant and the relevant test is the 'balance of probability'. The applicant's evidence in support of the application must be sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probability.

If the Local Planning Authority has no evidence itself to contradict or otherwise make the applicant's version of events less than probable, there is no good reason to refuse the application, provided that the applicant's evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probabilities.

I PHIL HILL of Bank Farm, Shenton Lane, Dadlington, Nuneaton, CV13 6JD DO SOLEMNLY AND SINCERELY DECLARE as follows:

- 1 Bank Farm has formed my primary place of residence since 1982. In relation to the current C3 residential accommodation, this has formed my permanent home address and has been continually and consistently occupied for in excess of 10 years including up to the date of this declaration and submission of the application for a Certificate of Existing Lawful Use or Development.
- 2 The supporting evidence accompanying this declaration includes utility bills and photographic evidence confirming the permanent nature of my residential occupation of Bank Farm and home address.
- 3 It is therefore considered the cumulative evidence submitted by the applicant is sufficiently precise and unambiguous to demonstrate that, on the balance of probabilities, the lawful use of the structure identified as "C3" and edged in green on the submitted 1:500 Block Plan dated 26th January 2023, and the ancillary structures outlined in red have formed the permanent residential accommodation associated with Bank Farm for in excess of 10 years prior to the witnessing of this Statutory Declaration.

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

SWORN by the above named **Phil Hill** on this 13th day of February 2023.

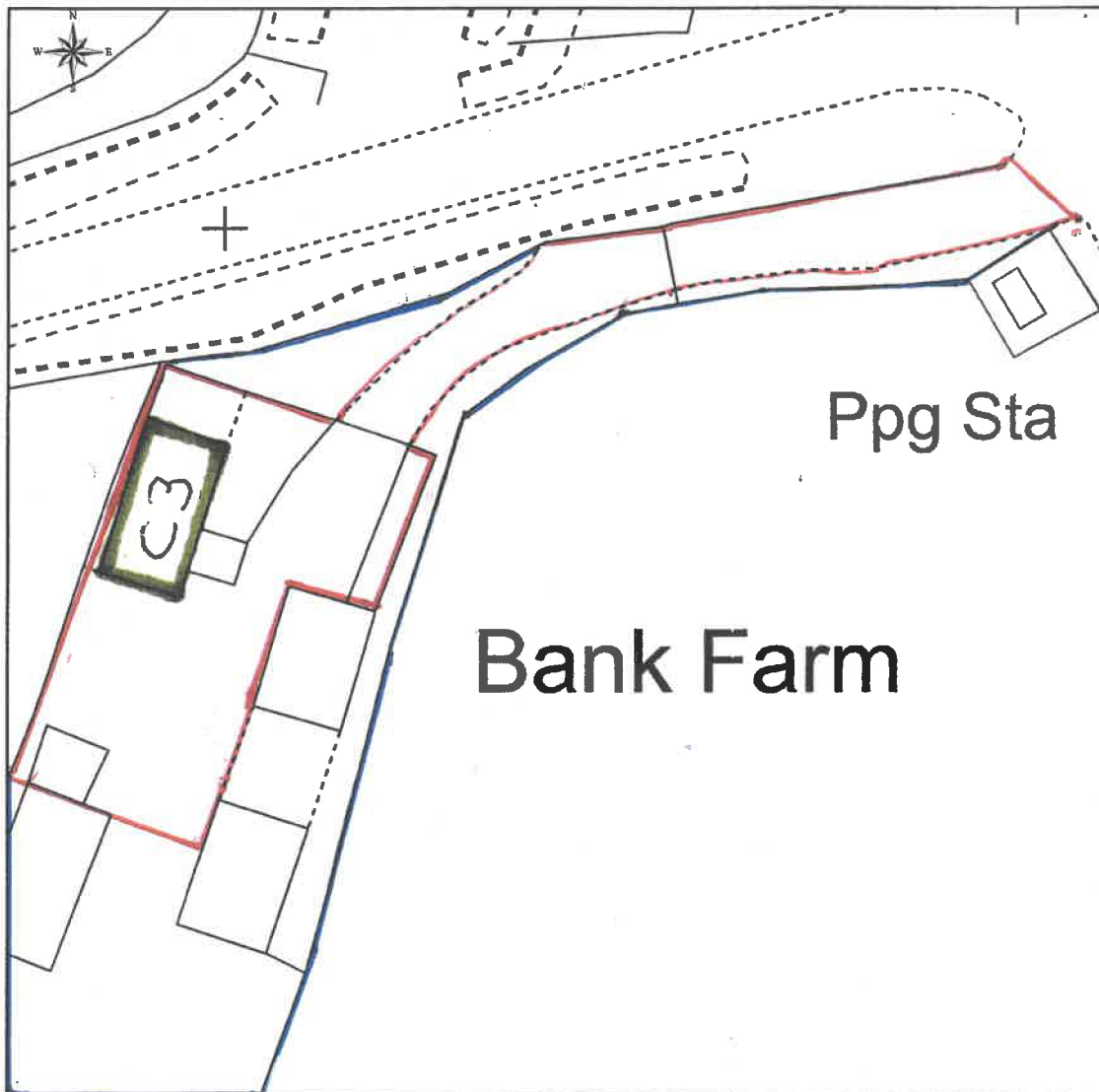
Before me.



A Solicitor / Commissioner of Oaths



Block Plan



This Plan includes the following Licensed Data: OS MasterMap Black and White PDF Site/Block Plan by the Ordnance Survey National Geographic Database and incorporating surveyed revision available at the date of production. Reproduction in whole or in part is prohibited without the prior permission of Ordnance Survey. The representation of a road, track or path is no evidence of a right of way. The representation of features, as lines is no evidence of a property boundary. © Crown copyright and database rights, 2023. Ordnance Survey 0100031673

0m 5m 10m 15m 20m 25m 30m 35m 40m

Scale: 1:500, paper size: A4

Bank Farm, Shenton Lane, Dadlington, CV13 6JD.



emapsite™
plans

Prepared by: Simon Cheshire, 28-01-2023