STATUTORY DECLARATION

In the Matter of: an Application for Certificate of Lawful Use relating to land at 42 Mole Drove, Gedney Hill, Spalding, PE12 0PA as a bungalow dwelling ("the House"), stables ("the Stables") and a menage ('together the Land'). The Land includes 6.5 acres with 5 acres as a paddock and the remaining 1.5 acres made up by the House, Stables and menage.

I Valerie Croft of 42 Mole Drove, Gedney Hill, Spalding, PE12 0PA

HEREBY SOLEMNLY AND SINCERELY DECLARE as follows:-

1. I am the registered owner and am fully authorised to make this statutory declaration. The facts and matters to which I refer are within my own knowledge or obtained from sources of information referred to herein.

2. The application for a certificate of lawful use relates to the use and occupation of the Land without compliance with Condition 4 of Planning Permission reference: H07/1090/87 granted in 1984 which required the House on the Land to be occupied by a person or persons employed directly or engaged in a management capacity with the stabling of horses at the Stables on the Land. The Land is shown edged red on **PLAN 1** attached to this declaration at **Appendix 1.**

3. My late husband and I purchased the Land on the 14 August 2001. A copy of the land ownership register can be found at **Appendix 2.** We have continued to occupy the House continuously since that time as our main residence and have used the Stables for recreational use for our two horses until 2018 when our last horse passed away. We have not used the Stables or the House for an equestrian business use since we purchased the Land.

Planning History

4. On 23 July 1987 South Holland District Council ("the Council") granted the then owner of the Land planning permission ("1987 Planning Permission") for the development of stables, an equine pool and a bungalow. The planning permission was granted with the condition ("Condition 4") that the occupancy of the House was restricted to a person or persons employed either directly or engaged in a management capacity with the

[redacted] [redacted]

adjacent racehorse stabling facility on the Land, together with their family. A copy of the 1987 Planning Permission can be found at **Appendix 3.**

5. A further planning permission was granted by the Council on 08 August 1994 ("the 1994 Planning Permission") to be able to occupy the House in connection with the Stables without complying with Condition 4 of the 1987 Planning Permission provided that the occupancy of the House was still restricted to a person or persons employed directly or engaged in a management capacity with the stabling of horses on the Land, together with their family. A copy of the 1984 Planning Permission can be found at **Appendix 4.**

6. When my late husband and I bought the Land in 2001 our solicitor acting for us on the purchase sent us a letter confirming that the Council would allow us to occupy the House and to use the Stables to keep our horses for our own personal and recreational purposes. A copy of this letter can be found at **Appendix 5.**

7. In 2005 my late husband made a planning application to the Council to construct a menage on the Land for our own private use. The planning permission for this can be found at **Appendix 6** together with photos of the menage**.** The menage has been used strictly for domestic and private use for our horses only since 2005.

8. We used M & M services to deliver and collect manure skips from the Land, for our own personal horses, between the period of September 2001 and 06 July 2018. A copy of a letter confirming this can be found at **Appendix 7.** Glynn Trundle, a master farrier, carried out regular work for us and attended the Land on a 6 weekly basis to shoe our horses. A copy of an email confirming this can be found at **Appendix 8.** Neither my late husband nor I have been employed in an equestrian business on the Land. My late husband was employed as an IT consultant from 1978 until 2014 for various IT companies and I worked full time for forty years until 2008. Between us we earnt in excess of £100,000.00 in joint income and did not need to use the Stables as a business.

9. The Land has been used by myself and my late husband for a period in excess of 10 years for our own personal use and keeping of our own horses. At no time during this period have we used the Land, Stables or House for the purposes of an equestrian business or livery or commercial stabling facility. The use of the House as our main domestic

[redacted] [redacted]

residence and the Stables for the recreational keeping of horses first commenced on the 14 August 2001 and the occupancy of the House as a private single residential dwelling has been continuous for the past ten years.

10. In support of this declaration I append the following documents:

10.1. Land Registry Title Plan

10.2. Land Registry Title

10.3. 1987 Planning Permission

10.4. 1994 Planning Permission

10.5. Letter from Mackrell Turner Garrett dated 31 July 2001

10.6. 2005 Planning Application

10.7. A letter from M & M services dated 23 February 2021

10.8. An email from Glynn Trundle dated 23 February 2021

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

Declared by Valerie Croft [redacted]
At Holbeach Lincs

this 3rd day of MARCH 2021
Before me [redacted]

A Commissioner for oaths / Solicitor empowered to administer oaths

Graham England - Solicitor
Calthrops LLP
61 High Street
Holbeach Lincs PE12 7EA
01406 422621

[redacted] [redacted]