

Broad oak Stables.

Statement

Planning permission was granted on 01.03.2013 planning reference F/12/71002 with conditions attached.

Condition 1 attached to the permission stated “the development hereby permitted shall be carried out in accordance with the following approved plans:155.001A. The plans were for a single storey dwelling which was limited in size as the dwelling was for a person mainly employed at the stables to meet the functional need caring for the horses.

The construction work began in September 2015 but instead of following the plans a first floor was constructed as part of the development. Photographs are added to the statement of Alan Hurran showing windows forming part of the first floor addition to the plans approved.

Two bedrooms, a bathroom, landing area and stairs were constructed additionally to the permitted ground floor only layout. This must not be confused with a re-arrangement of the permitted floor plan. A plan showing the additional accommodation is attached.

There can be no argument that the building has been substantially completed and occupied by the Foley family for a period in excess of 4 years. A sample Council Tax Bill, property reference 701454559991 is submitted for reference to the councils’ files that council tax has been paid since September 2016.

The additional accommodation has increased by 31.3% greater than that permitted.

The difference between what was permitted and what was constructed has to be considered a major material difference. This is more relevant as the approval took account of the proposed size of the dwelling as it was conditionally controlled for an equine worker. The size of the dwelling had to be commensurate with the size of the holding. Condition 10 also removes the entitlement to the GPDO. Two similar reports from a neighbouring Local Authority, form part of the submission to support this application. A further High Court ruling is also submitted relating to conditions. All the evidence produced confirm this development was

carried out as an unlawful erection of a building, and completed more than 4 years ago.

List of Documents attached.

Statutory declaration by Nicholas Foley

Statutory declaration by Shirley Foley

Statutory declaration by Alan Hurran

Statutory declaration by Dave Lees.

Statutory declaration by Bradley Foley

A sample Council Tax bill for research of the period of occupation.

A plan of additional accommodation constructed as part of the overall development.

Photographs appended by A. Hurran.

High Court decision regarding conditions.

Report from neighbouring LPA for a similar application x 2.

Original decision notice outlining conditions.

Site/location plan.