

APPLICATION BY MARGARET OKE FOR A CERTIFICATE OF
LAWFULNESS OF EXISTING USE FOR MYRTLE BARN, GARWAY,
HEREFORDSHIRE HR2 8RQ

STATUTORY DECLARATION OF APPLICANT

I, MARGARET OKE, DO SOLEMNLY AND SINCERELY DECLARE AS
FOLLOWS :

- 1) I make this statement in support of an application for a Certificate of Lawfulness of Existing Use in respect of MYRTLE BARN ('the Property') made by the owners MR AND MRS OKE ('the Owners').
- 2) We, the Owners, purchased Myrtle House and its land and outbuildings which included the Property from Mr and Mrs Heath in March 1990. We have lived at Myrtle House for 27 years.

I append a map of the curtilage of Myrtle House, Garway, Herefordshire HR2 8RQ, marked MO1.

- 3) At the time we purchased Myrtle House, the Property was an agricultural building used for potato packing and for the storage of hay, straw and grain. In June 2000, we applied for Planning Permission (Application Code SW2000/1644/F) to renovate the Property to provide accommodation. Permission was granted on 11 October 2000. The conditions of the Planning Permission stated that '...the accommodation shall be used for holiday accommodation only due to the relationship and close proximity of the building to the property known as Myrtle House'.

HEREFORDSHIRE COUNCIL
PLANNING SERVICES
DEVELOPMENT CONTROL

I append Planning Permission document, marked MO2.

17 NOV 2017

To _____
Ack'd _____ File _____

- 4) The building work on the property commenced in October 2004 and was completed by June 2006. The building work complied with the approved plans. The kitchen was fully fitted, including the installation of a range cooker and a dishwasher.

I append example invoices for the building works, and photos, marked MO3.

- 5) During 2005/2006 we investigated the terms and conditions of holiday letting through agencies. We had doubts at this point (five years on from the Planning Permission being granted and with our work commitments having increased during that time) as to whether holiday letting remained a practicable option for us.

We decided to place an advert in the local paper offering the Property for holiday or short let accommodation. Mr and Mrs Fowler answered the advert, advising that they wanted a short term let.

After six months the Fowlers declared an interest in maintaining their occupancy and to continue paying appropriate Council Tax. We agreed to renew the tenancy. Mr and Mrs Fowler and their two children occupied the Property from July 2006 until March 2010.

- 6) We received a letter from the Environment Directorate of Herefordshire Council in July 2006, which noted a possible change of use of the Property from holiday to residential letting. The Council did not subsequently visit the Property or communicate with us further.

I append the letter from the Environment Directorate, marked MO4.

- 7) Thereafter we let the Property as unfurnished residential accommodation through local estate agents, and did not look further at letting for holidays.

Mr and Mrs Fowler were tenants at the Property from 29 July 2006 to 31 March 2010

Mr Ivor Roberts was a tenant at the Property from 28 June 2010 to 31 July 2011.

Ms Carrie White and Mr Craig Hooper were tenants at the Property from 26 September 2011 to 15 May 2014.

Mr Geoffrey and Mrs Jackie Robinson became tenants at the Property on 4 June 2014 and remain there to the present date.

I append signed Assured Shorthold Tenancy Agreements for each of the four sets of tenants, marked MO5.

- 8) All tenants have paid Council Tax (Band E) during their tenancies at the Property. We have no contact now with the first three sets of tenants: Mr and Mrs Fowler, Mr Roberts, and Ms White and Mr Hooper, but your records will confirm this statement.

I append evidence of Band E Council Tax being established in 2006, marked MO6.

- 9) I can provide a Sworn Statement made by our present tenants, Mr and Mrs Robinson, that they have paid Council Tax from 4 June 2014 to the present date.

I append a Sworn Statutory Declaration made by Mr and Mrs Robinson, marked MO7.

- 10) Evidence of Council Tax being paid by the Owners to cover the short periods between tenancies, while redecoration and maintenance occurred, is attached.

I append evidence of Council Tax paid by the Owners, marked MO8.

I MAKE THIS DECLARATION solemnly and sincerely believing the same to be true and pursuant to the provisions of the Statutory Declarations Act 1835.

DECLARED by the said

[REDACTED]

This 30th day of October 2017

Before me

[REDACTED]

HESSIE LOUISE WRIGHT

Solicitor

At Overross House
Ross Park
Ross a Nige
HRA Jus