

Town & Country Planning Act 1990 - Section 192
(as amended by section 10 of the Planning and Compensation Act 1991)

Land at "The Greenhouse" Gravel Hill, Shirrell Heath, Southampton, SO32 2JQ

Witness statement of Graham Snape

I, Graham Snape, residing at "The Greenhouse", Gravel Hill, Shirrell Heath, Southampton in the County of Hampshire do solemnly and sincerely declare that:

1. My partner, Heather Woods and myself have occupied the land edged red on the attached plan – marked GS 1 – since 1st January 2011 when we rented the land from the then owner, Richard Stone.
2. On that day, we moved into our mobile home which was already on site but unoccupied... This is now known as "The Greenhouse", and we have both lived there continuously since that date.
3. In early 2013, a friend gave us a set of new patio doors which we wished to use to replace the original aluminium door as the main entrance to our mobile home.
4. The new doors were wider and taller than the original and therefore modification were required to enable them to be fitted.
5. I undertook the work myself. I had to widen the opening to fit the door and reduce the floor level at the entrance.
6. The most significant adaption being the need to reduce the floor level at the entrance area. This require the removal of approx. 1.5 metres of the chassis which supported the mobile home. I attach – marked GS 2, a drawing illustrating this plus a photograph of the section that was removed. Also, attached, marked – GS 3 is a photograph of the original aluminium door and a photograph of the new patio doors, in situ – marked GS 4.
7. We continued to rent the land from Mr. Stone until 11th February 2015 when my partner bought it from him.
8. This change in circumstance gave us the incentive to replace the existing mobile home (purchased new in 2001 and bought by us, second hand in 2009) – with a more modern one.
9. With that in mind we immediately approached Clark's Caravan and Boat Haulage Ltd, a specialist caravan and boat haulage company, to seek their expert advice on arranging for the removal of the existing structure and its replacement with a new mobile home. This company originally brought the mobile home on site in late 2010.
10. The company representative visited the site, and following a detailed examination of the structure, advised us that the works I had undertaken in 2013 had rendered the mobile home structurally incapable of being moved in its present condition as a complete unit.
11. He explained the removal of part of the chassis had weakened the overall structure and that any attempt to remove it as one unit would not be possible - it would effectively break up. A copy of a letter from the company to that effect is attached – marked GS 5.
12. Having received that disappointing advice, we approached South Coast Body Repairs Ltd a company specialising in commercial vehicle body building and repairs to seek their view as to whether it was possible for the 2013 works to be reinforced so that the structure could be moved off site as a complete unit to enable a replacement to be provided.
13. Following a detailed site inspection, they stated it was totally impractical to do this. I attach a letter form the company – marked GS 6.
14. At the point we then took the decision to undertake improvements to the existing structure to make living there more comfortable as it was thermally inefficient. My partner does not

enjoy good health and has a disabled driver's blue badge. It therefore became important to us to upgrade the existing living arrangements.

15. Since 2015, we have embarked on a series of improvements. Stud walls were fitted to the interior, insulating between joist, plaster board and plaster finish applied. A new kitchen was installed, double glazed windows replaced the originals and an air source heat pump was also introduced.
16. We levelled out the remainder of the lounge floor to match that created in 2013. This gave us extra headroom. This required the removal of another large section of the chassis. I attached a photograph illustrating these sections marked GS 7. This work was undertaken by me in May 2018.
17. Later in 2017/2018, further improvements were made. Insulation has been added, exterior cladding was applied, and a new roof was also provided and the original then removed.
18. Throughout this whole period when the renovation/improvements were being implemented, we continued to live on site. We never needed to move out to allow the works to take place.
19. In early 2018, a small extension was added. This is shown on the plan – marked GS 1
20. On 29th January 2018, my partner received a letter from the Council stating that neither of the 2 caravans on site (a residential home and the other being a tourer) had planning permission – copy letter attached – marked GS 8.
21. We approached a personal friend of ours, Eric Cox, a retired planning consultant, to seek this help and advice.
22. This culminated in a planning application being submitted by him on our behalf in April 2018 for the retention of the residential mobile for our continued occupation – planning application number 18/0094/FUL.
23. During the Council's consideration of the application, they advised our agent, Mr. Cox that the application site should have included the access track from Gravel Hill to our land.
24. It was agreed with the Council (Liz Marsden of the Planning Department) that the validation of the application should be withdrawn, and a fresh application submitted which included the access drive within the site area. Mr. Cox has provided me a copy his email to Liz Marsden dated 24th December 2018 – copy attached – marked GS 9.
25. On 14th March 2019, my partner received a Planning Contravention Notice (PCN) from the Council alleging residential use of a mobile home at "The Greenhouse". A copy was also sent to our agent, Mr. Cox – copy letter attached – marked GS 10.
26. Subsequently we met Mr. Cox to seek his advice regarding the completion of the PCN. He drew our attention to the wording of the alleged breach. Again, Mr. Cox provided me with a self-explanatory email he sent to the Council dated 29th March 2019 – copy attached – marked GS 11. Despite Mr. Cox request for a site visit – none took place.
27. The PCN was then completed and signed by my partner and returned to the Council.
28. On 5th April 2019, the Council issued a new PCN alleging "without planning permission; unauthorised dwelling". A copy of their covering letter is attached – marked GS 12.
29. The PCN was completed, signed by my partner and returned to the Council 27th April 2019.
30. Following further negotiations, on our behalf between Mr. Cox and the Council, the Council agreed, without prejudice, to allow an application for a Certificate of Lawful Use to be made for their consideration prior to them deciding whether any further action was required. This is that application.
31. My understanding now is that since 2013, when I undertook the removal of part of the chassis of the then mobile home, it is no longer a mobile home in planning terms.
32. Whilst it came onto the site as a complete unit it is incapable of being removed in a similar manner. It effectively became a structure used for permanent residential occupation. It was no longer a mobile home and has remained so ever since.

33. During the whole period since January 2011, we have used both the existing horticultural greenhouse on site and the land adjacent to our then mobile home for our own domestic use – vehicle parking, leisure purposes, vegetable and fruit cultivation and domestic storage of furniture and personal possessions.
34. Since February 2015, when the land was acquired, we further extended our domestic use to the whole area of the site.
35. It is now over 6 years since the mobile home ceased to be just that – It is now a structure used exclusively for residential purposes.

This statement is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true and I make this solemn declaration conscientiously believing the same to be true by virtue of the statutory declaration act 1985.

Dated 24.....day of July 2019

Signed
