



SUPPORTING STATEMENT

APPLICATION FOR A CERTIFICATE OF LAWFULNESS FOR AN EXISTING USE

**USE OF LAND ADJOINING OLLERSETT FARM, LOW LEIGHTON, NEW MILLS, HIGH
PEAK SK22 4QW AS PART OF RESIDENTIAL CURTILAGE.
USE FALLING WITHIN CLASS C3 OF THE TOWN AND COUNTRY PLANNING (USE
CLASSES) ORDER 1987 AS AMENDED.**

FOR

MR P KITCHING

1. Introduction

This statement is submitted in support of an application for a Lawful Development Certificate under Section 191(a) of the Town and Country Planning Act 1990 for an existing use of the land adjoining Ollersett Farm as residential curtilage. The site to which the application relates is shown edged in red on the accompanying 1:500 scale site plan.

2. Planning Background

The dwelling house known as Ollersett Farm was occupied from 1960 until 2007 by the family of Mr John Evans. It has been in Mr Evans' personal ownership and occupied by him between 1998 and 2007. From 2007 until the present, the house has been occupied by the applicant Mr Philip Kitching and his wife.

Part of the domestic curtilage to Ollersett Farm was authorised as part of permission Ref HPK/2009/0530, granted on 13th November 2009, and since that time a Certificate of Lawfulness for garden use was issued on 30th June 2010 (Ref HPK/2010/0218) relating to land directly to the south east of the existing farmhouse.

In the current application however, the applicant is claiming the lawfulness as residential curtilage of a further area of land adjoining and to the north east of the garden land to which the existing Certificate of Lawfulness relates. This is on the basis of continuous usage for in excess of 10 years, for residential purposes ancillary to the domestic use of Ollersett Farm, such use falling within Class C3 of the Town and Country Planning (Use Classes) Order 1987 (As amended).

The land has been used for a variety of purposes including parking of domestic vehicles and boats connected with the hobby of the previous occupant of Ollersett Farm, and for residential garden purposes. All of these uses are ancillary to the use of the farmhouse as a dwelling and constitute the type of activities normally found within a residential curtilage.

3. Nature of Evidence in Support of the Application for a Certificate of Lawfulness

The evidence for the lawfulness of the use on the area shown in the application comprises the following:

1. Sworn statement dated 21st July 2010 by the current owner and occupant Mr Philip Kitching who has been in residence at Ollersett Farm since 30th April 2007
2. Sworn statement dated 21st July by the previous owner and occupier Mr John Evans of 118 Laneside Road, New Mills who was resident in the property from 1960 until 30th April 2007
3. 2 Photographs dated 1989 showing the land containing the boats and private car belonging to Mr John Evans the previous owner of Ollersett Farm
4. An aerial photograph believed to have been taken in 1976, showing the land separated from the adjacent fields and containing the domestic vehicles belonging to Mr Evans' father.

Bearing in mind the evidence from the above respondents, it is contended that 'on the balance of probability' the use of the land adjoining Ollersett Farm as defined on the plan edged red, accompanying this application as residential curtilage has been demonstrated.

Elizabeth Cowdray BA(Hons) Dip. BM MRTPI

2nd August 2010