

PL/19/0774/EU | Application for a Certificate of Lawful Development for existing use : To confirm that the occupancy conditions (5 and 6) in relation to planning permission ER/1466/68 have been breached for a period of at least 10 years and are therefore no longer enforceable. | Cliveden Stud House Cliveden Road Taplow Buckinghamshire SL6 0HL

Taplow Parish Council raises objection to this application.

In summary, we contend that the applicant has totally failed to prove continuous breach of the occupancy conditions quoted for a ten year period. It is clear that the intent of the applicant is to drive the equestrian business of the whole Cliveden Stud site into the ground in an attempt to open it to commercial development.

In the interests of the local community, protection of the Green Belt and preserving the authority of the planning processes this must be strongly resisted and we look to SBDC to lead this.

The application is principally based on the submission of a number of affidavits and lease documents. These are either irrelevant or fail a test of validity and you are receiving a number of objections containing forensic analysis of them.

We comment as follows:

Contributor letters received by you since the application submission contain explicit statements that the property was uninhabited for specific periods during the ten years in question. These invalidate the basis of the application.

Tessa Spencer lease from 2007

Irrelevant as it contains no statement as to occupancy of the property in question.

Statutory declaration of Ms Lobo

This makes no statement that the property was in fact **continuously** inhabited during her tenancy so does not support the application. It is not clear that the separately submitted lease document in support has legal validity due to missing dates and signatures.

Statutory declaration of Tariq Siddiqi

His declaration contains the statement that “ the dwelling was occupied sporadically “. This therefore is evidence that the property was not in **continuous** breach.

Statutory declaration of Paul Hughes

The declaration does not cover the whole of the ten year period and again makes no statement as to **continuous** occupation. It is not clear that the document is a legally valid declaration.

The above documents cover the period from 2007 to February 2014 and do not provide evidence of **continuous** breach.

Occupation March 2014-2017

The documents provided in support of this tenancy are deficient. They appear to be of draft form and are not signed by the tenant so we do not consider them as acceptable evidence. Additionally, the Council Tax bill submitted dated June 2014 is addressed to the applicant, NOT the alleged tenant, casting doubt on the tenancy.

Susan Ramallo lease 2015

Again the submitted document does not appear to be legally valid and should be ignored. It contains no statement as to **continuous** occupancy in breach of the property in question.

October 2017 – to date

Claim of residence by the applicant during this period.

As the applicant is in control of the entire Cliveden Stud estate which still carries on some equestrian businesses he is in fact involved in the business and is therefore **not** in breach of the planning permissions.

During this time period a number of the letters from him concerning other lease agreements are from a different address (12 Priory gardens Wembley). This throws into doubt his assertion that he was resident.

Consultant reports

The applicant cites both the Reading Agricultural Consultants and the Bourne Rural reports. We consider the Bourne report to be the more accurate, both considering the flaws in the RAC report identified in earlier objections to applications relating to the Cliveden Stud site and the revised planning guidance issued in January 2018. A quoted extract from the Bourne report is in fact from the RAC report and does not in any case make any contribution to the case of **continuous** occupancy in breach.

Conclusion

The submitted documents completely fail to establish the applicants case for ten years in **continuous** breach and the application must be denied.

SBDC must be well aware of concerted efforts over some years to subvert the planning conditions attached to Cliveden Stud in attempts to develop it commercially. Numerous requests for enforcement actions have been made, with rather poor responses from the council. It is essential that SBDC gives serious, continued and prompt attention to enforcement and makes it clear that the site is to continue in equestrian activities. The current internal pressures arising from the move to a Unitary Council must not be used as an excuse for less than diligent attention to this critically important site.