

DATED

21st May 2021

2021

**STATUTORY DECLARATION TO SUPPORT AN APPLICATION FOR A
CERTIFICATE OF LAWFULNESS OF EXISTING USE OR DEVELOPMENT
(CLEUD) PURSUANT TO S191 TOWN AND COUNTRY PLANNING ACT 1990**

DANIEL CAPALDI

COED Y CEFN HOUSE, RHYD Y GWERN LANE, MACHEN

Geldards
law firm

I, Daniel Capaldi, of Ty Hyfryd, Pontygwindy Road, Caerphilly CF83 3AB do solemnly and sincerely declare that:

1. This statutory declaration is given in support of an application for a certificate of lawfulness for the use of land at Coed Y Cefn House, Rhyd Y Gwern Lane, Machen as shown edged red on the plan produced and shown to me marked "DC1" ("the Site").
2. I work as a builder and since 1986 I have run my own building and construction business trading as D C Construction. I mainly work on domestic properties carrying out residential extensions in the Caerphilly area, but I also undertake maintenance work to commercial properties.
3. In 1977 I was employed as an apprentice builder by Mr Anthony Elton trading under A J Building Services, which was a construction business operating out of two workshops on the Site to the rear of Mr Elton's dwelling house known as Coed Y Cefn House. There is now produced and shown to me marked "DC2" aerial photographs dated 1973 and 1979 which show those two workshops in situ on the Site. The workshops had been converted from their initial use as chicken sheds which Mr Elton had used to harvest eggs as part of an egg selling business. There is now produced and shown to me an undated photograph marked "DC3" which shows one of the workshops. It is unclear to me when this photograph was taken but it must have been before 1977 (when I began working for Mr Elton) because the second workshop appears to be in the process of being constructed. When I began working for Mr Elton in 1977 both workshops were fully constructed and were used in connection with the running of A J Building Services.
4. I was employed by Mr Elton between 1977 and 1985 and throughout that time Mr Elton consistently used the workshops to manufacture timber products required in connection with the construction projects he had ongoing and would typically include window frames, stairs, doors and trusses. A J Building Services would regularly undertake and carry out a variety of building work such as the replacement of windows and doors, re-roofing, building extensions and loft conversions so the workshops were vital to the running of the business so as to ensure that Mr Elton could prepare the appropriate products that were required for the particular job. Mr Elton would also use the workshops to store building materials such as raw timber and plant and machinery which he used to manufacture the timber products. Mr Elton also made use of the wider Site for purposes in connection with the running of his construction business by storing general building materials such as bricks, roof tiles and glass on the Site near to the workshops.
5. Mr Elton also had intentions of building a sunken swimming pool in the Site although that project was never completed because Mr Elton's wife considered that it would be too far away from the main dwelling house. It is possible to see the hole (approximately 15 metres by 10 metres) that was dug to prepare the swimming pool in the aerial photograph dated 1973, but we used this void to store building materials in connection with the business. Mr Elton also allowed his donkey (whose name was Ferdinand) to graze on the Site from time to time.
6. When I was working with Mr Elton, I would attend the Site daily during the working week (Monday to Friday) and load up any materials we required for construction projects on to the van. On days when we weren't out undertaking construction projects, I would be in the workshops with Mr Elton assisting him

in manufacturing timber products such as stairs, windows and doors. Mr Elton also employed a number of other builders and labourers over the years that I worked with him in connection with A J Building Services, and the most number of people he had working for him at any one time was approximately five workers who would all assist with construction projects off site as well as helping to manufacture timber products within the workshops.

7. I can recall that my first job working with Mr Elton in 1977 was to brick up a double garage next to the workshops because he wanted more storage for his plant and machinery in connection with A J Building Services such as his mixers and wheelbarrows. There is now produced and shown to me marked "DC4" an undated photograph in which the double garage can be seen next to the workshop. Piles of building materials (which Mr Elton would consistently keep) are also visible on that photograph next to the workshop. Mr Elton would also park his truck next to the workshops which he would use to transport timber from the forestry to the workshops to manufacture timber products.
8. I ceased employment with Mr Elton in 1985 for another building company before starting my own construction business in June 1986. During the time I was employed by Mr Elton we became good friends. I remained friends with Mr Elton and his wife, Mrs Dorothy Elton, and I would visit them regularly. I am aware from my frequent visits to see them that A J Building Services continued to trade from the Site until approximately 1995 when Mr Elton retired. However, Mr Elton did continue to use the Site and the workshops for woodworking but on a smaller scale (undertaking only local and personal woodworking projects) until his death in 2008. Mr Elton was an excellent carpenter and he enjoyed wood working so it made sense that he continued to undertake carpentry even after he retired. He also kept all of his tools and machinery and would use the workshops and the garage to store all of his equipment.
9. When Mr and Mrs Elton passed away in 2008, I became aware that the property was up for sale. When I was passing through the area in 2010, I decided to call in to Coed Y Cefn House to introduce myself to the new owner as I had spent so much of my working life working at the Site. I met the new owner, Mr Paul Wells, who was kind enough to show me around the property. He was at that time in the process of rebuilding a new dwelling for himself, but I recall seeing the workshops still remaining on the Site (albeit that one of the workshops no longer had a roof) and there was still lots of building materials stored on the Site. Mr Paul Wells invited me back to the Site in approximately 2012, by which time the workshops had been demolished and there was a static caravan on the Site. I have not been back to the Site since 2012.

and I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act 1835.

Declared by Daniel Capaldi

at 5 PICCADILLY SQUARE, LIVERPOOL

on 21st MAY 2021

before me

Signed.....



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EXHIBIT DC1

This is Exhibit DC1 referred to in the Statutory Declaration of Daniel Capaldi relating to Coed Y Cefn House, Rhyd Y Gwern Lane, Machen dated []

[REDACTED]

Declared.....

Dated..... *21st MAY 2021*

Before me. [REDACTED]

Solicitor/Commissioner for Oaths

1) Site Plan
 Scale 1:1250 @ A3



(um) thpa

Caerphilly County Borough Council
 17 DEC 2019
 Planning Services

19/1007

Hammond
 Architectural Ltd
 10 Cold Taps
 Newport
 NP20 4PH
 www.hammond-ld.co.uk
 01633 844976
 e: info@hammond-ld.co.uk

CLIENT
MIKE WELLS
 JOB TITLE
MACHEN, COED-Y-CEFN HOUSE
 PROJECT TITLE
SITE LOCATION PLAN

SCALE	DATE	DRAWN BY
1:1250	dec 19	elh
1948	SL 01	MS/SLD

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EXHIBIT DC2

This is Exhibit DC2 referred to in the Statutory Declaration of Daniel Capaldi relating to Coed Y Cefn House, Rhvd Y Gwern Lane, Machen dated []

[REDACTED]

Declared.....

Dated..... *21st MAY 2021*

Before me.. [REDACTED]

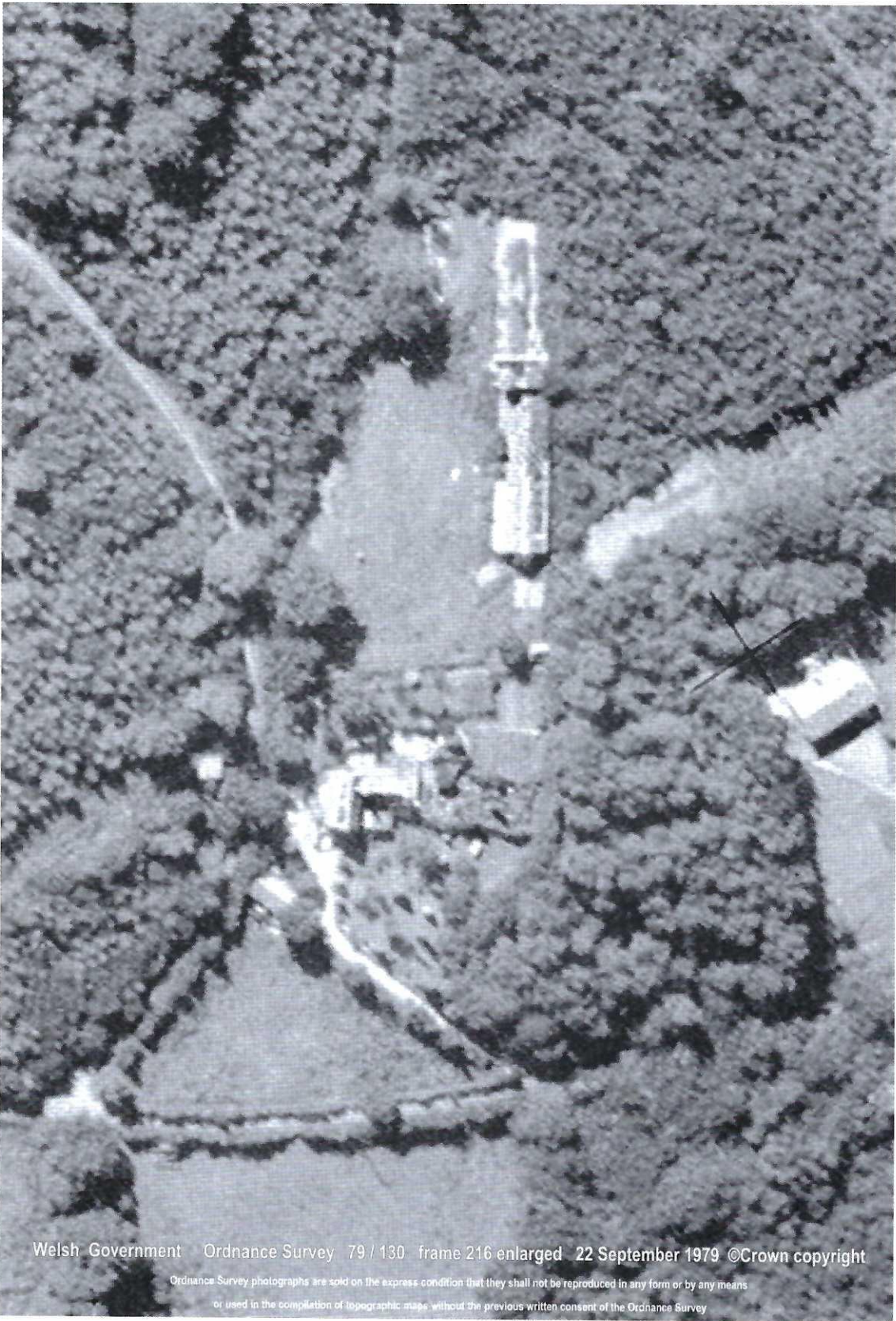
Solicitor/Commissioner for Oaths



Welsh Government - Ordnance Survey 73/063 - frame 036 enlarged 3 April 1973 ©Crown copyright

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EXHIBIT DC3

This is Exhibit DC3 referred to in the Statutory Declaration of Daniel Capaldi relating to Coed Y Cefn House, Rhvd Y Gwern Lane, Machen dated []

Declarant.....


Dated... *21st MAY 2021*

Before me...


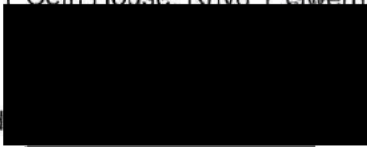
Solicitor/Commissioner for Oaths



EXHIBIT DC4

This is Exhibit DC4 referred to in the Statutory Declaration of Daniel Capaldi relating to Coed Y Cefn House, Rhvd Y Gwern Lane, Machen dated []

Declared



Dated.....*21st MAY 2021*.....

Before me



Solicitor/Commissioner for Oaths

