

DATED

29th APRIL 2021

2021

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**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**

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**ALAN WHITTINGHAM**

**COED Y CEFN HOUSE, RHYD Y GWERN LANE, MACHEN**

**Geldards**  
law firm

I, Alan Whittingham, of Coed Y Cefn Bungalow, Rhyd Y Gwern Lane, Machen CF83 8NX 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 "**AW1**" ("the Site").
2. I live at Coed Y Cefn Bungalow, Rhyd Y Gwern Lane, Machen CF83 8NX which (save for a strip of woodland) is adjacent to the Site. There is now produced and shown to me an aerial photograph taken in 2020 marked "**AW2**" showing the proximity of my house to the Site.
3. I was born on 27<sup>th</sup> July 1936 and I lived in Coed Y Cefn Bungalow for the entirety of my childhood. I moved to another dwelling in Machen village in my twenties (although I very regularly visited my parents who continued to live in Coed Y Cefn Bungalow), and I bought Coed Y Cefn Bungalow from my parents in 1976. I have lived in Coed Y Cefn Bungalow since 1976 with my wife. I know the local area very well and I am aware that the local planning authority has granted permission for a number of dwellings in the local vicinity over the years.
4. I am a retired Building Inspector. I joined Caerphilly Council in 1974 and worked there for ten years in the Building Control Office before setting up by own building company. I re-joined Caerphilly Council in 1994 as a Building Inspector until my retirement in 2001. I have also held posts in the National House Building Council (where I responsible for over 3,000 houses) and at Magor and St Mellons Rural District Council as a Building Inspector.
5. The Site is currently owned and occupied by Mr Paul Wells, who also owns and occupies the detached dwelling known as Coed Y Cefn House which adjoins the Site. The Site and the former dwelling were previously owned and occupied by Mr Anthony Elton and his wife Mrs Dorothy Elton from the early 1960s to 2008 when Mr and Mrs Elton passed away. After Mr Elton passed away, the dwelling and the Site was put up for sale but sadly the dwelling was vandalised because it was left unoccupied after his death. Mr Paul Wells acquired the property (comprising the dwelling and the Site) in 2009, and in or around 2010 Mr Wells demolished the dwelling and constructed a new dwelling.
6. In 1969 Mr Elton built two large chicken houses on the Site and kept over 1,000 chickens for the purposes of selling eggs from the property. After Mr Elton constructed the chicken houses, he employed my father to collect the eggs from the chicken houses on a daily basis until approximately 1976 when my father's health sadly declined. At around this time Mr Elton also kept on the Site a number of sheep, although they were killed in or around 1970 when they were sheltering under a tree and a lightning bolt struck the tree. He also kept a donkey in the front and rear fields. There is now produced and shown to me an undated photograph marked "**AW3**" which shows one of the chicken houses, with the other chicken house in the process of being constructed. The photograph also shows a caravan to the side of the dwelling which Mr Elton used to sort the chicken eggs. I would think that the photograph must be dated c.1970.
7. In or around 1976, Mr Elton ceased the egg selling business and started his own construction company, A J Building Services which he operated from the Site. Mr Elton converted the two chicken houses into workshops which he used

for purposes in connection with his business, including to store woodworking machinery and building materials and to manufacture timber products for the business' construction projects (such as windows, stairs, doors etc).

8. There is now produced and shown to me marked "AW4" a series of aerial photographs dated 1973, 1979, 1984 and 1989 and all show the chicken sheds/workshops in situ.
9. I was friends with Mr Elton and I would visit him often. Mr Elton appeared to me to run a very busy commercial enterprise from these workshops and he never seemed short of work. A J Building Services undertook a lot of work for residents in the local area, including Rhyd Y Gwern Farm, in addition to improvement grant work for the local authority. Mr Elton appeared to employ many workers to assist with construct projects, and he also employed a full-time apprentice called Mr Daniel Capaldi who appeared to work with him a lot in the workshops and also out on construction jobs. Mr Elton was a very capable carpenter and seemed to spend a lot of time in the workshops manufacturing timber products for the business. Mr Elton would also use the wider Site to store piles of building materials such as bricks, roof tiles, building sand and timber. Evidence of storage of such materials can be seen in the undated photograph near to the workshops produced and shown to me marked "AW5".
10. I believe that Mr Elton operated A J Building Services from the Site until approximately 1995 when he reached retirement age. However, even after Mr Elton retired, he continued to use the workshops for woodworking and for storing his woodworking machinery until he passed away in 2008. He was a busy man and if anyone in the local community required any construction work or timber products, he would regularly assist them. Mr Elton and his wife were keen dancers, so they had a lot of friends and connections in the local dancing community.
11. When Mr Wells bought the Site, I was aware that many of Mr Elton's woodworking tools, plant and machinery still remained in the workshops and there were also piles of roof tiles and other building materials that were left near to the workshops. Mr Wells has since demolished the workshops, so they are no longer on the Site. Mr Wells uses the Site for the storage of items, such as bricks, tiles and rubble, relating to the running of his construction and demolition business.

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 Alan Whittingham

at 5 PICCADILLY SQUARE, CAERPHILLY

on 29th APRIL 2021

before me

Signed.....

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**EXHIBIT AW1**

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This is Exhibit AW1 referred to in the Statutory Declaration of Alan Whittingham relating to Coed Y Cefn House, Rhyd Y Gwern Lane, Machen dated [            ]

Declared



Dated.....*29/4/2021*.....

Before me..



Solicitor/Commissioner for Oaths





1) Site Plan  
Scale 1:1250 @ A3

NEW | DESCRIPTION | UNIT

23451  
**MIKE WELLS**  
 JOB TITLE  
**MACHEN, COED-Y-CEFN HOUSE**  
 DRAWING TITLE  
**SITE LOCATION PLAN**

SCALE: GAA | DATE | (SHEET NO)  
 1-1250 | dec 19 | 01  
 1948 | SL 01

10 Goad Top  
 Newport | 01633 844976  
 www.hammond-td.co.uk | e info@hammond-td.co.uk

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19/1007

Caerphilly County Borough Council  
 17 DEC 2019  
 Planning Services

Witness Statement: A. Whittingham

Exhibit: AW2

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**EXHIBIT AW2**

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This is Exhibit AW2 referred to in the Statutory Declaration of Alan Whittingham relating to Coed Y Cefn House, Rhyd Y Gwern Lane, Machen dated [            ]

Declared



Dated.....*29/4/2021*.....

Before me,



Solicitor/Commissioner for Oaths





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**EXHIBIT AW3**

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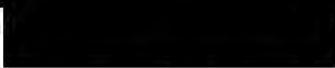
This is Exhibit AW3 referred to in the Statutory Declaration of Alan Whittingham relating to Coed Y Cefn House, Rhyd Y Gwern Lane, Machen dated [            ]

Declared.



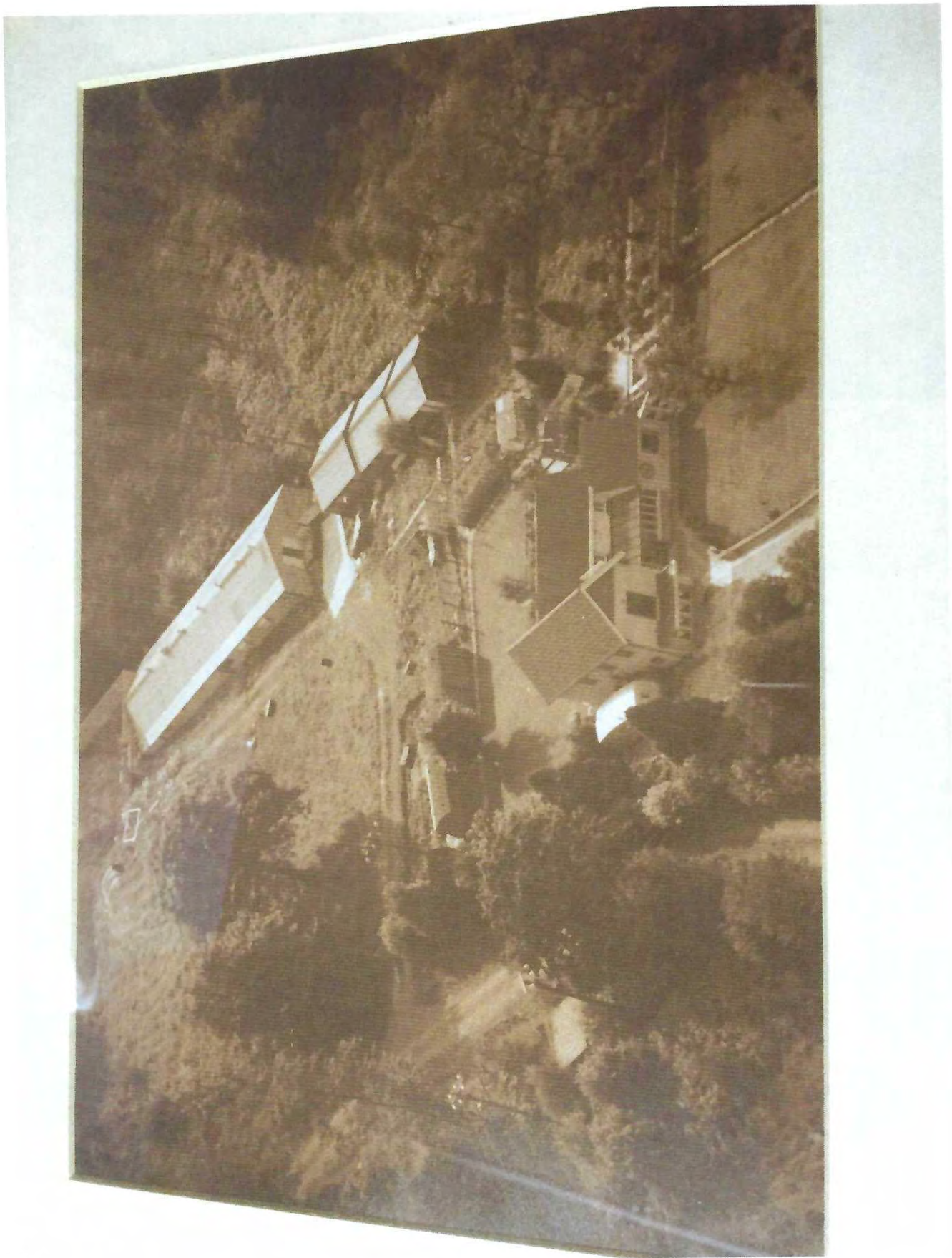
Dated..... *29<sup>th</sup> APRIL 2021* .....

Before me



Solicitor/Commissioner for Oaths





Witness Statement: A. Whittingham  
Exhibit: AW5

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**EXHIBIT AW5**

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This is Exhibit AW5 referred to in the Statutory Declaration of Alan Whittingham relating to Coed Y Cefn House, Rhyd Y Gwern Lane, Machen dated [            ]

Declared



Dated.....*29/4/2021*.....

Before me.



Solicitor/Commissioner for Oaths





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**EXHIBIT AW4**

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This is Exhibit AW4 referred to in the Statutory Declaration of Alan Whittingham relating to Coed Y Cefn House, Rhyd Y Gwern Lane, Machen dated [            ]

Declared



Dated.....*29/4/2021*.....

Before me..



Solicitor/Commissioner for Oaths

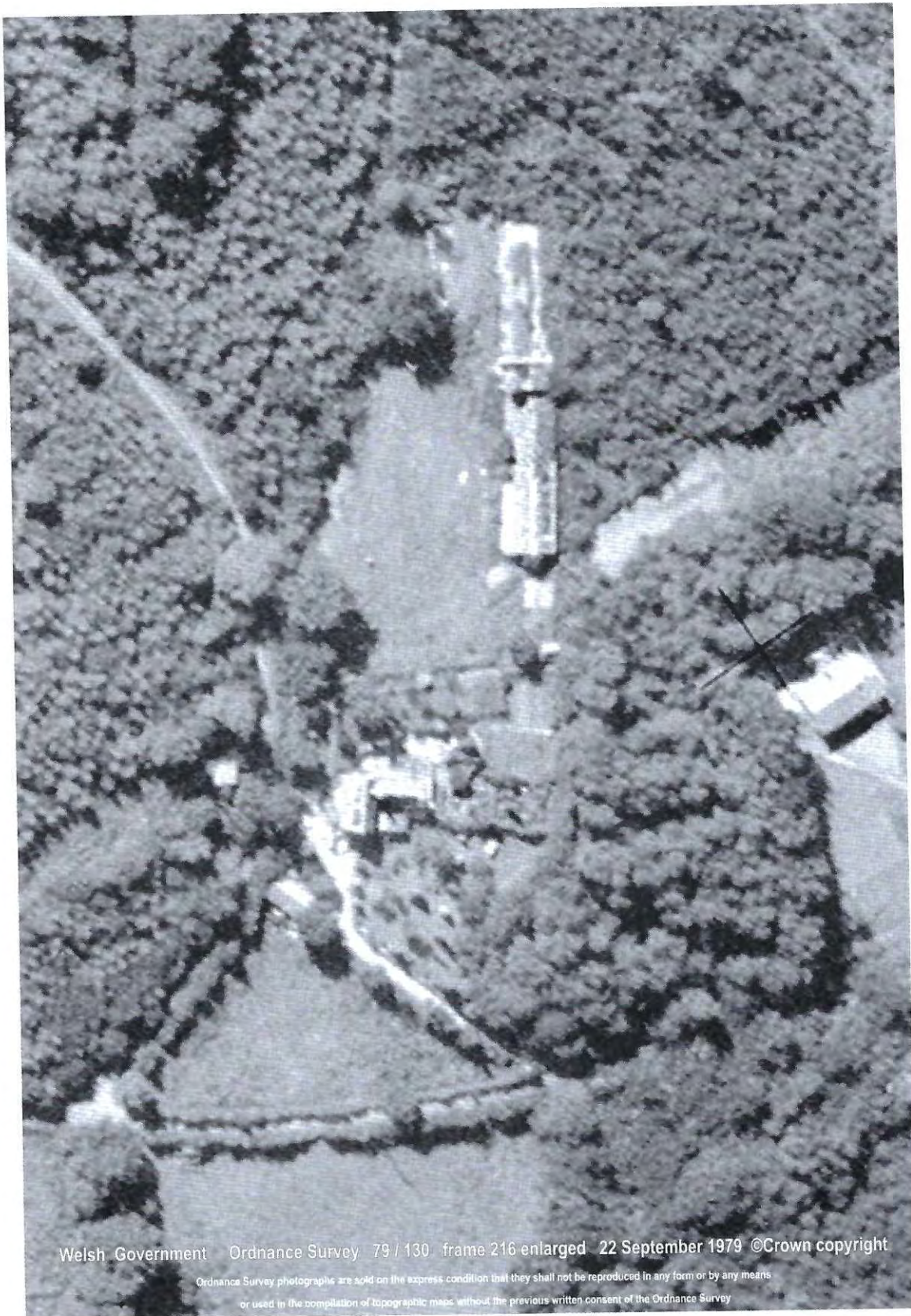




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