

**STATUTORY DECLARATION  
of  
STEVEN ROGER POTBURY**

1. I STEVEN ROGER POTBURY of Orchard House, Combe Raleigh, Devon EX14 4TN do hereby solemnly and sincerely declare as follows.
2. I now produce **Exhibit SRP1** which is a location plan showing, edged red, Orchard House, Combe Raleigh, Devon EX14 4TN (the "**Property**"). Tower View House (the "**Main House**") is shown hatched green and the "**Farm Land**" is shown edged blue.
3. The Property was originally an annex to what is now the Main House which is immediately next door. These two houses now form a pair of semi-detached cottages.
4. The combined building comprising the Main House and the Property formerly comprised the farmhouse of the family farm where I grew up with my parents and brother. The Main House and the Property used to be occupied by the whole family.
5. I lived in the Main House since I was born on 3rd of August 1972 with my mother, Audrey Potbury, my father, Roger Potbury, and my brother Andrew Potbury. The farmhouse was owned by my father and mother who also owned and ran the family farm on the Farm Land.
6. In 1980, when Andrew and I were still children, planning permission was granted for a two storey extension to the Main House. This increased the number of bedrooms from three to four. It comprised a new kitchen, utility room and downstairs lavatory with a master bedroom suite above.
7. The Farm Land was farmed as a going concern. It was a dairy farm with circa 200 acres at its peak. It was owned and managed by my parents; and run by my parents. When he reached adulthood Andrew assisted my parents with the management of the farm.
8. In due course I moved away from home and the farm and did different things for a while. During this time, my brother Andrew got a progressive illness. This meant my parents struggled to keep running the farm.
9. In 2001, therefore, I returned to the family farm. By that stage I had met my partner, Rebecca Louise Aubrey Newman. I worked on the family farm for some of the time. I lived in the Main House together with my parents and brother. From this time my partner, Rebecca, would also stay with us in the Main House when she visited.
10. In late 2005 my father, Roger Potbury applied for planning permission to build the Property as an annex to the Main House. Planning permission was granted in January 2006.

11. I now produce **Exhibit SRP2** which is East Devon District Council planning permission reference 053-3305-FUL. The application was registered on 12 December 2005 and granted on 24 January 2006.
12. Planning permission was granted for "*erection of a two storey extension to provide annex accommodation*".
13. Condition 3 of the permission states "*the extension hereby permitted shall not be occupied at any time other than for the purposes ancillary to the residential use of the dwelling known as Tower View Farm*". The reason given for the condition was "*the building is unsuitable for an independent residential occupation*".
14. The Property was built and substantially completed circa January 2008. It was immediately occupied as an annex to the Main House in accordance with the planning permission plans. There were connecting doors in the downstairs living room and in the bedroom above the living room. The doors were open and in use at the time of first occupation of the Property in January 2008. My father and brother Andrew occupied the Main House. Rebecca and I occupied the Property as an annex. We all contributed towards utility bills and council tax which were billed to the combined property as a whole.
15. In due course my brother Andrew met his wife. They were married in 2009. As a result of his marriage Andrew no longer needed his immediate family on site to take care of his needs. Andrew and his wife lived in the Main House and there was no longer a need to have a connected annex. My father moved to Honiton with my mother at this time.
16. By April 2011 the doors between the Property and the Main House were closed and blocked up permanently. They have remained blocked off and have not been opened since. The Main House and the Property have been occupied as entirely separate dwellinghouses for a period of at least ten years up to the present day.
17. Consequently, I have continuously occupied the Property as a single dwellinghouse with my partner, Rebecca Louise Aubrey Newman, for a period of at least ten years immediately preceding the date of this Declaration.
18. I now produce **Exhibit SRP3** which is a valuation letter dated 11 April 2011. This shows that occupation of the Property as a separate dwellinghouse had commenced by this time.
19. Rebecca and I have paid Council Tax on the Property as a separate dwellinghouse continuously since 31 March 2011. This can be independently verified with the council's own council tax records which I now produce as **Exhibit SRP4**. These demonstrate that council tax has been payable for the Property and the Main House as separate dwellinghouses since 30 March 2011 to date.

20. The main house was subsequently rented out to tenants as a separate residence by Andrew and his wife.
21. Andrew has since passed away and his widow continues to rent out the Main House as a separate residence.
22. 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 the said

STEVEN ROGER POTBURY

Signature  .....

at Every's Solicitors, The Laurels, 46 New Street, Honiton EX14 1BY

this 10 day of March

Two Thousand and Twenty Two (2022)

before me

Signature  .....

Name CAMERON EVANS-GRANGER

A Solicitor

of Solicitor with  
Every's  
The Laurels  
46 New Street  
HONITON  
Devon EX14 1BY