

Our Ref: PWP/tjw/14403

Date: 15<sup>th</sup> July 2022

Development Management  
New Forest District Council  
Appletree Court  
Beaulieu Road  
LYNDHURST  
SO43 7PA

Dear Sirs

**Re: Mr Brian Ings – Hydeaway, 4 Courtwood Cottages, Sandleheath, Fordingbridge, Hampshire SP6 1QA**

We enclose a Planning Application in regard to seeking a Certificate of Lawful Use in regard to the Agricultural Occupancy Condition on the above property.

We have gone back through the Planning history of this case and, whilst the property was originally granted Planning Consent in about 1973, the Agricultural Occupancy Condition appears to have been put on the property in 1985. However, it is possible that there was an Agricultural Occupancy Condition placed on the property when it was originally constructed in 1973 but we have not been able to obtain any information in regard to the earlier Application. If you have the details and/or the Planning Consent from 1973 then we would wish to ensure that we are applying in regard to the Occupancy Condition on the original Planning Consent as well as on the Planning Consent for the extension.

In support of the Planning Application for a Certificate of Lawful Use, we enclose the Planning Statement prepared by myself summarising the evidence that we put forward but, in essence, we have a relatively simple situation here which is confirmed in the Statutory Declaration of Brian Ings, which confirms that he has not had any employment in agriculture for well over 10 years. This is supported by his accountant who confirms in a letter attached to the Application that what he is saying is correct, and finally we have a number of letters from other third parties who confirm that they have known Brian Ings for some considerable time and confirm that from their knowledge he has not had any involvement in agriculture.

I am quite sure that if needed we could supply more letters of support and we can provide further evidence if that is required, but I do believe that this is a relatively clear case where the breach of the Agricultural Occupancy Condition is now immune from enforcement. However, clearly as stated above we need to make sure that we cover the original Planning Application and the 1985 Planning Application in regard to this.

Yours faithfully

**For SYMONDS & SAMPSON LLP**



**PHILIP W. POLLARD FRICS FAAV**

**Symonds  
& Sampson**

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**Symonds & Sampson LLP**  
89 Crane Street  
Salisbury  
Wiltshire  
SP1 2PU  
Tel: 01722 334323

salisbury@symondsandsampson.co.uk  
www.symondsandsampson.co.uk

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No OC326649  
Registered Office: 30 High West St.  
Dorchester DT1 1UP

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