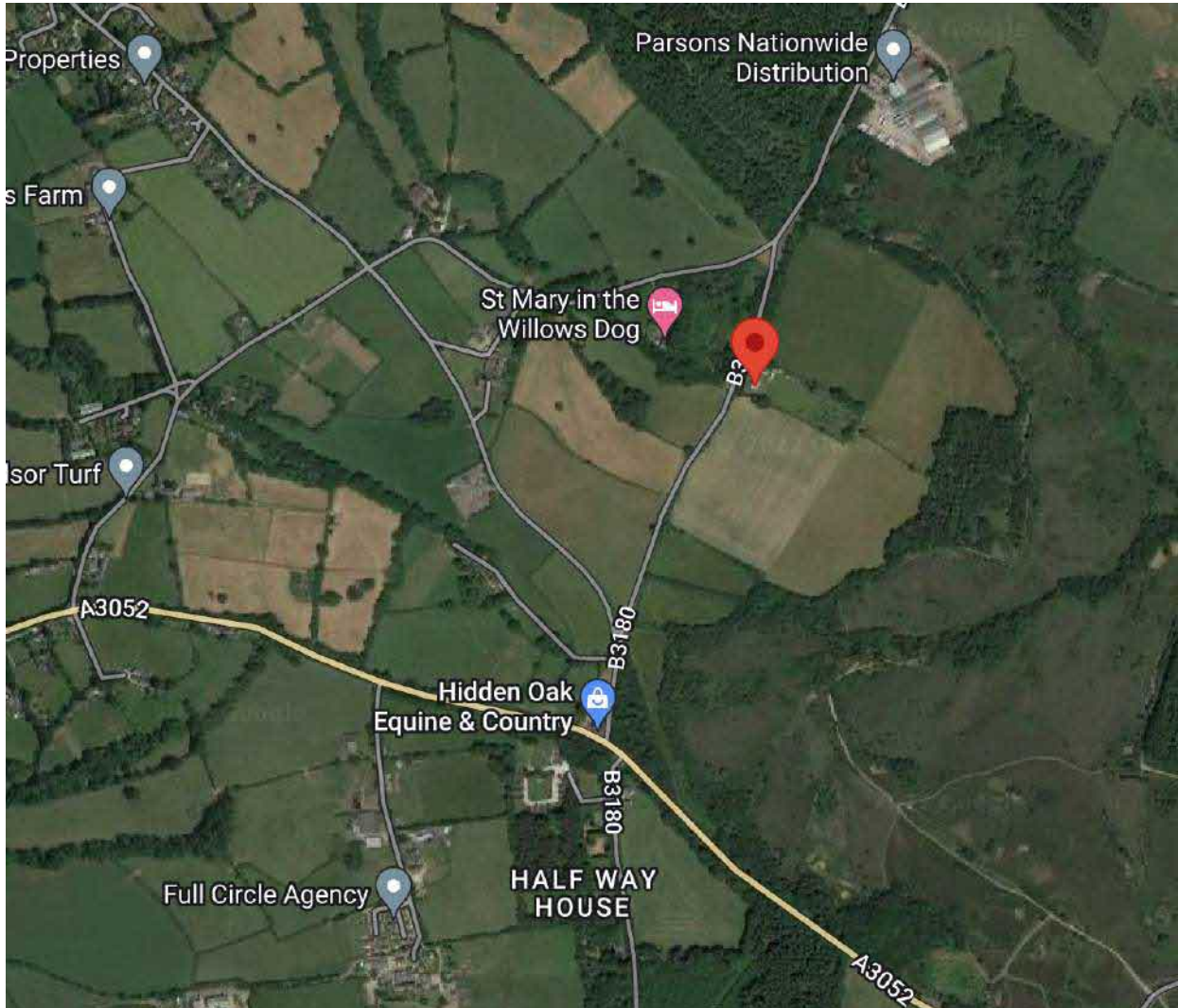


LAWFUL USE APPLICATION  
STATIC CARAVAN OPEN MARKET HOME  
Heatherdown Farm, Aylesbeare, EX5 2DQ



October 2022

## INTRODUCTION

The submission comprises a formal request to East Devon District Council seeking to agree the Lawful Use of a long-standing residential caravan with a garden and site curtilage, located at Heatherdown Farm, Aylesbeare, EX5 2DQ.

The development has been in place for some 22 years and it has been continuously occupied by a number of tenants without interruption. Evidence of the physical presence of the development and the identities of occupants are provided to support the request.

## DEVELOPMENT FORMAT



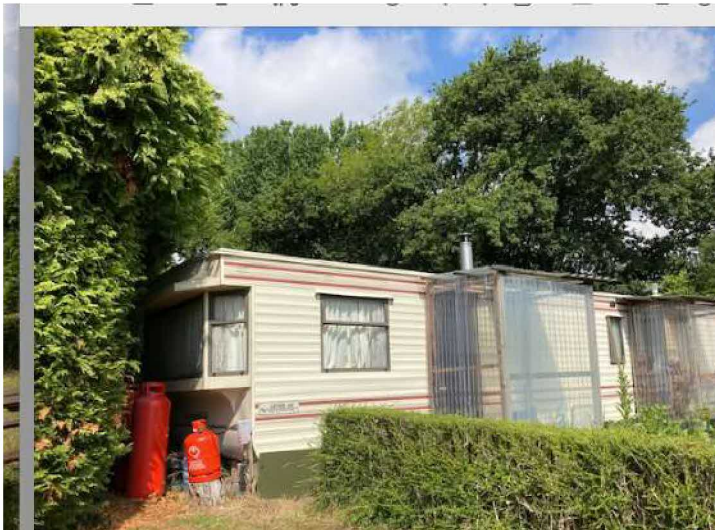
The above image shows the extent of Heatherdown Farm as a residential curtilage accessed off the B3180. The main dwelling can be seen centrally on the plot with its 3-sided conservatory on the southwest elevation. The development comprising the residential static caravan, its garden, storage and parking curtilage is outlined in red. It is within that defined boundary that the residential tenancies have taken place. Access to and from the site is shared with the main residents using a vehicular and pedestrian connection to the public highway, located in the north-western corner of the plot.

DEVELOPMENT FORMAT (continued)



**Photo 1**

A view of the front of the home showing two weather porches, some of the garden space, a picnic bench and other domestic paraphernalia.



**Photo 2**

A further view of the principal elevation of the dwelling, again showing storm porches, garden hedging and gas bottles associated with the kitchen.



**Photo 3**

A view of the rear of the dwelling showing the rearward extent of garden curtilage, adequate to accommodate a trailer. Domestic items including a washing line and TV aerial can also be seen and these items relate to full time occupancy and necessary amenities associated with it.

DEVELOPMENT FORMAT (continued)



**Photo 4**

A view within the storm porch showing the domestic nature of the entrance. This includes racking for shoes and boots, coat hanging and shopping bags.



**Photo 5**

The general lounge area of the dwelling showing its furniture, storage, dining facility and TV.



**Photo 6**

A view of the kitchen showing its active use with a kettle, washing up, tea towel etc. Also there are personal effects, children's art work and other miscellaneous items.

DEVELOPMENT FORMAT (continued)



**Photo 7**

Showing one of the two bedrooms. A set of bed linen in use can be seen along with personal clothing.



**Photo 8**

Showing one of the two bedrooms. A set of bed linen in use can be seen along with personal clothing and a child's teddy bear. Note also book storage in the high-level storage unit.



**Photo 9**

View of the bathroom showing normal sanitary facilities. The presence of toilet bags, toiletries, towels and other personal effects can be seen.

EVIDENCE OF EXISTENCE OF THE FACILITY

Taken from Google Pro historic data, the mobile home and its evolving curtilage can be seen. These images span over a period equivalent to or greater than three tenancies.



2003



2006



2010



2016



2018



2020



2022

The photographs on this page span a period of 19 years and the caravan can be consistently seen with an evolving garden space.

The caravan is marked with a yellow arrow for clarity.

### OCCUPANCY

Three principal tenants have created a continuous occupancy over many years beginning in 2004, some 2 years after the static home can be evidenced via Google Pro.

In order of occupancy, the following full time residence of the facilities are shown as : -

- Mr E Lagdon – 2004 – 2006 & 2009 – 2013
- Ms T Sweeting – 2013 – 2018
- Mr M Sanders – 2018 – present

This occupancy spans over some 18 years. The first tenant, Mr E Lagdon came and went to an extent during the period 2006 -2009 but the 2009 date, sets undoubtably a continuous residential accommodation arrangement, by three parties, over 13 years. This is in excess of the 10 years required for a lawful use application of this nature to be considered.

The occupancy for all three parties has been without a written lease and rental payments have typically been made using cash. There is a consistency, to an extent, in the tenants as two of the three have become aware of the accommodation via their work with the RSPB. The latest tenant is the caretaker of Matthews Hall, Topsham.

All current and former tenants have been willing to confirm their occupancy of the static caravan home at Heatherdown Farm by way of sworn statements which provide an element of background, key dates for their occupancy and what facilities they enjoyed (enjoy) whilst living there.

Further elements of factual information, proof of postal information and other life event facts surround these occupancies, and some evidence is provided.

### SWORN STATEMENTS

Set out on the following pages are the statements of four people who comprise the consecutive tenants and the owner of the facility. These are: -

- Mr E Lagdon (tenant 1)
- Ms T Sweeting (tenant 2)
- Mr M Sanders (tenant 3)
- Mrs R Dickman (site owner)

The statements from these parties are individual and relate to the period of tenancy they enjoyed and any other relevant circumstances that may have prevailed.

SWORN STATEMENTS (continued)

Tenant 1

**SWORN STATEMENT**

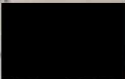
Edward Lagdon  
8 The Green  
Otterton  
Budleigh Salterton  
Devon  
EX9 7HQ

I, Edward Lagdon, currently of the above address hereby state that I was a full-time residential occupant of the static caravan at Heatherdown Farm, Aylesbeare EX5 2DQ from the date of 1<sup>st</sup> September 2004 to end of the year 2006. I occupied the static caravan over that period whilst working for the RSPB in Aylesbeare (2004 – 2006) and, latterly, continued to occupy the static caravan (for all of 2009 and up to 31<sup>st</sup> May 2013).

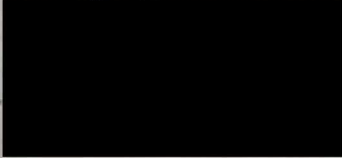
The accommodation that I rented and enjoyed extended beyond the caravan and it also comprised areas of garden, parking and an adjacent storage and woodshed. These are outlined on the attached plan as a red line boundary.

This is my true statement.

E Lagdon

Signed  .....

Dated 20/7/22 .....

Statement sworn in the presence of **CHARLES CUTHBERT**  
**SOLICITOR / COMMISSIONER FOR OATHS**  
**SRA NUMBER 126670**  .....

Of .....

Address .....  
Everts solicitors  
Magnolia House  
Church Street  
EXMOUTH  
Devon EX8 2HQ .....

Dated 20/7/2022 .....

TRASA (TUO) CEIRIANG  
TRASA (TUO) CEIRIANG  
TRASA (TUO) CEIRIANG



SWORN STATEMENTS (continued)

Heatherdown Farm, Aylesbeare EX5 2DQ



Image referred to in the second paragraph of the statement on the preceding page.

SWORN STATEMENTS (continued)

Tenant 2

SWORN STATEMENT

Tia Sweeting

(Insert Current Address)

Canh Vien 1B, Pho tien nam, Tan Phu, Quan 7. Ho Chi Minh City  
Vietnam.

I, Tia Sweeting, currently of the above address hereby state that I was a full-time residential occupant of the static caravan at Heatherdown Farm, Aylesbeare EX5 2DQ from the date of 31<sup>st</sup> May 2013 to 31<sup>st</sup> August 2018. I occupied the static caravan over that period whilst working for the RSPB in Aylesbeare (2013 – 2018).

During that period, I married and had a child whilst continuing to live in the caravan.

The accommodation that I rented and enjoyed extended beyond the caravan and it also comprised areas of garden, parking and an adjacent storage and woodshed. These are outlined on the attached plan as a red line boundary.

This is my true statement.

T Sweeting

Signed

Dated

8 July 2022

Statement sworn in the presence of

Of

KVEPUS SOLICITORS

Address

Exeys solicitors

Magnolia House

Church Street

EXMOUTH

Devon EX8 1HQ

Dated

8 JULY 2022

SWORN STATEMENTS (continued)

Heatherdown Farm, Aylesbeare EX5 2DQ



Image referred to in the second paragraph of the statement on the preceding page.

SWORN STATEMENTS (continued)

Tenant 3

SWORN STATEMENT

Marc Sanders  
Static Caravan  
Heatherdown Farm  
Aylesbeare  
EX5 2DQ

I, Marc Sanders, currently of the above address hereby state that I have been a full-time residential occupant of the static caravan at Heatherdown Farm, Aylesbeare EX5 2DQ from the date of 31<sup>st</sup> August 2018 to the current date which is the date of the swearing of this statement. I have occupied the static caravan over this period whilst working first for Co-Cars Ltd and now as the caretaker of Matthews Hall in Topsham (2018 – Present ).

The accommodation that I rented and enjoyed extended beyond the caravan and it also comprised areas of garden, parking and an adjacent storage and woodshed. These are outlined on the attached plan as a red line boundary.

This is my true statement.

M Sanders

Signed.....

Dated..... 20.07.2022

Statement sworn in the presence of .....

Of..... CHARLES C. RT

Address..... SOLICITOR / COMMISSIONER  
SRA NUMBER 140070  
Every's Solicitors  
Magnolia House  
Church Street  
EXMOUTH  
Devon EX8 1HO

Dated..... 20th July 2022

Attachment – Plan showing extent of rented residential accommodation – see page 2

SWORN STATEMENTS (continued)

Heatherdown Farm, Aylesbeare EX5 2DQ



Image referred to in the second paragraph of the statement on the preceding page.

SWORN STATEMENTS (continued)

Statement of the owner

**SWORN STATEMENT**

Mrs R Dickman  
Heatherdown Farm  
Aylesbeare  
EX5 2DQ

*ROSALEEN ELLEN* 22

I, Mrs R Dickman, have resided at the above address for a period of ..... years. This has been my full-time residential address and I have had a static caravan at the rear of the garden of Heatherdown Farm, Aylesbeare, EX5 2DQ from the date of MAY 2000 and that continues to be on site and residentially occupied by a tenant to this day.

The caravan is connected to all domestic services and is configured as a stand alone piece of living accommodation with storage facilities nearby, parking and a self-contained garden. I attach images taken from Google Pro showing sequential date photographs of the caravan in situ, dating back to 2003.

The accommodation that I have continuously rented to tenants extends beyond the caravan and it also comprises areas of garden, parking and an adjacent storage and woodshed. These are outlined on the attached plan as a red line boundary. Comprising a list of continuous occupation, for a period in excess of ten years, from the date September 2004 to the present, the following occupants have resided in the caravan and enjoyed the other facilities associated with it: -

E Lagdon Sept 2004 – May 2013  
T Sweeting May 2013 – 2018  
M Sanders 2018 – present

This is my true statement.  
*ROSALEEN ELLEN*  
Mrs R Dickman

Signed..... [Redacted]

Dated 26/10/22

Statement sworn in the presence of .....  
Of.....  
Address.....  
Dated 26 October 2022

**CHARLES CUTHBERT**  
Solicitor / Commissioner for Oaths  
SRA NUMBER 128870

Every's Solicitors  
Magnolia House  
Church Street  
EXMOUTH  
Devon EX8 1HQ

SWORN STATEMENTS (continued)

Attachment – Plan showing extent of rented residential accommodation – see page 2  
Sworn Statement Plan  
Heatherdown Farm, Aylesbeare EX5 2DQ.



Mrs R Dickman  
.....  
Date 26/10/22

Witnessed  
*[Signature]*  
.....  
Date 26-10-2022

SWORN STATEMENTS (continued)

Evidence Of Caravan On Site – Period 2003 To Present (Late 2022)  
Heatherdown Farm, Aylesbeare EX5 2DQ



2003



2006



2010



2016



2018



2020



2022

The photographs on this page span a period of 19 years and the caravan can be consistently seen with an evolving garden space.

The caravan is marked with a yellow arrow for clarity.

Mrs R Dickman  
[Redacted]  
Date 26/10/22

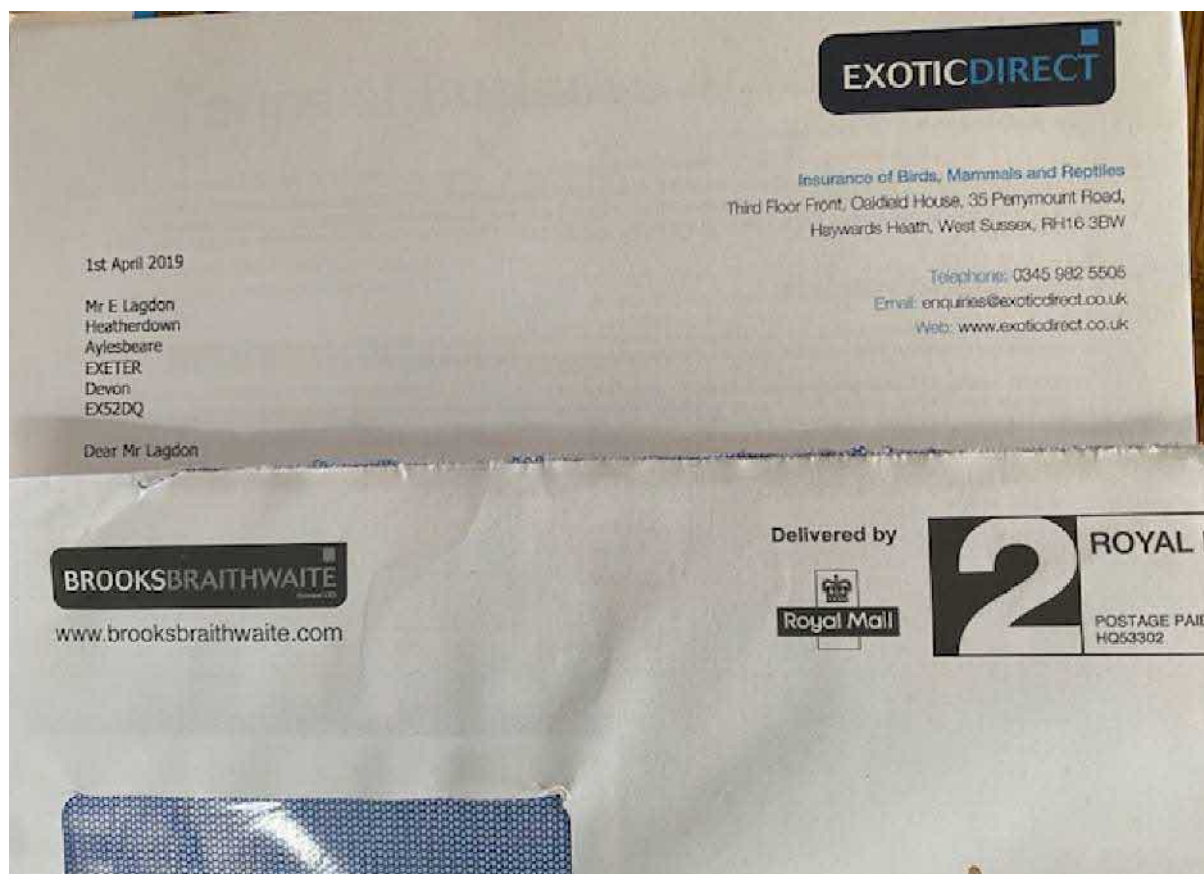
Witnessed  
[Signature]  
[Redacted]  
Date 26-10-2022



EVIDENCE

An element of relevant support evidence accompanies the submission. This provides some information in relation to postage communication, the tenant to which it was sent and the dates that relate to such communications. Additionally, Ms T Sweeting became a mother and became married during her period in the static caravan at Heathdown Farm.

Exhibit 1



Whilst some years after the departure of Mr Lagdon, occasional correspondence was coming to the address. An example of that relating to animal insurance is shown above.

## EVIDENCE (continued)

## Exhibit 2

Woodbury Surgery  
Miss Tia Maria Every  
Patient Record

Printed by Mrs Vivien Lake-Bullen

Miss Tia Maria Every  
Date of Birth: 06 Dec 1983 00:00 (34 y)  
Place of Birth: Indonesia  
Marital Status: Single person  
Language: English Speaker

NHS Number: 628 876 1990  
Gender: Female  
Ethnic Origin: Unknown

**Contact Details**  
Current Home Address: Heather Down Farm Aylesbeare Exeter Devon EX5 2DQ  
Mobile Tel. (preferred): 07908301328  
Alternate Tel.: 07870791771  
Previous Home Address: Canterbury Green Cottages Woodbury Exeter Devon EX5 1EY

**Next Of Kin**  
Name: Bertha Sweeting  
Telephone: 01823282489  
Additional Information: Next Of Kin

**Registration Details**  
Registration Date: 09 Apr 2014  
PDS Registered Practice: Woodbury Surgery (NHS Northern, Eastern and Western Devon CCG) (01395 232509)  
Registered GP: Woodbury Pooled List  
Usual GP: Dr Matthew Symonds  
Registration Type: GMS  
Dispensing: Y

Date of Removal: Woodbury Surgery (NHS Northern, Eastern and Western Devon CCG) (01395 232509)  
Home GP: HA  
Medical Records: Records here  
Pharmacy: MAT EXEMPT 01.04.19

**Attendance Record - Last 12 Months (Total)**  
Appointments: 17 (34) Attendance: 17 (33) 100% (97%)  
Visits: 0 (0) 0% (0%) DNAs: 0 (1) 0% (2%)

**Journal**  
- Unknown Staff Member Entered: 11 Oct 2011 00:00  
Alternate telephone number: 07870 791771  
Surgery: Mrs Alison Leamihian (Admin/Clinical Support Access Role) Entered: 17 Sep 2014 15:2  
Major: Malaria (A84.)  
Old Travel Consult form in paper notes - had malaria as a child - "allergy to malaria tablets"  
Nothing documented elsewhere  
Mrs Mary Prince Entered: 11 Oct 2011 00:00

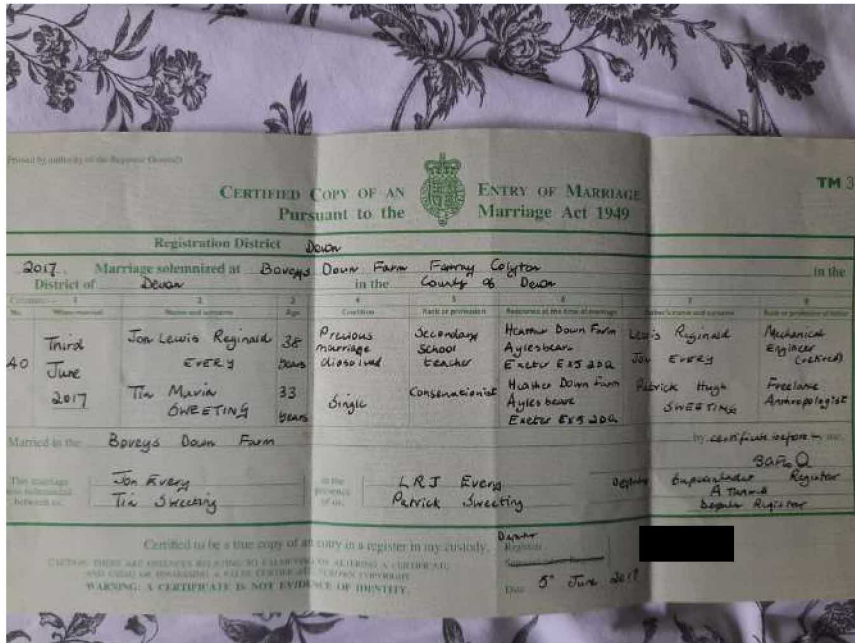
A copy of a patient record for Ms T Sweeting who, at that time, was yet to become married, hence the reference to Ms Tia Maria Every.

The document refers to 2014 and the postal address is Heatherdown Farm.



A driving licence dating to 2015 showing Miss Sweeting as residing at Heatherdown Farm.

EVIDENCE (continued)



A marriage certificate dating to 2017 recording the marriage of Tia Sweeting to Jon Every.

The address is again Heatherdown Farm



Tia Every

Heatherdown Farm, Aylesbeare

Exeter, Devon

EX5 2DQ

Date: 14<sup>th</sup> December 2017

Invoice No. 1707

PO Number:

A copy of an invoice from Tia Sweeting (Every) to the RSPB for services rendered.

The address of Heatherdown Farm is shown and the invoice date is 2017.

To provider: RSPB,  
Hawkerland Brake Barn,  
Exmouth Road, Aylesbeare,<sup>[11]</sup><sub>[SEP]</sub>  
Exeter, EX5 2JS

INVOICE

General winter habitat work – BHQ and AYC  
£340

Total Invoice

£340

Account name: Miss T.M. Every  
Account number [REDACTED]  
Sort code: 07 [REDACTED]  
Strictly 30 days

EVIDENCE (continued)



A letter to Jon Every, Tia Sweeting's husband, dating November 2019.

The Heatherdown Farm address can be seen.



Waitrose card member vouchers in favour of T Sweeting, care of Heatherdown Farm.

The money off tokens show the date of April 2019.

EVIDENCE (continued)




Tax credit information for JL Every, the husband of Tia Sweeting.

The document is addressed to Heatherdown Farm and dated November 2021, a date following their departure.



A recently received, undated communication to Mrs T Every (Sweeting) addressed to Heatherdown Farm.

## EVIDENCE (continued)

**CERTIFIED COPY**  **OF AN ENTRY**  
Pursuant to the Births and Deaths Registration Act 1953

**BBT 203786**

<b>BIRTH</b>		Entry No. 159
Registration district Devon Sub-district Devon		Administrative area County of Devon
<b>CHILD</b>		
1. Date and place of birth Sixth May 2018 Royal Devon and Exeter Hospital Wonford Exeter		
2. Name and surname Reginald Oxley Bena EVERY		3. Sex Male
<b>FATHER</b>		
4. Name and surname Jon Lewis Reginald EVERY		
5. Place of birth Reading Berkshire		6. Occupation Secondary/Higher Teacher
<b>MOTHER</b>		
7. Name and surname Tia Maria EVERY		
8.(a) Place of birth Indonesia		8. (b) Occupation Conservationist
9.(a) Maiden surname SWEETING		9. (b) Surname at marriage if different from maiden surname
10. Usual address (if different from place of child's birth) Heatherdown Farm Aylesbeare Exeter Devon		
11. Name and surname (if not the mother or father)		12. Qualification Mother
<b>INFORMANT</b>		
13. Usual address (if different from that in 10 above)		
14. I certify that the particulars entered above are true to the best of my knowledge and belief  Tia Every <span style="float: right;">Signature of informant</span>		
15. Date of registration Tenth May 2018		16. Signature of registrar  A Tunwell Deputy Registrar
17. Name given after registration, and surname		

Certified to be a true copy of an entry in a register in my custody.

{ *deaf* \*Superintendent Registrar  
 \*Registrar Date 10/5/18  
\*Strike out whichever does not apply

System No. 5 1920/18  
**CAUTION: THERE ARE OFFENCES RELATING TO FALSIFYING OR ALTERING A CERTIFICATE AND USING OR POSSESSING A FALSE CERTIFICATE. ©CROWN COPYRIGHT**  
**WARNING: A CERTIFICATE IS NOT EVIDENCE OF IDENTITY.**

Birth certificate of child born to Jon Lewis Reginald Every (Father) and Tia Maria Every nee Sweeting (Mother) address shown as Heatherdown Farm, Aylesbeare, dated 10/05/2018.

## SUMMARY

The submission clearly demonstrates a long-standing presence of the residential static caravan at the site known as Heatherdown Farm, Aylesbeare, EX5 2DQ, together with a curtilage that has assisted permanent residential occupancy by a separate party (not the Dickman family) for a period in excess of 10 years without interruption.

The established nature of the development and its current residential occupancy are shown in photographs and the three sequential occupants have provided statements regarding living in the static caravan together with dates for those occupancies. These dates are consecutive with no gaps or void periods.

Sworn statements are provided by the three occupants and the owner of the site to cover a variety of matters. Evidence is also provided to show a proof of address and certain milestone life events, particularly relating to Tia Sweeting (Every).

It is important to point out that Heatherdown Farm's house is and has been the permanent residence of the Dickman family for some 22 years. At no point have the static caravan occupants resided in the main house and the static caravan comprises a separate residential unit with its own self-contained garden, storage facilities and parking.

Therefore, taking all these facts into consideration, it is respectfully requested that East Devon consider that, on balance of probability and with the information contained in this submission, agree the lawful residential use of the static caravan as a separate domestic unit with a garden and store building curtilage.