



I write to comment on the additional comments which have been added to this application and also to provide an update on what I have learned about the council's 2011 investigation.

Since my earlier comment I have now received details of the council's investigation into Blenheim Cottage in October 2011. The key piece of evidence from that time is a letter from the then-owner explaining that Blenheim Cottage had been used, and was then being used, exclusively as holiday accommodation and not (as the present application claims) as permanent residential accommodation. The letter goes on to clarify that the Cottage had only been used for very short term occupancy most recently (at that time) by somebody who was looking to buy a property on the Isle of Wight and was temporarily staying there until they found somewhere. The letter continues that there "cannot possibly" be a permanent let in place in the property and that she had made extensive efforts to find holiday-letting customers over the previous summer, during which time the property was empty. The council's "closure note" into the investigation adds that Blenheim House was then up for sale and being marketed (with my emphasis) "as the house inclusive of a holiday let within the curtilage". The council's ultimate finding was that the property was ***not*** therefore being used as permanent residential accommodation.

In respect of the new comments:

- One is from Freshwater Parish Council which confirms their view that "the application has failed to provide sufficient evidence".
- Three are from, respectively, a neighbour (Mrs Wigley), somebody who has a "regular walk past the cottage" (Ms Watson) and a dog walker (Mr Fennimore) – none of these make any comment which is relevant to the question of the historic use of the property – which is what this application concerns.
- Another is from the husband of the agent for the applicant (Robert McLaren - with the same surname and address as noted for the "agent" for the applicant on the application form itself) – and so this should I think be categorised (and read) as having come from the applicant himself and not from a "public comment". It offers no new evidence at all in favour of the application (for which the applicant needs to demonstrate that the property has been used continuously as a permanent residence for the past 10 years). In fact it specifically says that the property was ***not*** used as a permanent residence between when the current occupant moved in (2015) and the start of the pandemic (2020) – since it says that the current resident "travelled" and "did not live at the property full time" during this period.
- Finally there is a new comment from Mrs Cameron, the previous owner. In contrast to her letter to the council in October 2011 (in which she said that Blenheim Cottage was used as a holiday home at that time) this comment now says (emphasis added by me) "from the period of 1st March 2011 until the sale of Blenheim Cottage in 2015 it was **not** let as a holiday let to anyone". She continues that she was "ordered [by a court] to put Blenheim House and Cottage on the market on 1st March 2011". This was some seven months before the council's investigation that I referred-to above - which specifically noted that Blenheim House was at that time being offered for sale on the basis that Blenheim Cottage (within it) should be used "a holiday let within the curtilage". In other words it is clear that in 2011 Blenheim Cottage was not being used as permanent accommodation. I invite the council to conclude that the (contemporaneous) 2011 letter and investigation is much more likely to be accurate as to the use of the property than Mrs Cameron's recollection today, many years later. Even if Mrs Cameron's latest evidence is correct and the older letter and investigation wrong, though, this new evidence still does not in fact show that the property was used between 2011 and 2015 as permanent accommodation. What it says is that she allowed a series of people to

occupy the property, each for a few months at a time, but only ever on the basis that, since she was trying to sell the property, their occupation had to be on the “proviso that I could do viewings on the cottage and that they would vacate quickly if I found a purchaser”. In other words none of these occupiers had any security of tenure at all, they all had to allow access for viewings whenever requested, and they had all agreed to leave quickly if requested to do so at any time. All of this means they cannot reasonably be regarded as having used the property as a permanent residence during this period. This conclusion is reinforced by the fact that none of the names of occupiers given in Mrs Cameron’s latest comment ever appear, as far as I can ascertain, on the Isle of Wight electoral register at this address.

In summary then: the evidence from Mrs Cameron in 2011, and the councils’ conclusion in 2011, was that the property was used then as a holiday let and that it was advertised for sale explicitly on this basis. Her evidence today shows that between 2011 and 2015 the property was used exclusively for short term accommodation without any security being given to the occupants as to duration of their stay – this is the exact *opposite* of a permanent residence (which surely must, as a minimum, entail some security of tenure). Mr McLaren’s evidence, apparently given not as a disinterested neighbour but in fact on behalf of the applicant, then confirms that the current occupant “did not live at the property full time” from 2015 until 2020.

The applicant has surely failed completely to show the necessary 10 years of continuous use as permanent accommodation.