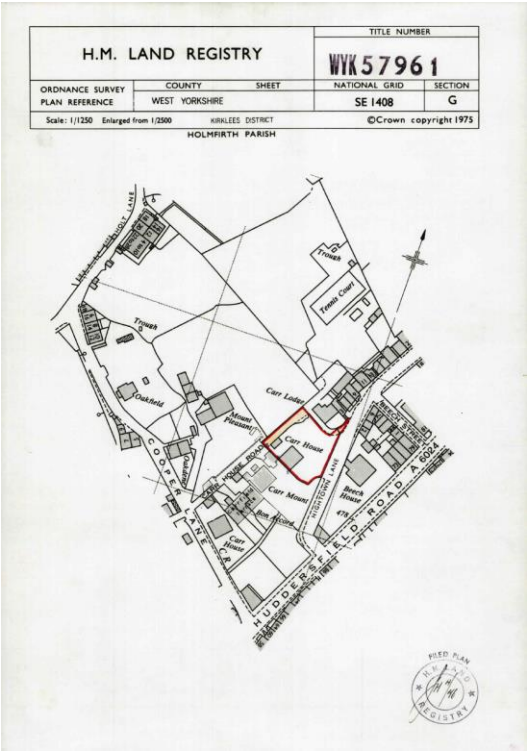
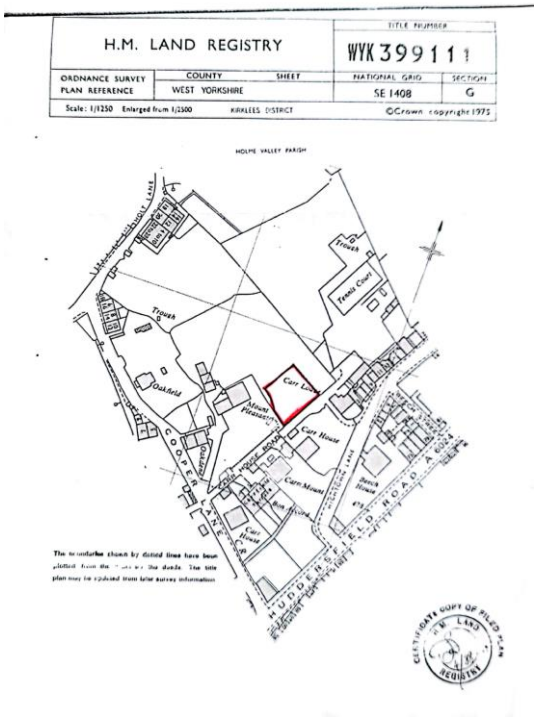
use of land justification statement

application:	Certificate of Lawfulness for existing use of land for purposes incidental to the enjoyment of the dwelling (domestic garden) at Carr House, Hightown Lane, Holmfirth, HD9 3HY
applicants:	Mr B and Mrs R Akam
document nr:	24044JS – Akam – Carr House – Curtilage Justification
date:	13 June 2024

1. Mr and Mrs Akam have lived at Carr House since 1998 and purchased the additional land from the owner of Carrfield Terrace in May 2000.

2. The property outline is defined on the location plan submitted as part of the application and combines the land as identified on the two land registry plans shown below

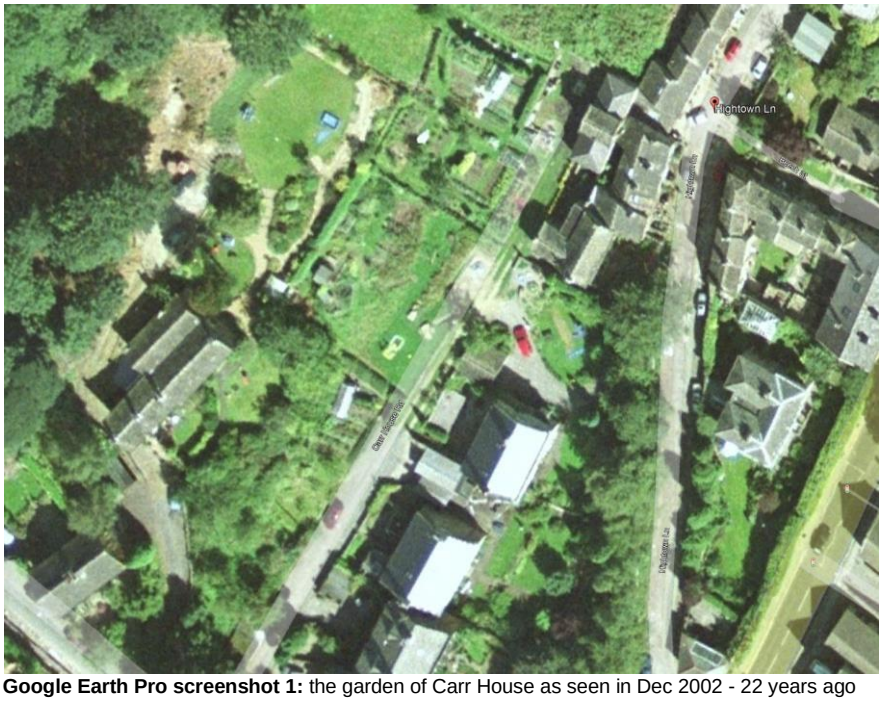




Land Registry Plans: WYK57961 and WYK399111

3. The land on the other side of the unadopted Carr House Road has been utilised as a garden by the current owners of Carr House for in excess of 20 years and was used as a garden/allotment by the previous owners prior to that. The garden currently has a swing, shed, trampoline and maintained lawns.

4. Below are screenshots taken from Google Earth Pro, which show historical mapping images of the land at Carr House as far back as December 2002. These clearly show the extent of the land which has been in use for purposes incidental to the enjoyment of the dwelling for in excess of 10 years. This land can be seen as being well an established domestic garden, with a large garden area containing a trampoline, a shed, and areas of mown lawn.



Google Earth Pro screenshot 1: the garden of Carr House as seen in Dec 2002 - 22 years ago

Google Earth Pro screenshot 2: the garden of Carr House as seen in June 2009 - 15 years ago

Google Earth Pro screenshot 3: the garden of Carr House as seen in April 2016 - 8 years ago

Google Earth Pro screenshot 4: the garden of Carr House as seen in April 2021 - 3 years ago

5. The images below are taken from the Kirklees interactive Local Plan map, and they show a series of historical aerial photos of Carr House, dating from 2002 through to 2021, demonstrating uninterrupted use of the land for purposes ancillary to the enjoyment of the dwelling house.

Kirklees Local Plan aerial photo 2002: the mown areas of Carr House and small shed to the west can be clearly seen – 22 years ago

Kirklees Local Plan aerial photo 2006: mown/lawned garden maintained. Trampoline added – 18 years ago

Kirklees Local Plan aerial photo 2012: lawned garden maintained with trampoline retained and informal parking added – 12 years ago

Kirklees Local Plan aerial photo 2018: lawned garden maintained, trampoline & shed retained, large shed and additional hardstanding added – 6 years ago

Kirklees Local Plan aerial photo 2021: lawned garden maintained, trampoline, shed, large shed and hard standing retained – 3 years ago

6. The applicants seek the Councils confirmation that the extent of the land used for purposes ancillary to the enjoyment of the dwelling at Carr House, Hightown Lane, Holmfirth, HD9 3HY is as shown edged in red on the attached location plan; drawing number 24044D-100-P01 by reason of continuous an uninterrupted residential use for at least 10 years prior to the date of this justification statement. The application is submitted to obtain a Lawful Development Certificate for the continuation of use of the land which was in place when they purchased the property.

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