



Appeal Decision

Inquiry held on 8, 9 and 10 November 2022 and 4, 5 and 6 July 2023

Site visits made on 10 November 2022 and 6 July 2023

by Sarah Dyer BA BTP MRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 15 December 2023

Appeal Ref: APP/B1550/C/19/3237992

The Yard, Murrels Lane, Hockley, Essex SS5 6AB

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended. The appeal is made by Mr Aarun Archer against an enforcement notice issued by Rochford District Council.
 - The notice was issued on 28 August 2019.
 - The breach of planning control as alleged in the notice is without planning permission:
 1. The material change of use of land and buildings from a general industrial (Class B2) use to a mixed use of general industrial (Class B2) use and the siting of a mobile home (marked MH on the attached plan) and its use for human habitation.
 2. The erection of a steel palisade fence and double gates with a barbed and razor wire top trim (marked A to B on the attached plan).
 - The requirements of the notice are to:
 1. Cease the use of land for the siting of a mobile home for human habitation.
 2. Remove the mobile home shown in the position Marked 'MH' from the site.
 3. Remove any domestic paraphernalia on the site in connection with the use of the land for siting a mobile home for the purposes of human habitation.
 4. Remove any pipes, cables or sewage systems used solely for the use of the land for siting a mobile home and its use for purposes for human habitation.
 5. Remove the steel palisade fence, gates, barbed and razor wire boundary treatment to the front of the site along the line marked A to B.
 - The periods for compliance with the requirements are:

Step 1	9 months after this notice takes effect.
Steps 2 and 3	10 months after this notice takes effect.
Step 4	11 months after this notice takes effect.
Step 5	11 months after this notice takes effect.
 - The appeal is proceeding on the grounds set out in section 174(2)(a), (d) and (g) of the Town and Country Planning Act 1990 as amended. Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
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Decision

1. It is directed that the enforcement notice is corrected by:
 - the substitution of the plan annexed to this decision (Annex A) for the plan attached to the enforcement notice.
 - the deletion of Section 3 The Matters Which Appear to Constitute The Breach of Planning Control and substitution with:
 3. The Matters Which Appear to Constitute The Breach of Planning ControlWithout planning permission:

1. The material change of land and buildings from a general industrial (Class B2) use to a mixed use of general industrial use and the siting of a mobile home and its use for human habitation.
2. The erection of a steel palisade fence and double gates with a barbed and razor wire top trim (Marked A to B on the attached plan).
- the deletion of the words 'shown in the position Marked MH' in the second requirement in Section 5.
2. It is also directed that the enforcement notice is varied by the deletion of Section 6 Time For Compliance and its substitution with:
 6. Time For ComplianceThe time for compliance with Steps 1 to 5 is 12 months after this notice takes effect.
3. Subject to the corrections and variation, the appeal is dismissed, the enforcement notice is upheld and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Applications for costs

4. Applications for costs have been made by the appellant against the Council and by the Council against the appellant. These are the subject of separate decisions.

Preliminary Matters

5. The Inquiry opened on Tuesday 8 November 2022. I heard evidence from the appellant in respect of his appeal on ground (d). The Inquiry was adjourned on Thursday 10 November 2022 to enable the Council to provide clarity regarding its arguments, made orally at the Inquiry, about the planning history of the site, the identification of separate planning units within the site and the implications for the lawful use of the site.
6. The Inquiry resumed on Tuesday 4 July 2023 for three days before being adjourned for the consideration of planning conditions and Closing Submissions which were made in writing. The Inquiry was closed in writing on 15 November 2023.
7. Council Witness 2 was unable to attend the Inquiry following its adjournment and her evidence was adopted by Council Witness 3 who presented the evidence and was subjected to cross examination on it.
8. The appellant introduced an appeal on ground (f) in his appeal submissions and the Council has had the opportunity to consider it. Therefore, I shall also address the appeal on ground (f) in my decision as no injustice would arise were I to do so.

The Notice

9. I have a duty to get the notice in order and it was the subject of discussion at the Inquiry. Furthermore in advance of the Inquiry the appellant had put forward arguments that the notice is a nullity. I shall deal with that point first.

10. The notice refers to an annotation on the plan reading A to B to define the location of the fence. However there is no such annotation on the plan. The appellant argues that without the annotation on the plan it is unclear what he needs to do to comply with the notice.
11. The Council considers that the notice is clear, and it refers to section 5(5) where there is reference to the fence and gates being 'to the front of the site'. It has produced an amended plan showing an annotation A-B along the site frontage to Murrels Lane.
12. The notice plan does not contain an A-B annotation. Nevertheless, there is a full description of the fence and gates in sections 3(2) and 5(5) of the notice. To that extent the notice is not missing some vital element that should have been included under s173 of the Town and Country Planning Act 1990 (the Act) and it is not defective on its face.
13. However, the notice is flawed which means that I must go on to consider whether it can be corrected without causing injustice to the appellant or the Council. The notice could be corrected by the substitution of the notice plan with a plan showing the A-B annotation.
14. The evidence which is before me regarding the fence and gates has focussed on the those features which run along the site frontage to Murrels Lane. On this basis the appellant has had the opportunity to make his arguments in favour of the retention of the fence and gates in his appeal. Similarly, the Council's evidence has been about the fence and gates on the road frontage. In view of this I do not consider that there would be any injustice were I to correct the notice to substitute a plan showing the A-B annotation.
15. The notice plan shows the site in bold and hatched and within that area there is a rectangle annotated 'Mobile home 'MH''. In sections 3(1) and 5(2) of the notice this annotation is referred to. However, the mobile home which is currently on the site is in a slightly different position.
16. The breach as set out in the notice is clearly related to the mixed use of the site and the requirements seek to remove that element of the mixed use comprising the siting of a mobile home for human habitation. The requirement to cease the use of the land for this purpose relates to the site as a whole and the removal of the mobile home follows on from that requirement.
17. In that context I do not consider that it is necessary for the notice to specify the precise location of the mobile home, particularly as by its nature the mobile home can move around. Therefore, in order to correct the notice to address the inaccurate annotation, I shall remove reference to the annotation in section 3 and section 5 of the notice and from the notice plan.
18. The allegation relates to a mixed use which is 'sui generis'. Consequently the reference to Class B2 in the description of the mixed use is inaccurate. I can correct the notice in this respect without injustice to either party.

Ground (d)

Background

19. The main issue in a ground (d) appeal is whether at the date when the enforcement notice was issued (the relevant date) it was too late to take enforcement action on the basis of the time limits set out in s171B of the Act.
20. Under s171B (3) of the Act, where there has been a breach of planning control consisting of a change of use, no enforcement action may be taken after the end of the period of ten years beginning with the date of the breach. Therefore in order to achieve success on ground (d) the appellant must show that the change of use to a mixed use of general industrial and the siting of a mobile home occurred before 28 August 2009 and has continued without significant interruption for a period of ten years.
21. The notice also requires the removal of the fence and gates as well as the barbed and razor wire top trim. The appellant stated that he added the barbed and razor wire top trim to an existing fence and added gates to provide security for his tenants. He does not refer to the need for the works to the fence and the provision of the gates with regard to the residential element of the mixed use. Therefore, I do not find that the fence and gates referred to in the notice form part and parcel of the MCU. Consequently, they fall to be considered as separate operational development, for which the time limit for enforcement action to be taken is four years under s171B (1) of the Act.
22. In order to achieve success on ground (d) for the fence and gates the appellant must show that they were substantially completed four years before the enforcement notice was issued i.e. by 28 August 2015.
23. The notice refers to a change of use from a general industrial use of the site. The requirements of the notice seek only the cessation of the use for the siting of a mobile home and its use for human habitation. The Council accepts that it is under enforcing in terms of the general industrial part of the mixed use. Consequently, my focus is on when the residential use was introduced onto the site thereby resulting in the commencement of the mixed use which is the breach as set out in the notice.
24. For an appeal on ground (d) the burden of proof lies with the appellant. Notwithstanding whether there is evidence to contradict the appellant's version of events or make it less than probable, the appellant must provide evidence which is sufficiently precise and unambiguous. The standard of proof is the balance of probabilities.

Evidence relating to the fence and gates

25. The appellant said that there has always been a fence at the front of the site but that he added the razor wire and the gates in 2017. Such works are not permitted under Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) as a consequence of the increase in height and the appellant has not submitted an appeal on ground (c) on that basis. It follows that the gates, barbed wire, and razor wire top trim described in the notice were not completed before 28 August 2015.

26. The Council's position is that the fence which is also the subject of the notice has not gained immunity from enforcement action. This is disputed by the appellant.
27. The appellant said that there has been a fence at the front of the site for as long as he has known the site. He stated that his knowledge of the site pre-dates 2014 when he moved there because he had a friend who lived on the site. The appellant said that the fence was covered in hedgerows but in 2017 he cut those back, straightened the fence and repaired some of the panels.
28. Witness 1 said that he built the fence in 2007 and he described it as a palisade fence. At the Inquiry he said that Witness 5 had damaged the previous fence. Witness 5 did not refer to damaging the fence in his evidence nor does he make any other comment about the fence.
29. Witness 2 says that there was a fence around the site, and also a locked gate, from the time when he moved there. Like Witness 1 he describes the fence as a palisade fence, as does Witness 3.
30. Witness 4 has lived on Murrels Lane for 21 years and he said that there has always been a fence around the site but there had been problems with the gate. In respect of the gates this is consistent with the appellants statement that he erected the gates in 2017.
31. In general the evidence by the witnesses demonstrates that there has been fencing around the site. However, what is not clear is whether the fencing which is the subject of the notice is the same as that which is described by the witnesses.
32. The Council refers to the Design and Access Statement submitted in support of a planning application made in 2010 (Council Ref. 10/203/OUT) (the 2010 DAS). This includes a photograph of the site entrance and of the site from Murrels Lane. There is a fence in the photographs which has the appearance of a palisade fence, but it is much lower than the current fence so that the activities on the site are visible over it. The photographs also show that, to the road edge, the fence was obscured by plants.
33. Council Witness 1 said that she regularly visited the vicinity of the site and used the site entrance to turn her car. In 2018 she noticed the fence had been replaced. She also gave evidence that she had previously been able to see over the fence which is consistent with what is shown on the photographs in the 2010 DAS.
34. There is an inconsistency between when Witness 1 says he erected the fence in 2007 and the fence which is shown in the photographs in the 2010 DAS which by virtue of its height is not the same as the fence which is currently on the site, and which is the subject of the notice. This makes the evidence provided by Witness 1 less plausible.
35. The photographs in the 2010 DAS are not of a good quality and it may have been that the fence was replaced between 2010 and before the appellant added the razor wire in 2017. However, there is no evidence to demonstrate this. The evidence from the other witnesses is not sufficiently precise to establish whether they were referring to the fence shown on the photographs in the 2010 DAS or the fence which is the subject of the notice.

36. Drawing all of these points together, I find that the evidence provided by the appellant in respect of the fence unreliable and imprecise such that it does not demonstrate on the balance of probability that the fence was substantially completed by 28 August 2015 such that it is immune from enforcement action.
37. For the reasons set out above the appeal on ground (d) as it relates to the fence, gates and barbed and razor wire top trim does not succeed.

Evidence relating to the change of use to mixed use

The Planning Unit

38. The appellant does not define the planning unit as the starting point for the consideration of whether or not a material change of use (MCU) has taken place. The Council is critical of the appellant in this respect and on the basis of evidence provided during the Inquiry the Council's approach to the consideration of the planning unit changed.
39. The leading case for determination of the planning unit is *Burdle & Williams v SSE & New Forest DC* [1972] 1 WLR 1207 (Burdle). The concept of physical and functional separation is regarded as key under Burdle, and three broad categories of distinction are suggested. Both functional and physical separation are required before a smaller unit can be identified, since without functional separation the ancillary link remains; and without physical separation there is no smaller physical area which can be identified as a separate unit.
40. In 2001 and 2002 two certificates for lawful use or development were granted which in combination covered the whole site and a small area of adjacent land. The latter was agreed at the Inquiry to fall outside the site and had been the subject of a 'gentleman's agreement' between Witness 1 and the former owner of the land (BS).
41. One of the LDCs related to an area of the yard defined as Area 5 (the 2001 LDC) and the other related to Areas 1 to 4 and Area 6 (the 2002 LDC). Witness 3 whose business and caravan was located within Area 5 made the comment at the Inquiry that he generally kept himself to himself. It was also clear that Area 5 was fenced off from the other areas of the site. These facts formed the basis of the Council's reconsideration of the planning unit.
42. The Council's position thereafter was that the LDC identified two separate planning units in 2001/2 and that it was not until 2017 when the appellant acquired the whole site that the two planning units were amalgamated to form a single planning unit in mixed use as alleged in the notice. Whereas the appellant says that the site is a single planning unit because the industrial uses and the residential uses were not confined within separate and physically distinct areas of land.
43. The 2001 LDC and the 2002 LDC do not equate to planning permissions for the use of those parts of the site and they do not establish that Area 5 is one planning unit and Areas 1 to 4 and 6 is another. They simply establish that the use within a defined area is protected from enforcement action on the date of the application and that it will remain so unless or until there is a material change in circumstances.

44. The existence of the LDCs do not necessarily address the question of whether there was a physical and functional link between the uses on the site as a whole which is the point made by the appellant.
45. Witness 1 stated that there was fencing within the site, and he says this was to assist with issues such as traffic flow and not because any part of the site was separate. He said that fencing was used around the site not only to separate Area 5 from Areas 1 to 4 and 6. Nonetheless, the fencing between Area 5 and the rest of the site is a consistent feature on the aerial photographs between 2006 and 2018 which have been submitted by the appellant.
46. Turning to the functional relationship between Area 5 and Areas 1 to 4 and 6, the appellant refers to the single toilet block on the site which was within Area 5 necessitating all occupiers of the site to access Area 5. He also references the shared access which required occupiers of Area 5 to pass through the land defined as Areas 1 to 4 and 6. The appellant also refers to the absence of any set parking spaces. There is a parking area off the site frontage but there are other spaces close to the individual industrial units. It is reasonable to assume that occupiers would park close to their units but that visitors may use the communal areas.
47. The appellant also states that there has only ever been one power source to the site. Similarly he says that there is only one central post box on the front gate.
48. Under cross examination Witness 1 confirmed that there was a single toilet block on the site which was accessed from the car park. In terms of electricity he said that there were meters which recorded usage by individual units and that he met the costs of water and sewage disposal for the site.
49. An affidavit was provided by the person (BS) who sold the site to Witness 1 in 2007. BS says that he purchased the site in around 2000, therefore, he would have been the owner when the LDCs were granted. He said that although he had the LDCs the site was operated as one large unit.
50. BS confirms that the toilet block was within Unit 5 and all site users had free access to it and that there was only one access which was shared. He also makes the same observations regarding the power supply and post box as the appellant.
51. Witness 1 also described how he collected rent from the individual occupiers. But that is not determinative of a functional connection because this would have been the same whether there was one or more planning units within the site.
52. Drawing these points together I find that although there is a strong degree of physical separation between Area 5 and Areas 1 to 4 and 6, there is also a functional relationship between the two areas primarily on the basis of the shared toilet facilities being in Area 5 and access and shared parking spaces being in Areas 1 to 4 and 6. There is an ancillary link between the two areas and in this respect both functional and physical separation has not been demonstrated. It follows that I find that the site is a single planning unit that is in a mixed use and there is no evidence before me to demonstrate that the ancillary link which I have found was not present in August 2009.

Evidence of residential use

The appellant's evidence

53. The appellant is the owner of the site and the occupier of the mobile home, which he shares with his family. There is no dispute between the parties that the appellant purchased the site from Witness 1 in 2017. At that time the appellant says that he was already living on the site and had done so since 2014.
54. The appellant said that when he first moved onto the site, he had nowhere else to live and that the caravan in which he lived was in a poor condition such that he kept it inside a building. In late 2015 the appellant says he moved into a mobile home which was not within a building and in 2017 he upgraded to another mobile home as his first child was due.
55. The appellant refers to Witness 3 living on the site before he moved on and to Witness 2 who lived on the site.

Evidence of Witness 1

56. The site was purchased by Witness 1 in 2007. He confirms that the appellant moved onto the site and was living there from 2014.
57. Witness 1 says that there were people living in caravans on the site when he purchased it and that he allowed them to stay. He says that this situation continued throughout his ownership. Witness 1 refers to a travelling showman who was living on the site when he bought it and who did maintenance work for him in exchange for rent. He says the travelling showman left in around 2011.
58. A man living in a converted lorry back is referred to by Witness 1 and he says that the man was living there when he acquired the site. He paid rent and stayed on the site until it was purchased by the appellant (2017).
59. Witness 1 was taken to the application form for the planning application made in 2010. He is shown as the applicant but at the Inquiry Witness 1 said that he did not do the application and that the agent did not visit the site. The application form states that there were no residential units on the land, and it is dated 31 March 2010. Witness 1 said that there could have been someone living there at that time.
60. The aerial photographs which had been presented to the Inquiry were reviewed by Witness 1. He accepted that the September 2009 photograph was the first to show the showman's living quarters and that in the April 2010 photograph these were not present on the site. On the July 2011 photograph Witness 1 identified a caravan and a mobile home and he said that he was collecting rent from the occupants.
61. Witness 1 says that Witness 2 occupied a caravan on the site for 'a couple of years and left around 2012' and that Witness 3 lived at the site from 'around' 2012 and left 'possibly' 3-4 years later. Witness 1 also supports Witness 3's recollection of the group of Polish men and his employee living on the site.

Evidence of Witness 2

62. In his Witness Statement Witness 2 says he lived in a mobile home on the site for a couple of years from around 12 years ago (his statement is dated 2022) and he believes he left in 2012. He refers to Witness 3 living on the site as well as two others. He also confirms that the appellant moved onto the site a couple of years after he left.
63. At the Inquiry Witness 2 deviated from his statement and said that he was on the site in 2008 and that he probably lived there for four years.

Evidence of Witness 3

64. Witness 3 says that he lived on the site from 2012 to either 2015 or 2016. He refers to other people living on the site including the appellant. Witness 3 also ran his business from the site and one of his employees lived there in another touring caravan.
65. In 2014 Witness 3 had to reduce the scale of his business and gave up part of the yard which he was renting. He also kept his caravan inside a building. The business folded at the end of 2014 but Witness 3 continued to live on the site.
66. Amongst the other people living on the site, Witness 3 refers to a group of Polish men who arrived at about the same time that he did (2012) and left after a couple of years leaving only himself and the appellant living on the site.

Evidence of Witness 4

67. Witness 4 has been a resident of Murrels Lane for 21 years. He says that he did work on the site when it was owned by Witness 1 and that he has been on site with the appellant. He confirms that Witness 2 and Witness 3 lived on the site.
68. Witness 4 recalls the showman living on the site and said that he could not recall a time over the last decade when there was no one living on the site. He says he is confident that for the period Summer 2009 to Summer 2019 there has been at least one person living on the site in a caravan.

Evidence of Witness 5

69. Witness 5 is the appellant's stepfather and he said that he has been going past Murrels Yard for more than 25 years to visit his friend. He recalls about 11 years ago (his statement is dated 2022) returning an escaped dog to people living in a caravan on the site and also taking post there, which had been mis-delivered to his friend's house.
70. Witness 5 confirms that the appellant moved onto the site in 2014, that the appellant changed the touring caravan for two different mobile homes and that the appellant has lived on the site for 8 years.
71. Witness 5 says that there have been people living on the site for less than the 25 years he has been using Murrels Lane but certainly since before 2009.

The Council's evidence

72. Council Witness 1 said that her first involvement in the appeal site was in September 2009 when she provided advice in response to a pre-application query about redevelopment of the site for housing. She noted that no reference had been made to any pre-existing residential use on the site.

73. In April 2010 Council Witness 1 refers to a planning application being submitted which makes no reference to any residential use of the site. The applicant was Witness 1 but Witness 1 told the Inquiry that the application had been made by an agent and he did not see it before it was submitted. The copy of the application form which I have been provided with does not contain a signature by Witness 1. The application was returned because additional information was not provided, and it is reasonable to assume that the Council did not carry out a site visit at that time.
74. The site was owned by Witness 1 at the time when the planning application was made but the evidence indicates that he did not have any involvement in its submission despite this. In terms of evidencing that a residential use was not taking place as part of the mixed use of the site in 2009/2010, the planning application is not persuasive.
75. In June 2016 Council Witness 2 carried out a site visit, following contact by a local resident, and met someone (WM) on the site who told her that no one was living there and that a caravan which was on site was for sale. Witness 1 said at the Inquiry that WM rented one of the units on the site and that he had no authority to provide information to the Council at the site visit.
76. Council Witness 2 refers to a conversation with Witness 1 following the site visit. She says that he informed her in a telephone conversation that no one lived on the site. Witness 1 does not refer to this conversation in his evidence. However, he does say that at the time of the Council's site visit the appellant had started living in the caravan.
77. In October 2018 the Council was contacted by another local resident who seems to have drawn the attention of the Council to a change in ownership of the site. The same resident later alleged that the appellant had moved onto the site three years previously i.e. in November 2015. There followed an investigation by the Council which culminated in the service of the notice which is the subject of this appeal.
78. With regard to the comments made by the local resident in October 2018 it is reasonable to assume that it was when the appellant moved from the touring caravan into the mobile home that his occupation of the site became evident to the resident. The appellant says that this happened in late 2015 which coincides with the resident's allegation of occupation since November 2015.
79. I do not find that any of the evidence provided by the Council contradicts the appellants version of events or makes it less than probable. Generally if there is no contradictory evidence, the evidence provided by the appellant should be accepted. However, this is subject to the test of whether or not the evidence is sufficiently precise and unambiguous and passes the test of the balance of probabilities.

Conclusions on the appellant's evidence of residential use

80. I find the evidence regarding the appellants own occupation of a caravan on the site since 2014 for residential purposes compelling. He has given a first-hand account of when he started living at the site and reasons for living in the touring caravan and subsequent replacement mobile caravans which have coincided with significant events in his life. His account is corroborated by Witness 1 and Witness 3 who were regularly on the site and by Witness 5 who

is a member of his family. The appellant's evidence is sufficient to demonstrate precisely and unambiguously that there has been a mixed use of the site for general industrial use and for the siting of a caravan for human habitation between 2014 and when the notice was issued in August 2019.

81. In order to succeed on ground (d) it must be shown that there has been a continuous use of the site for the mixed use of which the residential use forms part since 28 August 2009. The appellant's own evidence of his occupation does not cover the period August 2009 to 2014 and he has to rely on the evidence provided by other witnesses.
82. The evidence of Witness 3 is consistent with the evidence provided by Witness 1 and is supported by the appellant who said he knew that Witness 3 lived on the site before he moved on in 2014. Neither the appellant nor Witness 1 identify the date in 2012 when Witness 3 began to live on the site, neither is Witness 3 clear on this point. To that extent the evidence of Witness 3's first occupation of the site is imprecise.
83. The Polish men and the employee of Witness 3 did not arrive at the site until 2012. Again there are no details of when during that year they first occupied caravans on the site.
84. There is a lack of clarity around the evidence provided by Witness 2. His Witness Statement lacks certainty referring to 'a couple of years', 'around 12 years' and 'I believe I left the yard...'. At the time when he prepared his statement, which was signed during the Inquiry, he implies that he was on the site from 2010 being 12 years before the date of the Witness Statement. However, during cross examination he said he was on site in 2008 and for 'probably' four years.
85. Witness 1 corroborates Witness 2's original time period of a couple of years running up to 2012 but not the four year period which Witness 2 stated to the inquiry. The appellant refers to Witness 2 living on the site, but he does not specify a time period.
86. Under cross-examination Witness 3 said he did not remember Witness 2 being on the site, but he also remarked that he knew some residents but not others. Nevertheless this introduces a lack of clarity regarding whether there was any gap during 2012 between when Witness 2 moved out and when Witness 3 moved in. This could represent a break in the continuity of use over the relevant 10 year period.
87. Similarly Witness 3 refers to the Polish men but Witness 2 does not which brings into question whether there was any overlap or continuity of occupation by these individuals or groups.
88. Witness 2 was taken through a series of aerial photographs, provided by the appellant, in chronological order and he identified the caravan which he occupied and also some of the vehicles he had there. The aerial photographs which Witness 2 considered dated from 2009 when he said his mobile home was inside a building to 2013 when he said he had left the site.
89. The references to the showman and the man living in the converted lorry back who Witness 1 says were living on the site in 2007 are not supported by witness statements from those individuals.

90. The use by the showman has not been demonstrated to be continuous, Witness 1 accepted the showman's caravan was not on the site on the aerial photograph from April 2010. It is also reasonable to assume that his occupation would not be continuous given the nature of his trade.
91. Witness 2 said at the Inquiry that there was a vehicle painter on the site who he regularly visited after he left the site in 2012. The evidence from Witness 1 at the Inquiry established that the vehicle painter was the occupier of the converted lorry back. Witness 1 says he was paying rent to him and that he also had a car repairs business.
92. There is no evidence of rent payments by the occupier of the converted lorry back to Witness 1 although these are said to have been made over an extensive period. Reference was made to his unit on the aerial photographs but that in itself is not a demonstration of residential occupation, even taking account of the presence of a possible chimney. The appellant does not refer to the man living in the converted lorry back despite Witness 1 referring to him being in occupation throughout the time when the appellant was also living on the site and carrying out management tasks around the site.
93. Witness 1 also refers to the man in the converted lorry back having a car repairs business on the site. But there are no details of this for example to demonstrate to what extent he was working from the unit and also living there.
94. Witness 1 also refers to other people living in caravans on the site but there is no information regarding when those people moved on and off or records of any rent payments. Consequently his evidence does not contribute towards a continuous residential occupation of the site from 2007 when he acquired it or from 28 August 2009 which is what the appellant needs to demonstrate.
95. The generalised comments made by several witnesses about people living on the site are not sufficiently precise to demonstrate continuous residential uses on the site. Witness 4 and Witness 5 both say that there have been people living on the site since 2009 but they have not provided any context for this time period other than that they were advised that this is the relevant timescale for the appeal.
96. The strongest evidence of occupation of the site from 28 August 2009 comes from Witness 2. However, taken as a whole I find that his evidence lacks clarity. The difference between the dates when he occupied the site set out in his witness statement and those which he referred to in the Inquiry was unexplained. Other witnesses were not able to corroborate Witness 2's occupation of the site. In general there was a lack of evidence of any rent being paid by Witness 2 or indeed any of the other occupiers of the site which could have assisted in precisely establishing the duration of Witness 2's occupation.
97. Even acknowledging Witness 2's observations about the features shown on the aerial photos, his evidence is not sufficiently precise and unambiguous so as to pass the test of the balance of probability.
98. As I have set out above the appellant has to rely on the evidence of other witnesses to show that the mixed use of the site had commenced by 28 August 2009 and continued without significant interruption until he commenced occupation in 2014. I have not found that the evidence demonstrates this. In

particular it is not clear whether or not there was a break in the continuity of use in 2012, there is a lack of clarity around continuous occupation by the showman and by the man in the converted lorry back and a lack of precision in terms of the generalised comments made by some witnesses. Most crucially I have found that the evidence from Witness 2 which was the strongest evidence relating to the period prior to 2012 does not pass the test of the balance of probability.

Conclusion on ground (d)

99. In order to achieve success on ground (d) the appellant needed to show that the use of the site for a mixed use of general industrial use and the siting of a mobile home and its use for human habitation occurred and has been carried out continuously for the requisite 10 year period before the notice was issued.

100. The evidence which is before me is sufficient to demonstrate that the mixed use had commenced by 2014. However, it is not sufficiently precise or unambiguous so as to demonstrate on the basis of the balance of probabilities that the mixed use commenced and was continuously carried on between 28 August 2009 and 2014. I am not satisfied that the Council would have been able to take enforcement action against the use during the relevant period. Consequently, it has not been demonstrated that on the date when the notice was served no enforcement action could be taken in relation to the material change of use which is described in the breach.

101. For the reasons set out above the appeal on ground (d) in respect of the mixed use of the site should not succeed.

Ground (a) and the Deemed Planning Application (DPA)

102. An appeal on ground (a) is on the basis that in respect of any breach of planning control which may be constituted by the matters stated in the notice, planning permission ought to be granted. The DPA is derived from the breach as it is set out in the notice, which I have corrected.

103. The description of development for the purposes of ground (a) and the DPA is as follows:

1. The material change of use of land and buildings from a general industrial (Class B2) use to a mixed use of general industrial and the siting of a mobile home and its use for human habitation.
2. The erection of a steel palisade fence and double gates with a barbed and razor wire top trim (marked A to B on the attached plan).

Main Issues

104. The main issues are:

- Whether the development is inappropriate development in the Green Belt having regard to the Framework, including any relevant effects on the openness of the Green Belt, and with regard to any relevant development plan policies.
- Whether the development provides acceptable living conditions for the occupiers of the caravan.

- The effect of the erection of the steel palisade fence and double gates with a barbed and razor wire top trim (the fence and gates) on the character and appearance of the surrounding area.
- If the development is inappropriate development, whether or not any harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the development in accordance with the Framework.

105. My decision could result in the appellant and his family losing their home, therefore, I must have regard to the rights of the appellant and his family under Article 8 of the European Convention on Human Rights as incorporated into the Human Rights Act 1998 (Article 8). Article 8 affords the right to respect for private and family life and home. However, this is a qualified right which involves balancing the fundamental rights of individuals against the legitimate interests of others and the wider public interest. The concept of proportionality is crucial because a disproportionate or unjustified interference would result in the violation or breach of the appellant and his family's rights.

106. There are children on the site, consequently I must also consider the best interests of the children in this case. The best interests of the children are a primary consideration, and no other consideration is inherently more important, however, they are not a determinative factor.

Reasons

Inappropriate development in the Green Belt?

107. The Council refers to policies GB1 and GB2 of the Rochford District Council Core Strategy 2011 (the Core Strategy) in the notice. These policies seek to protect the Green Belt and to restrict development within it and in that sense, they are broadly in accordance with the National Planning Policy Framework (the Framework). However, they do not refer to the types of development which are not inappropriate in the Green Belt as set out in the Framework and in that respect, they are not consistent with it.

108. The appellant considers that the change of use to a mixed use is not inappropriate because it falls within the types of development listed in paragraph 150 of the Framework which include at 150(e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds). Whilst the development in this case is a material change of use, I take the view that it does not fall within paragraph 150(e) because the development neither relates to an outdoor sport or recreation use or use as a cemetery or burial ground and neither is it a use which could be regarded as taking its flavour or extent from those examples, which reflects the court's interpretation of policy currently.

109. The appellant has not suggested that the change of use to a mixed use as alleged in the notice falls within any of the other types of development which are established by the Framework as not inappropriate in the Green Belt. He also accepts in his closing submissions that the erection of the fence and gates is development which is inappropriate in the Green Belt.

110. In the light of the Framework and the relevant development plan policies I conclude that the mixed use of the site and the erection of the fence and gates

constitute inappropriate development in the Green Belt. As such it is development which is by definition harmful to the Green Belt and should not be approved except in very special circumstances.

Effect on openness

111. The Framework identifies that the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness and their permanence. The Framework also sets out that the Green Belt serves five purposes. In this case the relevant purpose is to safeguard the countryside from encroachment.
112. In respect of the mixed use the requirements of the notice relate only to the cessation of use of the land for the siting of a mobile home for human habitation and the removal of the mobile home from the site. It is not necessary for the appellant to cease the general industrial element of the mixed use in order to comply with the notice. Therefore the continued general industrial use forms part of the baseline against which the impact of the mixed use on the openness of the Green Belt must be assessed.
113. The caravan occupies a small part of the site and the practical effect of the cessation of use and removal of the caravan and associated domestic paraphernalia and services is that the general industrial uses would spread over this part of the site. Planning permission would be required for operational development, for example in the form of an industrial unit. However the use of the part of the site vacated by the caravan for vehicle parking or storage in connection with existing units could take place. In terms of the impact on the openness of the Green Belt the effect would be very similar.
114. Turning to the fence and gates, they have a very limited effect on openness both in spatial and visual terms. Whilst they enclose the site, it is the industrial units and associated activities such as storage and parking which effect the openness of the Green Belt and this would continue following the removal of the caravan from the site.
115. Drawing all of these points together I find that neither the stationing of a caravan which is part of the mixed use nor the fence and gates have an appreciable effect on the openness of the Green Belt. However, this does not alter my finding that the mixed use constitutes inappropriate development in the Green Belt in the circumstances of this case.

Living conditions

116. The caravan and the immediate area surrounding it is segregated from the rest of the yard by fencing and gates. Nevertheless, the residential use is effectively within a general industrial site and the occupiers are exposed to any environmental effects which arise from those uses. There are no restrictions on the types of industrial processes which can be carried out on the site.
117. The evidence points to uses such as car repairs and dismantling being carried on at the site which are clearly within Class B2 of the Town and Country Planning Use Classes Order (the UCO). It is reasonable to assume that such uses give rise to noise and fumes which are detrimental to the living conditions of the residents of the caravan.

118. In addition to the noise and fumes arising from the processes being carried out on the site, there are also activities associated with the industrial use which affect the living conditions of the residents. For example cars and larger vehicles are parked and manoeuvred around the site. Notwithstanding the fencing around the area occupied by the caravan, in order to reach Murrels Lane the occupiers of the caravan have to negotiate the car parking area and accesses to the industrial units. This is a poor quality environment when considered as part of a mixed use with a residential component.
119. The appellant does not provide any substantive evidence to demonstrate that the industrial uses do not impact adversely on the living conditions of himself or his family. However, it is not in his interest to do so bearing in mind that he wishes to continue to site his caravan on the site for residential purposes. In this context he has also not suggested any planning conditions which could be imposed to reduce the impacts on living conditions and there are no obvious measures which could be put in place to reduce those impacts to an acceptable level.
120. Whilst I understand the appellant's circumstances, I must make my decision on the basis of land use planning considerations. The UCO makes a distinction between light industrial uses which fall into Class B1 and general industrial uses in Class B2. That distinction relies on the test of whether the uses could be carried out in any residential area without detriment to the amenity of the area. There is no suggestion in this case that the uses on this site fall into Class B1 and I find that the uses which are carried on are detrimental to the amenity of the area.
121. For the reasons set out above, I find that the development does not provide acceptable living conditions for the occupiers of the caravan. Therefore the use of the site for a mixed use of general industrial use and the siting of a mobile home for human habitation is contrary to policy CP1 of the Core Strategy which promotes good, high quality design.

Character and appearance (fence and gates only)

122. Murrels Lane has a varied character as a result of the mixed scale of buildings and nature of the uses along its length. In parts it has a lush verdant character where boundaries are marked by trees but in others large scale buildings and features such as gates are visible within gaps in the frontage. One such gap is on the opposite side of the road to the appeal site.
123. The industrial uses on the site are generally screened from view by the fence and gates on the road frontage but their presence nevertheless contribute to the character of the area.
124. The Council says that the general public use Murrels Lane for recreational activities and I noted that there are riding establishments in the area. These users of Murrels Lane and local residents will experience the fence and gates which have been erected at close quarters.
125. The notice does not require the general industrial use to cease and as such it can be assumed that the use will continue to operate from the site. In those circumstances it is reasonable to assume that some form of boundary treatment will be necessary to secure the site. The fence and gates which have been erected are consistent with an industrial use. However, the razor wire

which has been added goes beyond what is normally associated with an industrial site in the countryside.

126. The appellant refers to attempted robberies from the site and he says that he added the razor wire to the fence. However, there is no evidence to demonstrate that this extra level of security is necessary. The barbed and razor wire top trim adds to the height of the fence and draws attention to it in the street scene. As such it renders the whole feature out of character with its surroundings and has an adverse visual impact on Murrels Lane.
127. For the reasons set out above I find that the erection of the fence and gates has a harmful effect on the character and appearance of the surrounding area. This development is therefore contrary to policy CP1 of the Core Strategy and policy DM1 of the Rochford District Council Development Management Plan (2014) which promote good design and development which positively contributes to the surrounding natural environment including visual amenity.

Other Considerations

Housing supply/Five-year housing land supply/Failure of policy

128. The development includes a single unit of housing in the form of a residential caravan. Given the acknowledged need for new homes at a national level this is a point in favour of the development.
129. In respect of the need and supply of homes locally the parties are not in agreement about whether or not the Council has a five-year supply of housing land. At the Inquiry there was some agreement regarding which of the identified sites should be included in the supply of housing and this led to a reduction in the Council's land supply figure to approximately 5½ years. However, there was also a disagreement about the correct time period over which the assessment of housing need and supply should be assessed.
130. Even if I was to adopt the appellant's position that the Council does not have a five-year supply of housing, bearing in mind the conclusions which I have reached in respect of the Green Belt, the tilted balance in favour of the development would not apply. At best in this case the contribution which the caravan would make to the supply of housing locally is limited but nevertheless it is also a point in favour of the development.
131. Although the need and supply of housing can be assessed, the Council does not have a policy which relates to residential caravans specifically. There is no information before me about the need and supply of residential caravan accommodation in the district and how the development would contribute to this. However, I have addressed this matter in terms of the supply of housing in general. To that extent the appellant has not been prejudiced by any failure of policy in this case and this matter attracts no weight in favour of the appeal.
132. Given the scale of development, the contribution which the development makes to national and local housing supply, separately, attract limited weight in favour of the appeal.

Site security

133. It has not been demonstrated that the stationing of a caravan and its use as permanent residential accommodation is the only solution to providing security

for the site. This matter therefore attracts limited weight in favour of the appeal.

Economic and social benefits

134. As a result of the scale of the development the economic benefits arising from the use of local services is limited. Similarly there is no information before me regarding the affordability of the caravan in comparison with alternative accommodation and the provision of a single caravan in any case has limited social benefit. Consequently I attribute limited weight to the economic and social benefits of the development.

Alternative accommodation

135. The appellant points out that alternative accommodation on a residential caravan park is unavailable to him on the grounds of his age and restrictions on all year round occupation. However, it has not been demonstrated to me that these limitations apply to all caravan sites in the area. He also rules this alternative out on the grounds of cost but there is no financial information to support this argument before me.

136. The Council has suggested that the appellant could reside in bricks and mortar accommodation, however he says that he would prefer to live in a caravan. Whilst it is reasonable to assume that this reduces the options available to the appellant, the case would have been assisted by information to show that there is no alternative accommodation available or that if the appeal is not successful, he and his family would be homeless.

137. The uncertainty about the availability of alternative accommodation attracts limited weight in favour of the appellant.

Fallback

138. In respect of the fence and gates the appellant refers to permitted development rights which would allow a fence to be erected. However, as the Council points out the fence runs close to the highway boundary and in such a location a 2 metre high fence would not constitute permitted development. For that reason the appellant could not erect a similar fence and gates as permitted development and this possibility is not open to the appellant.

139. This matter has a neutral impact in favour of allowing the appeal.

Personal circumstances

140. The appellant and his family live on the site. The two children attend a local school and nursery respectively, where the appellant says they are well settled. The appellant is keen for his family to remain on the site where the children can access healthcare and education.

141. There is a degree of uncertainty regarding where the family would live if they had to leave the site. The effect this would have on the children's education and wellbeing is similarly uncertain. However, it is reasonable to assume that any change would be disruptive to them given that they are well settled at their existing educational establishments.

142. For the reasons set out above I shall attach moderate weight to the personal circumstances of the appellant and his family in this case.

Best Interests of the Child

143. The appellant considers that the best interests of his children would be met by allowing the appeal which would enable the family to remain on the site. In terms of providing a stable home environment and minimising potential disruption to education, this is in the children's best interest. However, there is a tension in this case arising from the living conditions on the site.
144. I have found that the site does not provide acceptable living conditions for the residents of the caravan. The children are exposed to the noise and fumes associated with the processes which take place on the site. Such impacts could affect the health and wellbeing of the children. Furthermore, while recognising that their parents would make every effort to keep their children safe, there is a potential for the children to come to harm given the access arrangements within the site and the presence of cars and other vehicles.
145. In view of the living conditions on the site I do not find that it would be in the best interests of the children to continue to live there. The advantages arising from the provision of a stable base from which to access education and health facilities do not outweigh my conclusions in this respect.
146. The best interests of the children in this case do not weigh in favour of allowing the appeal.

The Green Belt Balance

The fence and gates

147. The erection of the fence and gates is inappropriate development in the Green Belt and such harm attracts substantial weight. The harm which arises from the adverse impact of these features on the character and appearance of the surrounding area also attracts significant weight. The appellant has not put forward any evidence to demonstrate that planning permission should be granted for the fence and gates on the basis of very special circumstances.
148. The appellant's human rights and the best interests of the children are not affected by any decision to refuse planning permission for the fence.
149. I conclude that the very special circumstances that are necessary to justify inappropriate development in the Green Belt, in the form of the fence and gates do not exist in this case. Accordingly, the erection of the fence and gates as described in the notice is contrary to GB1 and GB2 of the Core Strategy.

The mixed use of the site

150. I find that the mixed use of the site is by definition inappropriate development in the Green Belt. By virtue of paragraph 148 of the Framework such harm attracts substantial weight. I have also concluded that the development does not provide acceptable living conditions for the occupiers of the caravan and that this harm cannot be overcome by the use of planning conditions. Thus, this matter also attracts substantial weight.
151. In favour of allowing the appeal I attach moderate weight to the personal circumstances of the appellant and his family. I also attach limited weight to the lack of certainty regarding the supply of housing and to the contribution which the development makes to local housing supply, to site security, to the

economic and social benefits of the development and to the uncertainty about the availability of alternative accommodation.

152. As I have set out above, the best interests of the children are a primary consideration, and no other consideration is inherently more important, however, they are not a determinative factor. In this case the best interests of the children do not weigh in favour of the appeal because of the poor living environment.
153. The Framework makes it clear that the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the development must be clearly outweighed by other considerations for planning permission to be granted. In this case, there are several matters which weigh in favour of the appellant but most of those matters attract limited weight. Even the cumulative weight of these other considerations does not clearly outweigh the substantial harm to the Green Belt and the harm arising from the failure of the development to provide acceptable living conditions for the occupiers of the caravan.
154. Looking at the case as a whole, my initial conclusion is that the very special circumstances that are necessary to justify inappropriate development in the Green Belt, in the form of the mixed use of the site, do not exist in this case. Accordingly, the development is contrary to GB1 and GB2 of the Core Strategy.

Planning permission on a personal or temporary basis

155. Granting planning permission on a personal basis would have the effect of limiting the duration of the planning permission and consequently the harm to the Green Belt. However, it would not affect the exposure of the appellant and his family to harm arising from the failure of the development to make provision for satisfactory living conditions.
156. Given the age of the appellant and his family a personal permission could result in the development remaining in situ for a considerable amount of time being the lifetime of the appellant and his dependants. The Green Belt harm which I have identified would endure for the whole period of the appellant's occupation. The benefits arising from the development in terms of the contribution towards housing supply, site security and the economic and social benefits would be slightly reduced in comparison with a permanent permission.
157. Even considering the moderating effect of a personal permission on the harm to the Green Belt I still find that in terms of the Green Belt balance that harm would not be clearly outweighed by other considerations.
158. The appellant suggests that an appropriate duration for a temporary permission would be four years which would enable the Council to address its position in respect of mobile home/caravans policy. There is no evidence before me to suggest that there is an issue with the need and supply of residential caravans in the district or that a planning policy is needed to address it. I do not find this to be a sound justification for a temporary permission.
159. If a temporary condition of four years was justified, it would limit the duration of the harm to the Green Belt and the experience of the harm arising from the living conditions on site. However, the benefits in terms of the contribution towards housing supply, site security and the economic and social

impacts would be of limited duration and therefore would be reduced in comparison with those associated with a personal or permanent permission.

160. The impacts on the Green Belt and the harm arising from the unacceptable living conditions on the site would be moderated by the limited duration of a temporary consent. Nevertheless, it remains my view that in terms of the Green Belt balance that level of harm would not be clearly outweighed by other considerations.
161. I conclude that granting permission on a personal and/or temporary basis does not change the Green Belt balance such that planning permission should be granted.

Human Rights including the Best Interests of the Child

162. The appellant says that he does not have any place to go in his own witness statement. However, there is a lack of clarity around whether there is appropriate alternative accommodation available to him and his family should the appeal not succeed. Nor is there any substantive evidence to show alternative accommodation is unviable on the basis of cost.
163. On the basis of the information before me there is a possibility of the appellant and his family becoming homeless as a result of compliance with the notice. Even if this was not the case, dismissing the appeal and refusing planning permission would result in the loss of the site for the caravan which is currently the appellant and his family's home. This would amount to a significant interference with their rights under Article 8.
164. I have considered all of the matters raised by the appellant including his personal circumstances and those of his family. I am also mindful that the view of the appellant is that it would be in the best interests of the children for the family to remain living on the site. However, I disagree with this view and on the basis of the living conditions on the site I find that it is not an appropriate living environment for the children.
165. The interference with the rights of the appellant and his family would be a proportionate response in pursuance of the well-established and legitimate aim of the protection of the Green Belt in the public interest.

Conclusion – Ground (a) and the DPA

166. The development as described in the notice does not accord with the development plan as a whole and there are no other considerations to indicate that the appeal should be determined otherwise in this respect. Therefore, for the reasons given above, I conclude that the appeal should not succeed, and that planning permission should not be granted. This action would not unacceptably violate the human rights of the appellant and his family, and the protection of the public interest cannot be achieved by means that are less interfering of their rights.

Ground (f)

167. The appeal on ground (f) relates only to the fence and gates. I have not accepted the appellant's argument on ground (d) in respect of the fence separately to the gates and barbed and razor wire top trim. The purpose of the notice is to remedy a breach of planning control, therefore, the requirement to

remove the fence and gates in their entirety is not unreasonable and the appeal on ground (f) does not succeed.

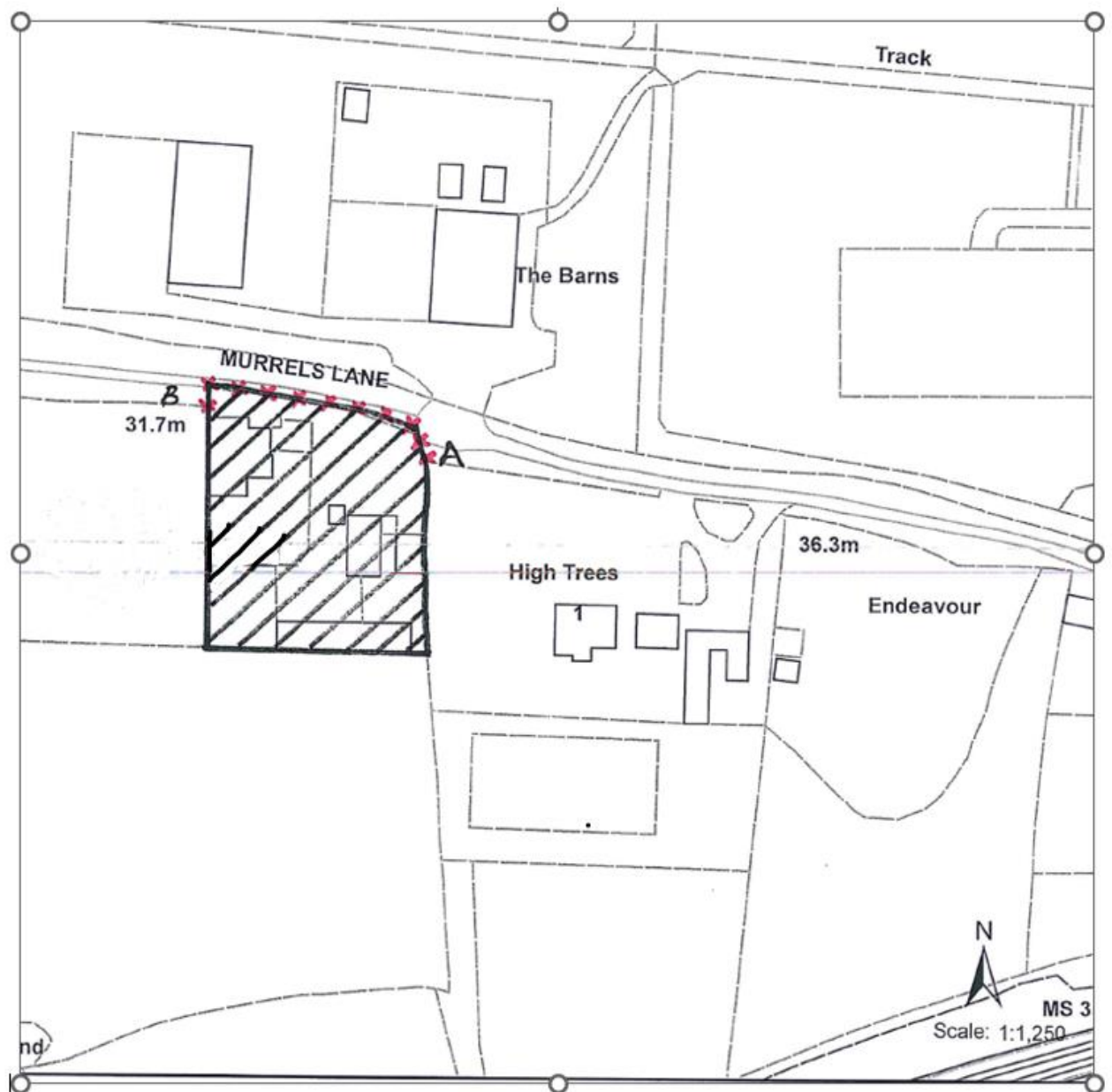
Ground (g)

168. The appellant suggests that the compliance period for step 1 should be varied to 2 years to allow sufficient time for him to identify, locate and move to and alternative site.
169. There is no substantive evidence to demonstrate that the appellant would not be able to source alternative accommodation within the 9 month compliance period. However, the appellant wishes to live in a caravan, and he says he would not wish to live in bricks and mortar accommodation. It is clear from the evidence on alternative accommodation that this reduces the options available to him and his family.
170. As issued the notice sets out a series of compliance periods which taken together amount to a compliance period of 11 months. In recognition of the limited range of options available to the appellant in terms of residential caravan sites and allowing for the possibility that he may wish to move the mobile home to another location, I shall vary the compliance period to a single period of 12 months. This provides the appellant with some flexibility but reflects my findings in respect of the living conditions on the site and the best interests of the children.
171. For the reasons given above, I conclude that the period for compliance with the notice falls short of what is reasonable. I shall vary the enforcement notice prior to upholding it. The appeal on ground (g) succeeds to that extent.

Sarah Dyer

INSPECTOR

Annex A - Enforcement Notice Plan



APPEARANCES

FOR THE APPELLANTS:

Mr Michael Rudd	Counsel for the appellant
Mr Matthew Green	Representing the appellant
Mr Aaron Archer	Appellant
Mr Nigel Wood	Witness 1
Mr Philippe Purnell	Witness 2
Mr Bob Kavanagh	Witness 3
Mr Paul Buckley	Witness 4
Mr David Choppen	Witness 5

FOR THE COUNCIL:

Mr Christiaan Zwart	Counsel appointed by Rochford District Council
Ms Yvonne Dunn	Rochford District Council/Council Witness 1
Ms Talent Masuku	Rochford District Council/Council Witness 2
Mr Mike Stranks	Rochford District Council/Council Witness 3
Mr Daniel Goodman	Rochford District Council/Council Witness 4

DOCUMENTS SUBMITTED TO THE INQUIRY IN NOVEMBER 2022

BY THE APPELLANT:

Signed and dated Witness Statements from:

Mr Simon Kavanagh (known as Bob Kavanagh)
Mr Philippe Purnell
Mr Paul Buckley
Mr David Choppen
Mr Nigel Woods
Mr Aaron Archer

Opening submissions on behalf of the appellant

BY THE COUNCIL:

Extract from Rochford District Council web page referring to the Rochford Core Strategy National Planning Policy Framework Compliance Review

Copy of Rochford Core Strategy National Planning Policy Framework Compliance Review

Copy of a certificate of lawful use or development dated 17 September 2001
(Council Ref. 00/00751/LDC)

Copy of certificate of lawful use or development dated 9 August 2002 (Council Ref.
00/00750/LDC)

Opening submissions of the Council

DOCUMENTS SUBMITTED TO THE INQUIRY IN JULY 2023

BY THE APPELLANT:

Signed and dated Second Witness Statements from:

Mr Nigel Wood
Mr Aaran Archer

Signed and dated Affidavit from Mr Bernie Street

Copy of Statement of Common Ground (Housing Supply and Delivery) between
Rochford Council and Bloor Homes in respect of a planning appeal relating to Land
east of Ashingdon Road and North of Rochford Garden Way (Appeal Ref.
APP/B1550/W/21/3283646)