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My Ref: 18/00151/COU_C
Your Ref: 18_979

Date: 3rd October 2019

Dear Sirs

**Re: Appeal of Enforcement Notice dated 28th August 2019 on land at The Yard,
Murrels Lane, Hockley – Mr A Archer**

I refer to your letter dated 26th September 2019 in which you have requested sight of the Council's evidence which the authority considers contradicts the appellant's submission in relation to their ground (d) appeal.

The following timeline outlines what the Council consider are the sequence of events over the 10-year period 2009 to 2019 and the evidence to support that submission.

30th September 2009 – phone call to the LPA on-duty planning officer (Yvonne Dunn) from Innis Martin of Plan-It Architectural Design Consultants Ltd regarding a proposal to remove the scrap yard and develop the site for residential. The duty officer email response advising the introduction of a new residential use in the Green Belt would be inappropriate development is enclosed. (copy of this email is enclosed). During the discussion there was no mention of any existing residential use on the site, which in the Council's opinion would have been material to the consideration of this enquiry.

1st April 2010 – planning application 10/00203/OUT submitted to demolish and remove existing commercial premises and construct four detached properties. The application form stated at Q.15 the existing use of the site was "Industrial Scrap Yard and Motor Vehicle Maintenance". Q.18 stated "total existing residential units as zero". Submitted with the application was a supporting statement which described the use of the site and included photographs. There was no mention of any existing residential use on the site within any of the documentation. It is the Council's opinion an existing residential use would have been a material to the consideration of the proposal The application was invalid on receipt and despite the authority requesting the additional documentation. No further documents were received, and the application was returned. (copy of the submission enclosed).

2013 – Aerial image shows what could be two caravans on the site. (See aerial image bundle years 2008, 2009 and 2014)

2014 - Aerial image 2014 show the site has been cleared of all vehicles. The image shows, what could be a large mobile home on the site located alongside the left-hand side of the middle building.

2016 – The Council received a complaint regarding someone living on the site. Access was arranged with the then landowner, Mr Nigel Wood. On the 16th June 2016 the site was visited by the LPA who met Mr Wayne Meredith (representative of Mr Nigel Wood). Mr Meredith told the officer, no one was living on the site. There was a large caravan on the site within a compound. When asked Mr Meredith advised the officer the caravan was there in storage and was currently up for sale. (see Officer site visit notes enclosed).

2017 – Land Registry records show the site was purchased by Mr Aarun Archer on the 30th June 2017. (see enclosed record).

2018 – The Council received a complaint about Mr Aarun Archer living on the site. The complainant, who regular calls the Council about this site, refused to provide his name. The complainant advised the LPA that Mr Archer moved onto the site in 2016 after previously living at the rear of 3 Murrels Lane, Hockley. (see enclosed record).

2019 – Council officers visited the site on a pre-arranged visit on the 17th January 2019 and met Mr Archer and his planning agent, Mr Green from GPS Ltd.

2019, 29th April – The Council's customer services team received a call from Deanna Macmanus, partner of Mr Aarun Archer, regarding Council Tax. The information provided to the Council by Ms Macmanus, was that Mr Archer had been living on the site since Christmas Day 2014 and Ms Macmanus had moved onto the site on Xmas day 2018. (see CTax proforma enclosed).

I trust the above meets your request.

Can you please provide the Council, by return, the appellant's evidence upon which they will rely on to support the ground (d) appeal.

If I can assist you further, please do not hesitate to contact me.

Yours faithfully



Yvonne Dunn MSc
Team Leader
Development Management Enforcement