

**ANTHONY BIEBUYCK**

**34 Wickham Crescent**

**Chelmsford**

**Essex, CM1 4WD**

**E-MAIL: [admin@biebuyck.co.uk](mailto:admin@biebuyck.co.uk)**

6 June 2005

Dear Sirs,

**Application: Change of Use.**

**Charlotte Foyle**

**Goads Meadow, Murrell's Lane, Hockley.**

I enclose six copies:

1. Form T.P.1.
2. Article 7 certificate.
3. Explanatory note to detail proposal and circumstances.
4. Copy Land Certificate and 1:1250 plan.

together with cheque in respect of fee of £265 and letters of support from the following:

1. M.F. Brewer, 2 Murrell's Lane.
2. T.S.Cripps, Blounts Farm, Murrell's Lane and PCN Mushrooms.
3. Peter Fisher and Mee Lim, Hockley Hall, Church Road.
4. John and Iris McGirr, 4 Murrell's Lane.
5. Brian Mitchell, 5 Murrell's Lane.
6. J.R. Wilson, 1 Murrell's Lane.

I look forward to hearing from you.

Yours faithfully,



Anthony Biebuyck

**PLEASE READ "NOTES FOR GUIDANCE" BEFORE COMPLETING YOUR APPLICATION**

**Six copies of this form, and of any accompanying plans, must be submitted. Please complete in BLOCK CAPITALS**

12. No. of proposed dwellings	1
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Signed: <i>C. R. L.</i>	Date: 6-6-05
On behalf of: CHARLOTTE FOYLE	

PLEASE COMPLETE RELEVANT SECTIONS OVERLEAF

**T.P.1**

The diagram consists of three identical blocks arranged horizontally. Each block is a rectangle with a vertical line on the left side and a diagonal line segment starting from the bottom-left corner and extending towards the top-right corner. The blocks are separated by small gaps.

## PROPOSAL

## SITE LOCATION

Level	Case Officer	Committee Date

Remittance List	Amount Paid
	£
Date	Receipt No.

## FINANCE

Correct Fee	Reason:
£	

App. type  Parish

Type of Devt ☐ Advert code ☐ Build reg rec'd ☐

**Building Reg. Number**

O/S Easting  O/S N'thing 

Listed Building ☐ Building pres notice 

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Cons area	TPO			Pipe line	
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**Airport**  **Arch**   
**S'guard**  **site**

LE Yes/No      MW Yes/No      FP Yes/No

Sheet No.  SSSI-Yes/No 

Zoning

### Previous Applications

13. Present use of Land/Building

STABLES AND GRAZING

14. If Outline Application indicate items on which Approval is sought in this application.

State YES or NO.

NA

Siting		Landscaping	
Design		Means of access	
External Appearance			

15. Is any felling, lopping or topping of Trees proposed?

NO If YES identify trees on plans

16. Does proposal involve a new or altered access to a highway?

NO YES or NO

17. No. of Parking spaces within site.

6 Existing  
Proposed

18. Materials to be used externally.

Roof AS PRESENT  
Walls AS PRESENT

This section must be completed if application relates to Industrial Warehousing, Shop or Office Development

State the following

19. The nature of the Industrial process/business to be carried out.

20. Is proposal related to an existing use on or near the site?

21. Is proposal for a replacement of premises? If so, give address and floor space of existing.

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22. Total floor space of all buildings to which application relates.

Amount of Industrial floor space

Amount of Office floor space

Amount of Retail floor space

Amount of Storage floor space

Amount of Warehouse floor space

Existing	Proposed

Sq. ft  
Sq. mt.

Tick appropriate box

23. The nature, volume and means of disposal of any trade effluents or trade waste.

24. The number of employees Existing

Male

Female

Additional

Male

Female

Male

Female

Of additional, how many are transfers

25. Is provision made for loading and unloading within the site?

If YES identify on plans

26. The estimated commercial vehicle movements to and from the site per day

27. Does proposal involve hazardous uses or materials? (See Note 13 for guidance)

YES or NO. If YES give details

**Notes to accompany Planning application for change of use.**

**Applicant: Charlotte Foyle.**

**Site: Goads Meadow, Murrell's Lane, Hockley SS5 6AB.**

Title number: EX612731

Map reference: TQ825932

1. Charlotte Foyle and Paul Buckley live on this property with their three children, Julie aged 6 years, Billy aged 4 years and Ruby aged 1 year. The application is for change of use from stables to residential use. The family has lived here for just five weeks short of four years.
2. Ms Foyle and Mr Buckley have lived here since purchase four years ago on 23 July 2001. They have made no alterations. Their home is the original stable, changed outside only by new windows and doors. The inside is double skinned to comply with building regulations for residential use, confirmed by the local authority building inspector, and a kitchen and bathroom installed. Mains water and electricity were already on site. Foul drainage is to a septic tank. Council tax was paid from the start and the property has all local authority services. The Planning Department has known of the residential use from the beginning in 2001.
3. In five weeks on 22 July 2005 Ms Foyle is entitled to a Certificate of lawfulness of existing residential use when the four years required by law ends.
4. The stables and hardstanding were built under permission ROC/730/81 dated 26 June 1983 (attached). When Ms Foyle purchased the land it was abandoned, derelict and subject to flytipping. Ms Foyle and Mr Buckley have worked hard to bring the property to the present exceptional standard of presentation. They have repaired fences, cleared ditches and trimmed trees and hedges. Mr Buckley works locally as a landscape gardener and has devoted his skills to care of the property.
5. Julie attends Hullbridge School but moves to Hockley School in September. Billy begins school at Hockley in September. All the family including parents and grandparents were born and bred locally and are well established.
6. Many sources, including the Rochford District Council Housing Needs Study of 1999, identify a lack of affordable housing in the locality for young families such as Ms Foyle and Mr Buckley. The study concluded that affordable housing was in short supply partly because of the under representation of flats and terraced houses in the local housing stock and partly because of high prices locally and in the County generally. The present use of this site provides affordable housing for a young family and accords with this important housing policy objective.
7. Location in the Green Belt is a major consideration in this application. Rochford is justly proud that hard work by the Council and officers protects the rural character of the district. The integrity of the Green Belt in Rochford is a resource for many outside the district and as such has wide importance.

8. Government guidance refers to Green Belt policies. PPG2 at paragraphs 3.7 to 3.9 refers to re-use of existing buildings. Re-use of existing buildings should not prejudice the Green Belt since the buildings are already there. Re-use secures continuing stewardship of the land. The alternative to re-use may be a building that is left vacant, prone to vandalism and dereliction. Re-use of buildings inside the Green Belt is not inappropriate development providing:

- it does not have a materially greater impact than the present use on the openness and purposes of the Green Belt.
- The buildings are of permanent and substantial construction and capable of conversion without complete reconstruction.
- The form, bulk and design of the buildings is in keeping with their surroundings.

The present use on this site is consistent with all these policy objectives and provides essential stewardship of previously derelict land.

9. The Rochford District Council analysis of the Green Belt carried out in 2004 points to the importance of encouraging the positive use of land in the Green Belt in accordance with PPG2 objectives, including the re-use of redundant agricultural buildings. The present use is consistent with this policy objective.

10. PPG3 at Annex B discusses the problem of affordable housing in rural areas. Local authorities are urged to consider a rural exception policy. This is permission for small sites in areas subject to policies of restraint such as the Green Belt, which the local plan would not otherwise release for housing, in order to provide affordable housing to meet local housing needs. The basis of such policies is to permit limited exceptions to established policies of restraint. The present use is consistent with this rural exception policy to provide affordable housing.

11. In this case the Applicant is the young mother and father (aged 25 and 29 years respectively) of a young family of pre-school and primary school children, born and bred in Rochford as were their parents and grandparents before them. Mr Buckley is employed in landscaping and works locally. They have occupied the property for only weeks short of the four years required for lawful use. There has been no external change in the building and hardstanding on site and the land is now cared for and under proper stewardship, to the benefit of the whole local community, on a prominent site at the corner of Murrell's Lane and Church Road.

12. The site provides affordable housing and a positive use of redundant land that enhances the amenity of the local Green Belt.

13. The property is part of an established mixed settlement of houses and industrial premises forming a continuous strip on the south side of Murrell's Lane, backed by the railway embankment and abutting on the Hockley residential area. There is good access to local facilities. As part of an established settlement the site does not contribute to co-alescence of settlements, an important objective of Green Belt policies. Access is from Murrell's Lane and there are no consequences for highway traffic or requirement for services. The building is set back from Church

Road, shielded by trees and hedges, and is unobtrusive. The adjacent industrial premises include an industrial estate of approximately ten units and a scrap metal yard and vehicle dismantling. The north side of Murrell's Lane has farm buildings and a field. There is a planning application to construct a livery business on the field consisting of twelve stables with ancillary premises including a menage, offices, storage, parking and a yard.

14. The Local Plan First Review notes an increasing proportion of older people in the local population and a lack of affordable housing.

15. Policy GB1 states that permission will not be given for development in the Green Belt except in very special circumstances. In this case very special circumstances include that:

- the land was unused and derelict prior to the present use.
- the present use has enhanced the visual amenity of the Green Belt.
- the site is part of an established residential and industrial settlement.
- the site abuts the Hockley residential area with good access to local facilities.
- the site is too small for other uses appropriate to the Green Belt.
- this use is within the rural exception policy set out in PPG3 and provides affordable housing for a young family. These are desirable policy objectives in view of the ageing population and the lack of affordable housing locally.
- There is no building required since the building and hardstanding were both created under the existing planning permission.
- The building is unobtrusive set back from Church Road and backs onto the railway embankment.
- The use is consistent with GB2 relaxation of restraint in specific areas.
- PPG7 encourages the re-use of redundant agricultural buildings. Though policies exclude residential conversions specifically, in this case the small site is incapable of any other reasonable beneficial use.
- The use is consistent with GB5 in that no alterations are required, the use does not adversely affect visual or other amenities in the area, there is satisfactory access, adequate off street parking and no other use is reasonably feasible.

Anthony Biebuyck.



Planning agent for Charlotte Foyle.