

CHARTERED SURVEYORS & PLANNING CONSULTANTS

BURY ST EDMUNDS – EXETER – WOLVERHAMPTON

**REPORT DETAILING INFORMATION TO SUPPORT THE CERTIFICATE OF  
LAWFULLNESS FOR THE RESIDENTIAL DWELLING**

**AT COLLEY WELLS, TREBERVA FRUIT FARM, MUCH BIRCH, HEREFORD, HR2  
8HU**

**ON BEHALF OF MR GEORGE SNELL**



*Prepared for*

**Mr George Snell**  
Colley Wells  
Treberva Fruit Farm  
Much Birch  
Hereford  
HR2 8HU  
**December 2019**

*Report prepared by:*

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## **1. INTRODUCTION**

- 1.1 This supporting statement been commissioned by Mr George Snell from Colleys Wells, Treberva Fruit Farm, Much Birch, Hereford, HR2 8HU. The purpose of this report is to support and explain the information submitted in order to confirm that the dwelling, outlined in red titled 'SnellS102', exhibited in the Site Location Plan has been in residential use, continuously for over four years, with the avoidance of doubt.
- 1.2 The evaluation of the business and the preparation of this report has been carried out by Olivia Hazell. Olivia Hazell is a Rural Planning Consultant with Acorus Rural Property Services. She holds an MSc in Spatial Planning and is a Licentiate Member of the Royal Town Planning Institute.

## **2. INSPECTION**

- 2.1 I met with Mr George Snell on 5 November 2019 at Colleys Wells, Treberva Fruit Farm, Much Birch, Hereford, HR2 8HU. At the site visit I collected details regarding the residential use and inspected the dwelling house and the subject of the application. This report is based upon information provided at the visit, information supplied from previous planning applications relating to the site and professional judgement.

## **3. THE RESIDENTIAL USE**

- 3.1.1 The Snell family has owned Treberva Fruit Farm since circa 1950. Historically the land was used as an agricultural holding as a mixed farming operation, which turned to a fruit production farm in the 1960s.
- 3.1.2 The dwelling house, as outlined on the plan, titled 'Snell102', was built in 1968. The dwelling was originally used as residential accommodation for Mr George Sell, [REDACTED] from 1968 to 1970, and also as a farm office space to 1995. The dwelling house from 1995 onwards was used as accommodation to house seasonal workers on the fruit farm. Since March 2014 the dwelling house has been occupied by Mr David Machacek and Mrs Dana Machahova. Originally David Machacek was employed by the fruit farm but since June 2019 has ceased working for the fruit farm but continue to live in the dwelling.
- 3.1.3 Along with statutory declarations submitted and signed by the owners Mr Snell and the tenants the Machahovas. An aerial photograph was discovered and shown during the meeting on the 5<sup>th</sup> of November, which is owned by Mr George Snell. This has been submitted as exhibit 'Aerial photo from 1980s' this photo clearly shows the building was used as a dwelling, with first floor windows, render and brick clearly being built to a residential specification. The photo also shows the fruit trees, which appear to be newly planted, indicating the dwelling was in built since the 1980s. The original architectural drawing for the dwelling has been submitted, titled 68/4. This signifies when the designed and built after from 1968 and the dwelling was likely to be built after 1968.
- 3.1.4 In general the dwelling is weathered, the fixtures and fittings including the kitchen are bathroom are sufficiently worn and weathered which indicates the dwelling has been in residential use for over 4 years.

#### **4. CONCLUSION**

- 4.1 In assessing to whether the dwelling has been in residential use for over four years, and therefore immune from enforcement action and considered approvable under a certificate of lawfulness of existing use. It is concluded that the dwelling house should be considered to be suitable for approval as adequate evidence has been provided.

**OLIVIA HAZELL LRTPI MSc**

Acorus Rural Property Services Ltd

December 2019

