STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
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Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Alan Yarwood
Roger Yarwood Planning Consultant
Wheatley Barn Wheatley Road
Matlock
DE4 2FF

Mr & Mrs Price
Olive Tree Park Uttoxeter Road
Checkley
ST10 4NA

Application no: SMD/2017/0820

Determined on: 16th February 2018

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England) Order 2015 (as Amended)

FULL PERMISSION FOR DEVELOPMENT

This permission does not carry any approval or consent which may be required under any enactment, bylaw, order or regulation (e.g. in relation to Building Regulations or the Diversion of Footpaths etc) other than Section 57 of the Town and Country Planning Act, 1990.

Location of Development:
Land named as 'Olive Tree Park' on Uttoxeter Road, Checkley, Staffordshire ST10 4NA, that is edged red on the attached 'Location Plan'.

Description of Development:
Material change of use of land to a caravan site for the stationing and use of 3 touring caravans for residential occupation (including incidental works that provide an associated utility building, timber store shed, hardstanding and foul drainage to cess pit).

In pursuance of their power under the above mentioned Act, Staffordshire Moorlands District Council Planning Authority, **HEREBY GRANTS PLANNING PERMISSION** for the development that is described above and has already occurred, the planning permission is granted subject to the following condition(s):

1. The use hereby permitted shall be carried on only by the following: Mr. David and Johanna Price, Pacer Price, Annemarie Neddick, John Curtis Price, Ethil Price, and their resident dependents.

Reason:- To tie the use of the site to that of the applicant and his family because their personal need is a matter of significant weight in circumstances where the development would not normally be acceptable.

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2. When the premises cease to be occupied by those named in condition 1 above, the use hereby permitted shall cease and all caravans, buildings (including the brick built utility building), structures, materials and equipment brought on to the land, or works undertaken to it in connection with the use, shall be removed and the land restored to its condition before the development took place.

Reason: To tie the use of the site to that of the applicant and his family, because their personal need is a matter of significant weight in circumstances where the development would not normally be acceptable, and to ensure that the character and appearance of the landscape is restored if they cease to need and use the land.

3. No more than 3 touring caravans, and no static caravans, shall be stationed on the site at any time.

Reason: To protect the character and appearance of the landscape in this locality and to ensure that adequate space and facility is available to the users of the site.

4. No commercial activities shall take place on the land, including the storage of materials.

Reason: To protect the character and appearance of the landscape in this locality and the amenity of adjacent residents.

5. No vehicle over 3.5 tonnes shall be stationed, parked or stored on the site.

Reason: To protect the character and appearance of the landscape in this locality and the amenity of adjacent residents

6. No gates shall be installed at the access to the site.

Reason: In the interests of highway safety

7. Throughout the life of the use, the site shall continue to be set out and arranged as it was at the date of the application and in accordance with the attached 'LAYOUT' plan. There shall at no time, without the written approval of the local planning authority, be any alterations made to the site layout, including any introduction of additional:

- external lighting at the site;
- alterations to the access to the site;
- alterations to the internal layout of the site;
- or provision made for the siting of caravans, parking, turning and ancillary buildings or structures.

Reason: To protect the character and appearance of the landscape in this locality and the amenity of adjacent residents.

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Informative

1. The development that is hereby granted planning permission has already occurred and the permission is therefore, granted retrospectively. While the use has previosuly been granted time limited temorary planning permissions it was judged that, at the time of the application, matters weighing in favour of the development now outweigh those weighing against to such an extent that a full and permanent planing permission is justified. As the application was considered acceptable there was no need for any negotiation or amendment as would otherwise be advocated within the National Planning Policy Framework paragraphs 186-187.
2. The plans to which this permission relates are appended to this Decision Notice

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

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Mr and Mrs D Price
Former garden land of Rose Cottage, Uttoxeter Road, Checkley ST10 4NA
Application to retain use of land as caravan site for occupation by Gypsy-Traveller family

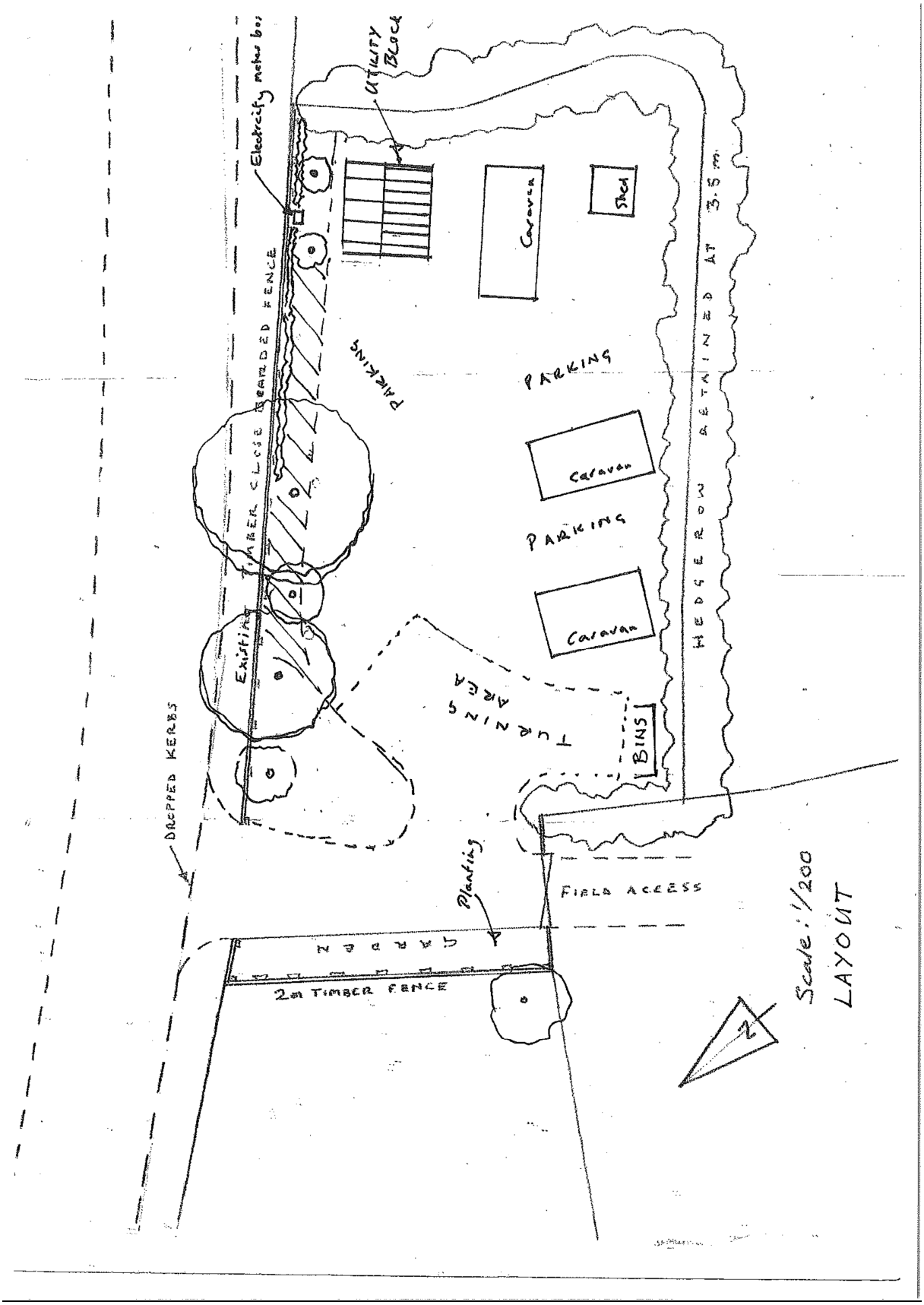
Plan 1 – Location Plan scale 1:1250



Scale : 1:1250

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NOTES

1. Approval under the Building Regulations may also be required. Advice in this respect can be obtained by contacting the Councils Building Control Section at BControl@staffsmoorlands.gov.uk

2. Where a vehicle is often driven across a grass verge or kerbed footway to and from premises adjoining a highway, the occupier of the premises may, be required to pay the cost of construction of a crossing, and/or may be required to comply with conditions, imposed by the Authority. You should contact the Highway Authority at Staffordshire County Council.

3. This consent is granted subject to conditions and it is the owner(s) and the person(s) responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond. An application will need to be made to discharge conditions and a fee is payable with the application. For more details please refer to our web site: www.staffsmoorlands.gov.uk If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a "condition precedent". The following should be noted with regards to conditions precedent:
   (a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.
   (b) Where a condition precedent is breached and the development is unauthorised, the only way to rectify the development is the submission of a new application.

4. Other conditions on this permission must also be complied with. Failure to comply with any condition may render the owner(s) and the person(s) responsible for the implementation of the development liable to enforcement action.

5. The permission is granted in strict accordance with the approved plans. It should be noted however that:
   (a) Any variation from the approved plans following commencement of the development irrespective of the degree of variation will constitute unauthorised development and may be liable to enforcement action.
   (b) Variation to the approved plans will require the submission of a new planning application.

6. If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

7. If the decision to refuse planning permission is for a householder application, and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

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8. If this is a decision to refuse planning permission for a minor commercial application, and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

9. If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.

10. If you want to appeal against your local planning authority's decision for any other type of development, including listed building consents then you must do so within 6 months of the date of this notice Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at https://acp.planninginspectorate.gov.uk

11. The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

12. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.