BYATT OLIVER
— ASSOCIATES —

Lawful development: Existing use

Caravan and motorhome Storage at Park View Farm, Stoney Lane, Cauldon, ST10 3EP.

Planning Statement

Site Address:

Park View Farm, Stoney Lane, Cauldon, ST10 3EP

Applicant:

Mr & Mrs S. Shenton

Proposal:

Lawful Development Certificate for Existing Use
Use of site for the storage of Caravans and Motorhomes

Planning Statement:

Date Issued: 10th November 2020
Project Reference: 5582

Supporting Documents:

- Statement of Truth of Nancy Irene Burndred.
- 5582 – 001 – Site Layout Plans
- 5582 – 002 – Site Location Plans

0.1 INTRODUCTION

This document has been prepared on behalf of Mr & Mrs S. Shenton in support of a Lawful Development Certificate for Existing use, which seeks confirmation that the site or parts thereof have been used for the storage of Caravans and motorhomes for a period in excess of 10 years.

0.2 SITE SETTING

The application site forms part of the concrete hardstanding's located within the grounds of Park View Farm. Park View Farm is located at the junction of Dukes Lane and Stoney Lane in Cauldon and is bound on the roadside with traditional dry stone walling and established landscaping, of small tree and hedgerows. The site area itself is predominant made up of concrete hardstanding's and other hard surfaced materials.

The farmhouse is located to the South-West of the application site, with a range of low level traditional red brick under tiled roofs storage buildings which are located to the West, with 3 large portal framed buildings located to the North and North-West.

Vehicular access to the site from the highway is off Dukes Lane, (Refer to the plan for location), with rights of way over the existing farmyard and hard surfaced areas.

An aerial photograph of the site is shown in Figure 1. The image is taken from the sales documents for the site



Figure 1

0.3 THE PROPOSAL

This Lawful Development Certification seeks confirmation that:

- The site area as outlined red on the attached site layout plans has been used for the storage of caravans and motorhomes for a period in excess of 10 years and is therefore lawful.

0.4 STATEMENT OF CASE

Paragraph 006 of the Planning Practice Guidance relates to Lawful Development Certificates and confirms that an applicant is responsible for providing sufficient information to support an application. It goes on to state that if a local planning authority has no evidence itself or from others, to contradict or otherwise make the applicant's version of events less than probable, there is no good reason to refuse the application, provided the applicant's evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probability.

Section 171B of the Town and Country Planning Act 1990 (As Amended) confirms that where there has been a breach of planning control that doesn't involve building, engineering, mining or other operations in, on, over or under land, or doesn't involve the change of use of a building to create a single dwelling house, no enforcement action may be taken after the end of a period of ten years beginning with the date of the breach.

This application seeks to demonstrate that the use carried out on the site has been occurring for a period more than ten years. The application is accompanied by the following evidence:

1. A Statement of Truth of Mrs Nancy Irene Burndred

The Statement of Truth confirms the following:

1. Nancy Irene Burndred resided at the property for approximately 53 years
2. Since 2004 the site area and some associated buildings were used for the storage of caravans and motorhomes.
3. The arrangement continued beyond the sale to the current owners and applicants

The statement prepared by Mrs Burndred is considered to constitute a substantial piece of evidence in support of a Lawful Development Certificate being awarded.

0.5 CONCLUSION

I submit that the evidence presented in the Statement of Truth above can with the accompanying Appendices, taken as a whole, is sufficiently precise and unambiguous to justify the grant of a Lawful Development Certificate to conform that the use of the site for the storage of Caravans and Motorhomes

Appendix A – Statement of Truth