

## IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

### TOWN AND COUNTRY PLANNING ACT 1990

(As amended by the Planning and Compensation Act 1991)

#### ENFORCEMENT NOTICE

##### Operational Development

ISSUED BY: South Staffordshire District Council

1. **THIS NOTICE** is issued by the Council because it appears to them that there has been a breach of planning control, within paragraph (a) of section 171A(1) of the above Act, at the Land described below. They consider that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations. The Annex at the end of the notice and the enclosures to which it refers contain important additional information.

2. **THE LAND TO WHICH THIS NOTICE RELATES**

Land at Crooked House, Crooked House Lane, Dudley, DY3 4DA, shown edged red on the attached plan ("the Plan").

3. **THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL**

Without planning permission, demolition of an unlisted building, formerly known as the Crooked House ("the Building"), located in the position outlined in blue on the Plan.

4. **REASONS FOR ISSUING THIS NOTICE**

- i) It appears to the council that the above breach of planning control has occurred within the last four years.
- ii) The Building is a non-designated heritage asset which is listed on the Staffordshire HER (Historic Environment Record) and its significance and historic importance is set out in the Heritage Statement (Appendix 1).
- iii) The demolition of an unlisted building constitutes development within the meaning of section 55 of the Town and Country Planning Act (as amended) and demolition was not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 due to paragraph B.1(c) of Part 11 of Schedule 2.

- iv) The main pub structure and extensions have been demolished.
- v) The unauthorised demolition of the Building resulted in the loss of a community facility of local historic significance and interest which was included in the Historic Environment Record (HER) as further detailed and set out in the Heritage Statement annexed to this Notice at Appendix 1. At the time of demolition, Historic England was in receipt of an application to list the Crooked House. However, due to its demolition, Historic England did not have the opportunity to assess it and determine if it was suitable for listing. The Local Planning Authority was progressing the Building to be included on the “Locally Listed Buildings” register. Had the Building not been demolished it would have been included in the Locally Listed Buildings register as the Building would have met the criteria for local listing as set out in the Heritage Statement.
- vi) National Planning Policy Framework Chapter 16 Conserving and enhancing the historic environment: Paragraph 195 states that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Paragraph 200 notes in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. The demolition of the Building is contrary to these policies as the Building is listed on the Historic Environment Record and is therefore considered to have the same level of protection as a non-designated heritage asset. There was no ability for the Local Planning Authority to fully assess the implications of its loss as no desk-based assessment or field evaluation was carried out to assess the potential impact of the demolition on the non-designated heritage asset.
- (vii) The loss of this community facility is contrary to Chapter 8, Paragraph 97 of the National Planning Policy Framework which sets out the need to “provide the social, recreational and cultural facilities and services the community needs, and planning policies and decisions should:
  - (a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, **public houses** and places of worship) and other local services to enhance the sustainability of communities and residential environments;

(b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;

(c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;

(d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community;”

viii) Demolition of the Building is contrary to Policy EQ3 of the 2012 South Staffordshire Council adopted Core Strategy which is to protect and enhance the historic environment. The development that has been undertaken has resulted in the loss of a focal building due to its siting, design and historical association with the area, which although was in a remote location, had a socially prominent position and therefore is contrary to policy EQ3.

ix) The demolition of the Building is contrary to Core Policy 10 of the South Staffordshire Council adopted Core Strategy: Sustainable Community Facilities and Services. Policy EV9 of Core Policy 10: Provision and Retention of Local Community Facilities and Services does not support the loss of community facilities and services including public houses as a local community facility and service. Community facilities should be sought to be retained wherever possible where they make an important contribution to the vitality of the place and quality of life/wellbeing of local communities and the maintenance of sustainable communities.

## **5. WHAT YOU ARE REQUIRED TO DO**

Rebuild the Building, located in the position outlined in blue on the Plan attached to this notice, so as to recreate it as similar as possible to the demolished Building as it stood prior to the start of demolition on 5 August 2023, to include the original pub building and later additions of the rear-extension and toilet block. For the avoidance of doubt such restoration shall include, but not be limited to steps (i) and (ii) as set out below:

i) Construction works as are required in order to reinstate the Building to its former dimensions and style as a public house including the provision of customer toilets within the Building and all necessary services and utilities. The construction and style of the Building are illustrated on the plans and photographs annexed to the enforcement notice (Appendix 2); and

- ii) Reconstruct the Building in design and materials to match those used in the original structure including but not limited to:

**Walls and bricks:**

Reclaimed bricks from the Crooked House should be used for the construction of the exterior walls or modern alternative to match in colour and texture. These should be laid in a bond based upon the photographic evidence of the elevations (Appendix 2 pages 1-5) (principal building in a variety of bonds). Where additional materials are required, suitable reclaimed bricks should be sourced to match to existing materials.

**Front elevation:**

Unpainted brick finish.

**Side (right):**

Unpainted brick finish.

**Side (left):**

Unpainted brick finish with tile hanging to top of gable.

**Rear elevation:**

Unpainted brick finish.

**Roof:**

The roofing should be of a traditional slate to match the appearance of the roof prior to the demolition of the building.

**Principal building (the two-storey building as shown in Appendix 2 pages 1-4):**

**Ground Floor:**

Rectangular in form and three bays wide with central doorcase with rectangular fanlight above and black painted timber door. Timber six over six sashes with horns to other two bays to the front elevation. White painted windows, reveals and sills. Rear elevation of original 1765 building with two timber casement windows in arch headed openings. Originally central plain door with arched head in line with door to front. Five black cast iron pattress plates and tie rod at top of ground floor level externally.

**First Floor:**

Front elevation with three timber six over six sashes. The central bay with a smaller, plainer sash without horns. The left and right bay with large sashes with horns matching those on the ground floor. White painted windows, reveals and sills. Gilt letter signage ("The Crooked House") between central doorcase and first floor window. Signwriting ("Banks's Ales") at first floor level between windows.

**Eaves:**

Round profile black rainwater goods and mesh along front of roof to prevent tile slip.

**Right elevation:**

The right-hand side elevation with attached single storey addition with slate roof. Two stacks set inside gable wall.

**Left elevation:**

Three substantial buttresses supporting the gable end. Two small modern rooms containing plant and stores located between the buttresses. Plant stores of modern matching brick with slate roofs to match rest of building. One louvred and one timber door painted to match woodwork to rear of building. The upper portion of the gable with tile hanging to match roof. Two stacks set inside the gable wall.

**Single storey extension:**

Single storey brick building (stretcher bond) of the 1980s with pitched slate roof, forming the toilets of the public house.

**Walls:**

Unpainted red brick (modern 1980s). Reclaimed materials from the demolition should be re-used based upon the photographic evidence (Appendix 2 photograph 1) or matching materials sought.

**Roof:**

Pitched slate roof to match principal building.

**Windows:**

Small square timber window with obscured glazing and white painted frame to the elevation facing the car park (as per the photographs on page 1 and Section D-D page 23 in Appendix 2).

**Restaurant extension:**

**Walls:**

Unpainted brick finish in modern brickwork matching to the original masonry of the main building.

**Roof:**

Mono-pitch slate roof to match others on main building and toilet block. Central glazed section with projecting timber and glass gable. Second small gable above clad in lead.

**Windows:**

Timber screen wall with central projection formed by French doors to patio area. Timber panelling below windows with etched and stained glass. All timber work painted black.

**Doors:**

Arch topped timber double doors to end furthest from main building and modern timber doors to end closest to main building. Both painted black.

**6. TIME FOR COMPLIANCE**

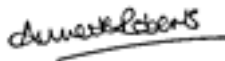
Three years from the date this notice takes effect.

**7. WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on **28 March 2024**, unless an appeal is made against it beforehand.

Dated: 27 February 2024

Signed:



Annette Roberts

Corporate Director of Place and Communities  
On behalf of: South Staffordshire District Council, Council Offices, Wolverhampton  
Road, Codsall, South Staffordshire WV8 1PX

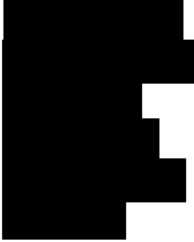
Nominated Officer: Catherine Gutteridge  
Telephone number: (01902) 696000

**PERSONS SERVED WITH A COPY OF THIS ENFORCEMENT NOTICE**

1. George Adam Taylor (known as Adam Taylor)



2. Carly Taylor



3. The Company Secretary



4. The Company Secretary  
ATE FARMS LIMITED



5. The Owner/Occupier,  
Land at Crooked House  
Crooked House Lane  
Dudley  
DY3 4DA  
(Notice to be attached to the land)

RED LINE PLAN TO ACCOMPANY ENFORCEMENT NOTICE

Crooked House, Crooked House Lane, Dudley, DY3 4DA





## **IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**

### **Town and Country Planning Act 1990 (as amended)**

**Enforcement Notice relating to land and building at** Land at Crooked House, Crooked House Lane, Dudley, DY3 4DA.

This local planning authority, South Staffordshire Council, has issued an enforcement notice relating to the above land and you are served with a copy of that notice as you have an interest in the Land. Copies of the notice are also being served on the parties listed on the Notice who, it is understood, also have an interest in the Land.

There is a right of appeal to the Secretary of State (at The Planning Inspectorate) against the notice. Unless an appeal is made, as described below, the notice will take effect on **28 March 2024** and you must ensure that the required steps, are taken within the period(s) specified in the notice.

**Please see the enclosed information sheet from The Planning Inspectorate which tells you how to make an appeal.**

If you decide that you want to appeal against the enforcement notice you must ensure that you send your appeal soon enough so that normally it will be delivered by post/electronic transmission to the Secretary of State (at The Planning Inspectorate) before **28 March 2024**.

Under section 174 of the Town and Country Planning Act 1990 (as amended) you may appeal on one or more of the following grounds: -

- (a) that, in respect of any breach of planning control which may be constituted by the matters stated in the notice, planning permission ought to be granted or, as the case may be, the condition or limitation concerned ought to be discharged;
- (b) that those matters have not occurred;
- (c) that those matters (if they occurred) do not constitute a breach of planning control;
- (d) that, at the date when the notice was issued, no enforcement action could be taken in respect of any breach of planning control which may be constituted by those matters;
- (e) that copies of the enforcement notice were not served as required by Section 172;
- (f) that the steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by any such breach;
- (g) that any period specified in the notice in accordance with section 173(9) falls short of what should reasonably be allowed.

Not all of these grounds may be relevant to you.

If you appeal under Ground (a) of Section 174(2) of the Town and Country Planning Act 1990 this is the equivalent of applying for planning permission for the development alleged in the notice and you will have to pay a fee of **£240.00**. This amount is double the usual Planning Application fee. You should pay this fee to South Staffordshire Council (made payable to South Staffordshire Council). Joint appellants need only pay one set of fees. If you do not wish to proceed under Ground (a) then no fee is payable.

If you decide to appeal, when you submit your appeal, you should state in writing the ground(s) on which you are appealing against the enforcement notice and you should state briefly the facts on which you intend to rely in support of each of those grounds. If you do not do this when you make your appeal the Secretary of State will send you a notice requiring you to do so within 14 days.

A copy of the appeal form and a copy of the Enforcement Notice together with a cheque for **£240.00** if appealing Ground a) made payable to South Staffordshire Council should be sent to the Council addressed to:-

Corporate Director of Place and Communities  
South Staffordshire Council  
Codsall Community Hub  
Wolverhampton Road,  
Codsall,  
WV8 1PX

If you do not appeal against this enforcement notice, it will take effect on the **28 March 2024** and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the periods specified in paragraph 6 of the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.

Planning Enforcement Contact Officer:

[REDACTED]

**Planning Enforcement Team Manager**

**South Staffordshire District Council  
Planning Department  
Council Offices  
Wolverhampton Road  
Codsall,  
South Staffordshire,  
WV8 1PX**

[REDACTED]

[REDACTED]

# ANNEX

## YOUR RIGHT OF APPEAL

You can appeal against this notice, but any appeal must be received, or posted in time to be received, by the Planning Inspectorate acting on behalf of the Secretary of State before the date specified in paragraph 7 of the notice.

The enclosed information sheet published by the Planning Inspectorate gives details of how to make an appeal.

## WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on the date specified in paragraph 7 of the notice and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period[s] specified in paragraph 6 of the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.

Relevant Extracts from the Town & Country Planning Act 1990

### **[171A. — Expressions used in connection with enforcement.**

(1) For the purposes of this Act—

(a) Carrying out development without the required planning permission;

or,

(b) Failing to comply with any condition or limitation subject to which planning permission has been granted, constitutes a breach of planning control.

(2) For the purposes of this Act—

(a) The issue of an Enforcement Notice (defined in section 172); or

(b) The service of a breach of condition notice (defined in section 187A), constitutes taking enforcement action.

(3) In this Part “planning permission” includes permission under Part III of the 1947 Act, of the 1962 Act or of the 1971 Act.]<sup>1</sup>

#### **Notes**

<sup>1</sup> Added by Planning and Compensation Act 1991 c. 34 Pt I s.4(1) (January 2, 1992 except as it relates to breach of condition notices and subject to transitional provision specified in SI 1991/2905; July 27, 1992 otherwise subject to transitional provisions in SI 1992/1630 art.3)

#### **Extent**

Pt VII s. 171A(1)-(3): England, Wales

### **[171B. — Time limits.**

(1) Where there has been a breach of planning control consisting in the carrying out without planning permission of building, engineering, mining or other operations in, on, over or under land, no

enforcement action may be taken after the end of the period of four years beginning with the date on which the operations were substantially completed.

- (2) Where there has been a breach of planning control consisting in the change of use of any building to use as a single dwelling house, no enforcement action may be taken after the end of the period of four years beginning with the date of the breach.
- (3) In the case of any other breach of planning control, no enforcement action may be taken after the end of the period of ten years beginning with the date of the breach.
- (4) The preceding subsections do not prevent—
  - (a) The service of a breach of condition notice in respect of any breach of planning control if an Enforcement Notice in respect of the breach is in effect; or
  - (b) Taking further enforcement action in respect of any breach of planning control, if, during the period of four years ending with that action being taken, the local planning authority have taken or purported to take enforcement action in respect of that breach.”] <sup>1</sup>

#### Notes

<sup>1</sup> Added by Planning and Compensation Act 1991 c. 34 Pt I s.4(1) (January 2, 1992 except as it relates to breach of condition notices and subject to transitional provision specified in SI 1991/2905; July 27, 1992 otherwise subject to transitional provisions in SI 1992/1630 art.3)

#### Extent

Pt VII s. 171B: England, Wales

### **[171BA Time limits in cases involving concealment**

- (1) Where it appears to the local planning authority that there may have been a breach of planning control in respect of any land in England, the authority may apply to a magistrates' court for an order under this subsection (a “planning enforcement order”) in relation to that apparent breach of planning control.
- (2) If a magistrates' court makes a planning enforcement order in relation to an apparent breach of planning control, the local planning authority may take enforcement action in respect of—
  - (a) The apparent breach, or
  - (b) Any of the matters constituting the apparent breach, at any time in the enforcement year.
- (3) “The enforcement year” for a planning enforcement order is the year that begins at the end of 22 days beginning with the day on which the court's decision to make the order is given, but this is subject to subsection (4).
- (4) If an application under section 111(1) of the Magistrates' Courts Act 1980 (statement of case for opinion of High Court) is made in respect of a planning enforcement order, the enforcement year for the order is the year beginning with the day on which the proceedings arising from that application are finally determined or withdrawn.
- (5) Subsection (2)—
  - (a) Applies whether or not the time limits under section 171B have expired, and
  - (b) Does not prevent the taking of enforcement action after the end of the enforcement year but within those time limits.] <sup>1</sup>

#### Notes

### **[171BB Planning enforcement orders: procedure**

- (1) An application for a planning enforcement order in relation to an apparent breach of planning control may be made within the 6 months beginning with the date on which evidence of the apparent breach of planning control sufficient in the opinion of the local planning authority to justify the application came to the authority's knowledge.
- (2) For the purposes of subsection (1), a certificate—
  - (a) Signed on behalf of the local planning authority, and
  - (b) Stating the date on which evidence, sufficient in the authority's opinion to justify the application came to the authority's knowledge, is conclusive evidence of that fact.
- (3) A certificate stating that matter and purporting to be so signed is to be deemed to be so signed unless the contrary is proved.
- (4) Where the local planning authority apply to a magistrates' court for a planning enforcement order in relation to an apparent breach of planning control in respect of any land, the authority must serve a copy of the application—
  - (a) On the owner and on the occupier of the land, and
  - (b) On any other person having an interest in the land that is an interest which, in the opinion of the authority, would be materially affected by the taking of enforcement action in respect of the apparent breach.
- (5) The persons entitled to appear before, and be heard by, the court hearing an application for a planning enforcement order in relation to an apparent breach of planning control in respect of any land include—
  - (a) The applicant,
  - (b) Any person on whom a copy of the application was served under subsection (4), and
  - (c) Any other person having an interest in the land that is an interest which, in the opinion of the court, would be materially affected by the taking of enforcement action in respect of the apparent breach.
- (6) In this section “planning enforcement order” means an order under section 171BA(1).<sup>1</sup>

#### Notes

### **[171BC Making a planning enforcement order**

- (1) A magistrates' court may make a planning enforcement order in relation to an apparent breach of planning control only if—

(a) The court is satisfied, on the balance of probabilities, that the apparent breach, or any of the matters constituting the apparent breach, has (to any extent) been deliberately concealed by any person or persons, and

(b) The court considers it just to make the order having regard to all the circumstances.

(2) A planning enforcement order must—

(a) Identify the apparent breach of planning control to which it relates, and

(b) State the date on which the court's decision to make the order was given.

(3) In this section “planning enforcement order” means an order under section 171BA(1).] <sup>1</sup>

#### Notes

<sup>1</sup> Added by Localism Act 2011 c. 20 Pt 6 c.5 s.124(1) (April 6, 2012 subject to SI 2012/628 arts 9, 12, 13, 16 and 18-20)

#### Extent

Pt VII s. 171BC(1)-(3): England, Wales

[Planning contravention notices] <sup>1</sup>

### **[172. — Issue of Enforcement Notice.**

(1) The local planning authority may issue a notice (in this Act referred to as an “Enforcement Notice”) where it appears to them—

(a) That there has been a breach of planning control; and

(b) That it is expedient to issue the notice, having regard to the provisions of the development plan and to any other material considerations.

(2) A copy of an Enforcement Notice shall be served—

*Town and Country Planning Act 1990 Page 213*

(a) On the owner and on the occupier of the land to which it relates; and

(b) On any other person having an interest in the land, being an interest which, in the opinion of the authority, is materially affected by the notice.

(3) The service of the notice shall take place—

(a) Not more than twenty-eight days after its date of issue; and

(b) Not less than twenty-eight days before the date specified in it as the date on which it is to take effect.] <sup>1</sup>

#### Notes

<sup>1</sup> Substituted by Planning and Compensation Act 1991 c. 34 Pt I s.5(1) (November 25, 1991 for certain purposes specified in SI 1991/2728 art.2; January 2, 1992 otherwise subject to transitional provisions specified in SI 1991/2905)

#### Commencement

Pt VII s. 172: August 24, 1990 (1990 c. 8 Pt XV s. 337(2))

#### Extent

Pt VII s. 172(1)-(8): England, Wales

### **[172A Assurance as regards prosecution for person served with notice**

- (1) When, or at any time after, an Enforcement Notice is served on a person, the local planning authority may give the person a letter—
  - (a) Explaining that, once the Enforcement Notice had been issued, the authority was required to serve the notice on the person,
  - (b) Giving the person one of the following assurances—
    - i. That, in the circumstances as they appear to the authority, the person is not at risk of being prosecuted under section 179 in connection with the Enforcement Notice, or
    - ii. That, in the circumstances as they appear to the authority, the person is not at risk of being prosecuted under section 179 in connection with the matters relating to the Enforcement Notice that are specified in the letter,
  - (c) Explaining, where the person is given the assurance under paragraph (b)(ii), the respects in which the person is at risk of being prosecuted under section 179 in connection with the Enforcement Notice, and
  - (d) stating that, if the authority subsequently wishes to withdraw the assurance in full or part, the authority will first give the person a letter specifying a future time for the withdrawal that will allow the person a reasonable opportunity to take any steps necessary to avoid any risk of prosecution that is to cease to be covered by the assurance.
- (2) At any time after a person has under subsection (1) been given a letter containing an assurance, the local planning authority may give the person a letter withdrawing the assurance (so far as not previously withdrawn) in full or part from a time specified in the letter.

*Town and Country Planning Act 1990 Page 214*

- (3) The time specified in a letter given under subsection (2) to a person must be such as will give the person a reasonable opportunity to take any steps necessary to avoid any risk of prosecution that is to cease to be covered by the assurance.
- (4) Withdrawal under subsection (2) of an assurance given under subsection (1) does not withdraw the assurance so far as relating to prosecution on account of there being a time before the withdrawal when steps had not been taken or an activity had not ceased.
- (5) An assurance given under subsection (1) (so far as not withdrawn under subsection (2)) is binding on any person with power to prosecute an offence under section 179.]<sup>1</sup>

#### Notes

<sup>1</sup> Added by Localism Act 2011 c. 20 Pt 6 c.5 s.125 (April 6, 2012 subject to SI 2012/628 arts 9, 12, 13, 16 and 18-20)

#### Extent

Pt VII s. 172A(1)-(5): England, Wales

### **[173. — Contents and effect of notice.**

- (1) An Enforcement Notice shall state—
  - (a) The matters which appear to the local planning authority to constitute the breach of planning control; and

- (b) the paragraph of section 171A(1) within which, in the opinion of the authority, the breach falls.
- (2) A notice complies with subsection (1) (a) if it enables any person on whom a copy of it is served to know what those matters are.
- (3) An Enforcement Notice shall specify the steps which the authority require to be taken, or the activities which the authority require to cease, in order to achieve, wholly or partly, any of the following purposes.
- (4) Those purposes are—
- (a) Remedying the breach by making any development comply with the terms (including conditions and limitations) of any planning permission which has been granted in respect of the land, by discontinuing any use of the land or by restoring the land to its condition before the breach took place; or
  - (b) Remedying any injury to amenity which has been caused by the breach.
- (5) An Enforcement Notice may, for example, require—
- (a) The alteration or removal of any buildings or works;
  - (b) The carrying out of any building or other operations;
  - (c) Any activity on the land not to be carried on except to the extent specified in the notice;
- Or
- (d) The contour of a deposit of refuse or waste materials on land to be modified by altering the gradient or gradients of its sides.

*Town and Country Planning Act 1990 Page 215*

- (6) Where an Enforcement Notice is issued in respect of a breach of planning control consisting of demolition of a building, the notice may require the construction of a building (in this section referred to as a “replacement building”) which, subject to subsection (7), is as similar as possible to the demolished building.
- (7) A replacement building—
- (a) Must comply with any requirement imposed by any enactment applicable to the construction of buildings;
  - (b) May differ from the demolished building in any respect which, if the demolished building had been altered in that respect, would not have constituted a breach of planning control;
  - (c) Must comply with any regulations made for the purposes of this subsection (including regulations modifying paragraphs (a) and (b)).
- (8) An Enforcement Notice shall specify the date on which it is to take effect and, subject to sections 175(4) and 289(4A), shall take effect on that date.
- (9) An Enforcement Notice shall specify the period at the end of which any steps are required to have been taken or any activities are required to have ceased and may specify different periods for different steps or activities; and, where different periods apply to different steps or activities, references in this Part to the period for compliance with an Enforcement Notice, in relation to any



step or activity, are to the period at the end of which the step is required to have been taken or the activity is required to have ceased.

(10) An Enforcement Notice shall specify such additional matters as may be prescribed, and regulations may require every copy of an Enforcement Notice served under section 172 to be accompanied by an explanatory note giving prescribed information as to the right of appeal under section 174.

(11) Where—

- (a) An Enforcement Notice in respect of any breach of planning control could have required any buildings or works to be removed or any activity to cease, but does not do so; and
- (b) All the requirements of the notice have been complied with, then, so far as the notice did not so require, planning permission shall be treated as having been granted by virtue of section 73A in respect of development consisting of the construction of the buildings or works or, as the case may be, the carrying out of the activities.

(12) Where—

- (a) An Enforcement Notice requires the construction of a replacement building; and
- (b) All the requirements of the notice with respect to that construction have been complied with, planning permission shall be treated as having been granted by virtue of section 73A in respect of development consisting of that construction.]<sup>1</sup>

#### Notes

<sup>1</sup> Substituted by Planning and Compensation Act 1991 c. 34 Pt I s.5(1) (November 25, 1991 for certain purposes specified in SI 1991/2728 part.2; January 2, 1992 otherwise subject to transitional provisions specified in SI 1991/2905)

#### Commencement

Pt VII s. 173: August 24, 1990 (1990 c. 8 Pt XV s. 337(2))

*Town and Country Planning Act 1990 Page 216*

#### Extent

Pt VII s. 173(1)-(12)(b): England, Wales

### **[173A. — Variation and withdrawal of Enforcement Notices.**

(1) The local planning authority may—

- (a) Withdraw an Enforcement Notice issued by them; or
- (b) Waive or relax any requirement of such a notice and, in particular, may extend any period specified in accordance with section 173(9).

(2) The powers conferred by subsection (1) may be exercised whether or not the notice has taken effect.

(3) The local planning authority shall, immediately after exercising the powers conferred by subsection (1), give notice of the exercise to every person who has been served with a copy of the Enforcement Notice or would, if the notice were re-issued, be served with a copy of it.

(4) The withdrawal of an Enforcement Notice does not affect the power of the local planning authority to issue a further Enforcement Notice.]<sup>1</sup>

**Notes**

1 Added by Planning and Compensation Act 1991 c. 34 Pt I s.5(1) (November 25, 1991 for certain purposes specified in SI 1991/2728 art.2; January 2, 1992 otherwise subject to transitional provisions specified in SI 1991/2905)

**Extent**

Pt VII s. 173A(2)-(4): England, Wales

**174. — Appeal against Enforcement Notice.**

- (1) A person having an interest in the land to which an Enforcement Notice relates or a relevant occupier may appeal to the Secretary of State against the notice, whether or not a copy of it has been served on him.
- (2) [An appeal may be brought on any of the following grounds—
  - (a) That, in respect of any breach of planning control which may be constituted by the matters stated in the notice, planning permission ought to be granted or, as the case may be, the condition or limitation concerned ought to be discharged;
  - (b) That those matters have not occurred;
  - (c) That those matters (if they occurred) do not constitute a breach of planning control;
  - (d) That, at the date when the notice was issued, no enforcement action could be taken in respect of any breach of planning control which may be constituted by those matters;
  - (e) That copies of the Enforcement Notice were not served as required by section 172;
  - (f) That the steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by any such breach;
  - (g) That any period specified in the notice in accordance with section 173(9) falls short of what should reasonably be allowed.

*Town and Country Planning Act 1990 Page 217*

- (2A) An appeal may not be brought on the ground specified in subsection (2)(a) if—
  - (a) The land to which the Enforcement Notice relates is in England, and
  - (b) the Enforcement Notice was issued at a time—
    - i. After the making of a related application for planning permission, but
    - ii. Before the end of the period applicable under section 78(2) in the case of that application.
- (2B) An application for planning permission for the development of any land is, for the purposes of subsection (2A), related to an Enforcement Notice if granting planning permission for the development would involve granting planning permission in respect of the matters specified in the Enforcement Notice as constituting a breach of planning control.]<sup>2</sup>
- (3) An appeal under this section shall be made [...] <sup>3</sup> —
  - (a) By giving written notice of the appeal to the Secretary of State before the date specified in the Enforcement Notice as the date on which it is to take effect; or

- (b) By sending such notice to him in a property addressed and pre-paid letter posted to him at such time that, in the ordinary course of post, it would be delivered to him before that date [ ; or ]<sup>3</sup>
  - (c) [By sending such notice to him using electronic communications at such time that, in the ordinary course of transmission, it would be delivered to him before that date.]<sup>3</sup><sup>1</sup>
- (4) A person who gives notice under subsection (3) shall submit to the Secretary of State, either when giving the notice or within the prescribed time, a statement in writing—
- (a) Specifying the grounds on which he is appealing against the Enforcement Notice; and
  - (b) Giving such further information as may be prescribed.
- (5) If, where more than one ground is specified in that statement, the appellant does not give information required under subsection (4)(b) in relation to each of those grounds within the prescribed time, the Secretary of State may determine the appeal without considering any ground as to which the appellant has failed to give such information within that time.
- (6) In this section “relevant occupier” means a person who—
- (a) On the date on which the Enforcement Notice is issued occupies the land to which the notice relates by virtue of a licence [...] <sup>4</sup>; and
  - (b) Continues so to occupy the land when the appeal is brought.

**Notes**

**1** Substituted by Planning and Compensation Act 1991 c. 34 Pt I s.6(1) (January 2, 1992 subject to transitional provisions specified in SI 1991/2905)

**2** Added by Localism Act 2011 c. 20 Pt 6 c.5 s.123(4) (April 6, 2012 subject to SI 2012/628 arts 9, 12, 13, 16 and 18-20)

*Town and Country Planning Act 1990 Page 218*

**3** S.174(3)(c) inserted in relation to Wales by Town and Country Planning (Electronic Communications) (Wales) (No. 1) Order 2004/3156 art.3 (January 1, 2005)

**4** Words omitted by Planning and Compensation Act 1991 c. 34 Sch.7 para.22 (January 2, 1992)

**Commencement**

Pt VII s. 174: August 24, 1990 (1990 c. 8 Pt XV s. 337(2))

**Extent**

Pt VII s. 174(1)-(6)(b): England, Wales

**P** Partially In Force

**175. — Appeals: supplementary provisions.**

- (1) The Secretary of State may by regulations prescribe the procedure which is to be followed on appeals under section 174 and, in particular, but without prejudice to the generality of this subsection, may—
- (a) Require the local planning authority to submit, within such time as may be prescribed, a statement indicating the submissions which they propose to put forward on the appeal;
  - (b) Specify the matters to be included in such a statement;
  - (c) Require the authority or the appellant to give such notice of such an appeal as may be prescribed;

(d) Require the authority to send to the Secretary of State, within such period from the date of the bringing of the appeal as may be prescribed, a copy of the Enforcement Notice and a list of the persons served with copies of it.

(2) The notice to be prescribed under subsection (1)(c) shall be such notice as in the opinion of the Secretary of State is likely to bring the appeal to the attention of persons in the locality in which the land to which the Enforcement Notice relates is situated.

(3) Subject to section 176(4), the Secretary of State shall, if either the appellant or the local planning authority so desire, give each of them an opportunity of appearing before and being heard by a person appointed by the Secretary of State for the purpose.

[(3A) Subsection (3) does not apply to an appeal against an Enforcement Notice issued by a local planning authority in England.]<sup>1</sup>

(4) Where an appeal is brought under section 174 the Enforcement Notice shall [subject to any order under section 289(4A)]<sup>2</sup> be of no effect pending the final determination or the withdrawal of the appeal.

(5) Where any person has appealed to the Secretary of State against an Enforcement Notice, no person shall be entitled, in any other proceedings instituted after the making of the appeal, to claim that the notice was not duly served on the person who appealed.

(6) Schedule 6 applies to appeals under section 174, including appeals under that section as applied by regulations under any other provisions of this Act.

*Town and Country Planning Act 1990 Page 219*

(7) [...] <sup>3</sup>

#### Notes

**1** Added by Planning Act 2008 c. 29 Sch.10 para.5 (April 6, 2009 in relation to England and Wales for purposes specified in SI 2009/400 art.3(j); not yet in force otherwise)

**2** Words added by Planning and Compensation Act 1991 c. 34 Pt I s.6(2) (January 2, 1992 subject to transitional provisions specified in SI 1991/2905)

**3** Repealed by Planning (Consequential Provisions) Act 1990 c. 11 Sch.4 para.3 (January 2, 1992: repeal has effect on January 2, 1992 for purposes specified in SI 1991/2698 art.3 subject to transitional provisions specified in SI 1991/2698 art.4 and on April 6, 2009 in relation to England only, for purposes specified in SI 2009/849 art.2(2)-(3) subject to transitional provisions specified in SI 2009/849 art.3; not yet in force otherwise)

#### Commencement

Pt VII s. 175: August 24, 1990 except for the provision specified in 1990 c.11 Sch.4 para.7; January 2, 1992 for purposes specified in SI 1991/2698 art 3; not yet in force otherwise (1990 c. 8 Pt XV s. 337(2); 1990 c. 11 Sch. 4 para. 7; SI 1991/2698 art. 3)

#### Extent

Pt VII s. 175(1)-(7): England, Wales

**P** Partially In Force

### **176. — General provisions relating to determination of appeals.**

(1) [On an appeal under section 174 the Secretary of State may—

(a) Correct any defect, error or misdescription in the Enforcement Notice; or

(b) Vary the terms of the Enforcement Notice, if he is satisfied that the correction or variation will not cause injustice to the appellant or the local planning authority.

(2) Where the Secretary of State determines to allow the appeal, he may quash the notice.

(2A) The Secretary of State shall give any directions necessary to give effect to his determination on the appeal.]<sup>1</sup>

(3) The Secretary of State—

(a) May dismiss an appeal if the appellant fails to comply with section 174(4) within the prescribed time; and

(b) May allow an appeal and quash the Enforcement Notice if the local planning authority fail to comply with any requirement of regulations made by virtue of paragraph (a), (b), or

(c) Of section 175(1) within the prescribed period.

(4) If [section 175(3) would otherwise apply and ] **2** the Secretary of State proposes to dismiss an appeal under paragraph (a) of subsection (3) [ of this section ] **3** or to allow an appeal and quash the Enforcement Notice under paragraph (b) of that subsection, he need not comply with section 175(3).

(5) Where it would otherwise be a ground for determining an appeal under section 174 in favour of the appellant that a person required to be served with a copy of the Enforcement Notice was not served, the Secretary of State may disregard that fact if neither the appellant nor that person has been substantially prejudiced by the failure to serve him.

*Town and Country Planning Act 1990 Page 220*

#### Notes

**1** S.176(1)-(2A) substituted for s.176(1)-(2) by Planning and Compensation Act 1991 c. 34 Sch.7 para.23 (January 2, 1992)

**2** Words inserted by Planning Act 2008 c. 29 Sch.10 para.6(a) (April 6, 2009 in relation to England and Wales for purposes specified in SI 2009/400 art.3(j); not yet in force otherwise)

**3** Words inserted by Planning Act 2008 c. 29 Sch.10 para.6(b) (April 6, 2009 in relation to England and Wales for purposes specified in SI 2009/400 art.3(j); not yet in force otherwise)

#### Commencement

Pt VII s. 176: August 24, 1990 (1990 c. 8 Pt XV s. 337(2))

#### Extent

Pt VII s. 176(1)-(5): England, Wales

### **177. — Grant or modification of planning permission on appeals against Enforcement Notices.**

(1) On the determination of an appeal under section 174, the Secretary of State may—

(a) [Grant planning permission in respect of the matters stated in the Enforcement Notice as constituting a breach of planning control, whether in relation to the whole or any part of those matters or in relation to the whole or any part of the land to which the notice relates;]<sup>1</sup>

(b) Discharge any condition or limitation subject to which planning permission was granted;

(c) [Determine whether, on the date on which the appeal was made, any existing use of the land was lawful, any operations which had been carried out in, on, over or under the land were lawful or any matter constituting a failure to comply with any condition or limitation

subject to which planning permission was granted was lawful and, if so, issue a certificate under section 19.]<sup>2</sup>

[(1A) The provisions of sections 191 to 194 mentioned in subsection (1B) shall apply for the purposes of subsection (1)(c) as they apply for the purposes of section 191, but as if—

- (a) Any reference to an application for a certificate were a reference to the appeal and any reference to the date of such an application were a reference to the date on which the appeal is made; and
- (b) References to the local planning authority were references to the Secretary of State.

(1B) Those provisions are: sections 191(5) to (7), 193(4) (so far as it relates to the form of the certificate), (6) and (7) and 194.]<sup>2</sup>

[(1C) If the land to which the Enforcement Notice relates is in England, subsection (1)(a) applies only if the statement under section 174(4) specifies the ground mentioned in section 174(2)(a).]<sup>3</sup>

- (2) In considering whether to grant planning permission under subsection (1), the Secretary of State shall have regard to the provisions of the development plan, so far as material to the subject matter of the Enforcement Notice, and to any other material considerations.
- (3) [The planning permission that may be granted under subsection (1) is any planning permission that might be granted on an application under Part III.]<sup>4</sup>

*Town and Country Planning Act 1990 Page 221*

(4) Where under subsection (1) the Secretary of State discharges a condition or limitation, he may substitute another condition or limitation for it, whether more or less onerous.

(5) [Where an appeal against an Enforcement Notice is brought under section 174 and—

- (a) The land to which the Enforcement Notice relates is in Wales, or
- (b) That land is in England and the statement under section 174(4) specifies the ground mentioned in section 174(2)(a), the appellant shall be deemed to have made an application for planning permission in respect of the matters stated in the Enforcement Notice as constituting a breach of planning control.]<sup>5</sup>

[(5A) Where—

- (a) The statement under subsection (4) of section 174 specifies the ground mentioned in subsection (2)(a) of that section;
- (b) Any fee is payable under regulations made by virtue of section 303 in respect of the application deemed to be made by virtue of the appeal; and
- (c) The Secretary of State gives notice in writing to the appellant specifying the period within which the fee must be paid, then, if that fee is not paid within that period, the appeal, so far as brought on that ground, and the application shall lapse at the end of that period.]<sup>6</sup>

(6) Any planning permission granted under subsection (1) on an appeal shall be treated as granted on the application deemed to have been made by the appellant.

(7) In relation to a grant of planning permission or a determination under subsection (1) the Secretary of State's decision shall be final.

(8) For the purposes of section 69 the Secretary of State's decision shall be treated as having been given by him in dealing with an application for planning permission made to the local planning authority.

**Notes**

1 Substituted by Planning and Compensation Act 1991 c. 34 Sch.7 para.24(1)(a) (January 2, 1992)

2 S.77(1)(c), (1A) and (1B) substituted for s.77(1)(c) by Planning and Compensation Act 1991 c. 34 Sch.7 para.24(1)(b) (July 27, 1992 subject to transitional provisions specified in SI 1992/1630 art.3)

3 Added by Localism Act 2011 c. 20 Pt 6 c.5 s.123(5) (April 6, 2012 subject to SI 2012/628 arts 9, 12, 13, 16 and 18-20)

4 Substituted by Planning and Compensation Act 1991 c. 34 Sch.7 para.24(2) (January 2, 1992)

5 Words and s.177(5)(a)-(b) substituted for words by Localism Act 2011 c. 20 Pt 6 c.5 s.123(6) (April 6, 2012 subject to SI 2012/628 arts 9, 12, 13, 16 and 18-20)

6 Added by Planning and Compensation Act 1991 c. 34 Pt I s.6(3) (January 2, 1992 subject to transitional provisions specified in SI 1991/2905)

**Commencement**

Pt VII s. 177: August 24, 1990 (1990 c. 8 Pt XV s. 337(2))

**Extent**

Pt VII s. 177(1)-(8): England, Wales

Customer Support Team  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol  
BS1 6PN

Direct Line: 0303 444 5000

Email: [enquiries@planninginspectorate.gov.uk](mailto:enquiries@planninginspectorate.gov.uk)

## 1. THIS IS IMPORTANT

If you want to appeal against this enforcement notice you can do it:-

- online at the [Appeals Casework Portal \(https://acp.planninginspectorate.gov.uk/\)](https://acp.planninginspectorate.gov.uk/); or
- sending us enforcement appeal forms, which can be obtained by contacting us on the details above.

**You MUST make sure that we RECEIVE your appeal BEFORE the effective date on the enforcement notice.**

Please read the appeal guidance documents at <https://www.gov.uk/appeal-enforcement-notice/how-to-appeal> (<https://www.gov.uk/appeal-enforcement-notice/how-to-appeal>).

In exceptional circumstances you may give written notice of appeal by letter or email. You should include the name and contact details of the appellant(s) and either attach a copy of the Enforcement notice that you wish to appeal or state the following:

- the name of the local planning authority;
- the site address; and
- the effective date of the enforcement notice.

We MUST receive this BEFORE the effective date on the enforcement notice. This should immediately be followed by your completed appeal forms.



# **APPENDIX 1**

## **Heritage Statement**

### **SUMMARY**

This report arises from the demolition of “The Crooked House” Public House, which occurred without notice between Saturday 5 August 2023 and Monday 7 August 2023 in breach of planning control.

### **BACKGROUND INFORMATION**

#### **The Site**

This report relates to the site which was, until recently, occupied by the Crooked House; a public house consisting of basement, ground and first floor levels. The site is surrounded by landfill sites on the site of the former Himley Colliery. The property was located at the end of Crooked House Lane, which is accessed from Himley Road (B4176) close to its junction with Brick Kiln Lane. The site is not located within a conservation area.

#### **History of the demolished building**

The Crooked House was built in 1765 and was originally a farmhouse. During the early 19th century mining in the area caused one side of the building to begin gradually sinking, leading to one side of the building being approximately 4 feet (1.2 metres) lower than the other. The subsidence caused a lean of 15 degrees in the original part of the building.

The farmhouse later (c. 1830) became a public house called the Siden House, siden meaning 'crooked' in the local Black Country dialect. The building was later renamed the Glynne Arms after the local landowner, Sir Stephen Glynne, on whose land it stood.

The building was condemned as unsafe in the 1940s and was scheduled for demolition, but the Wolverhampton and Dudley Breweries purchased the pub and rescued it by making the structure safe using buttresses and girders to retain its lopsided appearance. The building was put up for sale in 2023.

#### **Description of the demolished buildings**

##### **Architectural Details**

The Crooked House was built in 1765 as a farmhouse and became a public house circa 1830. The buildings lopsided appearance was as a result of subsidence that began during the 19<sup>th</sup> Century.

##### **Building Materials**

The original 1765 building was constructed of red/brown brick laid in a variety of bonds. The 1980s extensions were also of red brick laid in stretcher bond. The roof of the original building was covered in slate and had been recently replaced. All windows to the original building were of timber.

##### **Plan Form**

The original section of the building was of rectangular form, with a three-bay façade. The modern extensions to the side and rear replaced original and old outbuildings. There was a small outbuilding with a gabled roof which formed the toilets, whilst the linking corridor connected to the large rear extension forming the restaurant and additional seating areas. This part was also of brick construction and had a mono-pitch lean to roof to the rear section and a projecting central gable to the front.

The building original consisted of four rooms at ground floor level, shown on plans from the 1980s as opened out to three (bat to the right of the entrance and smoke room and children's room to the left). The smoke room and children's rooms were subsequently opened into one to create a bar, and the original bar became the lounge. As well as the outside toilets the original single storey portion to the side of the property contained a kitchen, scullery and store. The upper floor contained a sitting room, three bedrooms and a bathroom accessed off the central landing. The plans from the 1980s also showed the layout of the cellarage underneath the building.

### **Exterior**

The principal elevation faced towards the access drive and was of two storeys. The façade was constructed as symmetrical with six over six sashes to the left- and right-hand rooms and a smaller six over six sash to above the central doorcase with a rectangular fanlight. The entrance to the public house was via the original front door with a small lobby. There were two stacks to each gable end. Where the internal steel frame protruded from the building on the southern gable end this and the upper portion of the gable was covered by slate tile hanging.

The southern gable end of the building was supported by three large buttresses, which were in place by the early 20<sup>th</sup> Century (and are visible on the photographs from 1904 – 10). The two chimney stacks to the southern gable had been rebuilt in more modern brick during the later 20<sup>th</sup> Century and were vertical (adding to the effect of the lean on the building). The same was true of the two stacks on the northern gable end, which were rebuilt vertical and acted as buttressing to this gable end.

A line of five pattress plates were visible on the front façade of the building in between ground and first floor. These round plates formed part of the structural works carried out in the second half of the 20<sup>th</sup> Century, these combined with the metal tie rods and corner plates that were visible in photographs from the early 20<sup>th</sup> Century to help stabilise the building and stop further movement.

The signage to the front façade consisted of modern individual gold letters "The Crooked House" in between the central front door and first floor central window. In addition to this traditional sign writing "Banks's Ales" was painted on the two sections of wall between the first floor windows.

### **Interior**

The building's leaning walls gave rise to optical illusions. These included objects seemingly rolling uphill along the pub's dado rails and bottles appearing to roll upwards along tables. Furniture and fixtures appeared not to hang plumb, including the grandfather clock and the chandelier. In the 1970s, the landlord claimed that the novelty of the pub brought visitors from as far afield as China, Russia, Japan, the United States, and Canada.

Following the fire of the 5<sup>th</sup> August 2023, the structural steel framing put into the building during the 20<sup>th</sup> Century in order to stabilise the structure became evident.

The interior of the public house consisted of two principal rooms within the 18<sup>th</sup> Century building, these were a bar to the left hand side and a lounge to the right hand side. In the centre of the building was a small entrance lobby with doors to both the lounge and bar. There was also a door to the back of bar area in the centre of the building within this lobby. The door also had a shelf and sash window to allow the porch to be used as a servery. The left hand room contained fitted seating with panelling around the walls along with free standing tables and stools and a fireplace and mantle with mirror above to the gable end. There was also a large timber bar and sign-written "Fine Banks's Ales Sold Here" signage above the bar. There was a grandfather clock within the bar area.

The lower half of the walls in the central lobby were covered with relatively modern green glazed tiles with a detailed frieze consisting of fruit to the top.

The lounge contained a modern timber bar and fitted seats with panelling around the walls. There were also free standing tables and stools as in the bar area. There were two fireplaces to the gable end, one containing a "Chattan Special" range style fireplace. The other fireplace contained a modern infill with a small stove and a large timber shelf above. The flooring throughout the ground floor of the old building was covered with traditional style red quarry tiles.

## **DETAILED CONSIDERATIONS**

When the Crooked House was initially put up for sale enquiries were received with regards to status of the building. Following discussions with Staffordshire County Council the building was added to the Staffordshire Historic Environment Record (HER), this was done on 13<sup>th</sup> June 2023. This was in line with paragraph 192 (a) of the National Planning Policy Framework, with the local authority identifying the significance of the building as a non-designated heritage asset. The intention of the local authority was to assess the building and get it added to the local list, whilst an initial assessment of the building was undertaken, the process of adding the building onto the list could not be completed due to the demolition of the building.

In the week prior to the fire, Historic England received two applications for listing of the Crooked House. These were in the process of being considered, but due to the timing of the fire the process had only just started. Following the fire approximately a further forty applications were received by Historic England for listing.

Due to the total demolition of the building, it was not possible for Historic England to consider the building for listing.

## **CONCLUSION**

The unauthorised demolition of the building has resulted in the loss of a building of architectural and historic interest.

# The Crooked House, Himley

## Heritage Assessment

Assessment prepared by:

████████████████████  
Senior Conservation Officer  
South Staffordshire Council

I have been a local authority conservation officer since 2016 and have worked at both Lichfield District Council and South Staffordshire Council, on one day a week since August 2017 and full time since August 2023. Prior to working as a conservation officer I have previously been employed as a Townscape Heritage Initiative Project Officer for Bromsgrove District Council and been a self employed Archaeological Consultant in both the West Midlands and North Yorkshire.

I have 17 years local authority experience as well as 4 years in private practice. I have a masters degree in Archaeology and Heritage Management from Leicester University. I have been an affiliate member of the Chartered Institute for Archaeology (CIfA) since 2009, and an affiliate (now supporter) member of the Institute for Historic Building Conservation (IHBC) since 2016. I have been Staffordshire County representative on the IHBC West Midlands Committee since 2017.

### Background to the case:

The Crooked House was put up for sale by Marstons in March 2023, and the local authority were approached to enquire about the designation of the building as a heritage asset. It became clear that the building was not listed or entered on the South Staffordshire local list. An informal discussion was had with Historic England and local listing was believed to be the best route for protection.

The council made contact with Staffordshire County Council about the addition of the building onto the Staffordshire Historic Environment Record (HER). This was done by ██████████ SCC on 13 June 2023.

The building is considered to be a non-designated heritage asset, making the preservation of the building a material consideration in planning matters. The next step by South Staffordshire Council was to add the building onto the South Staffordshire local list. The current list (dated March 2015) is in the process of being reviewed, and it was the intention for the building to be assessed and added to the list when taking on the South Staffordshire conservation position in August 2023. This process was a priority job, however due to the demolition of the building this process was not able to be completed. Had the building not been demolished then it would have been recommended for addition onto the South Staffordshire local list.

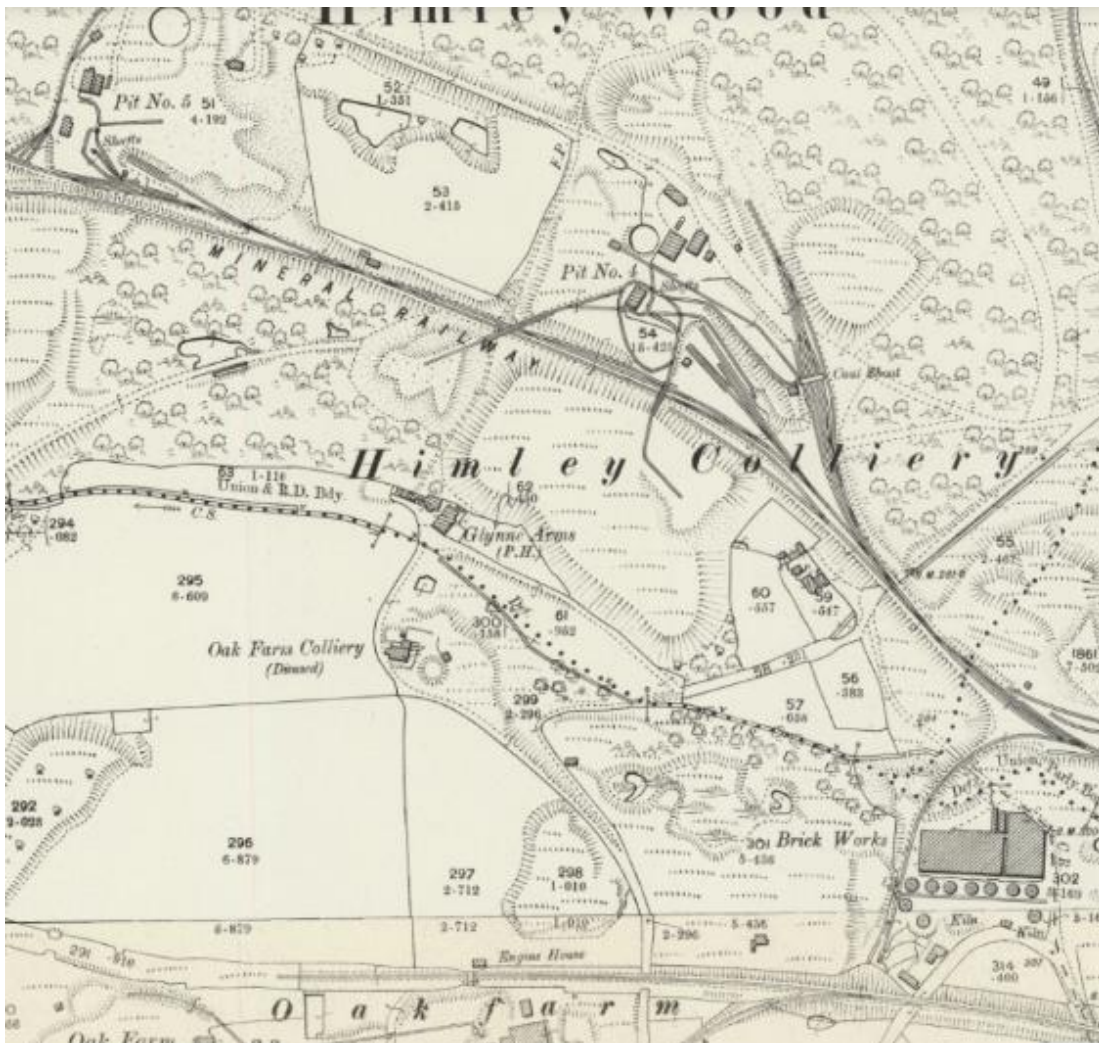
### Heritage

The Crooked House is recorded on the Staffordshire Historic Environment Record (HER), (PRN Number 59863 – MST23776) – see appendix 7.

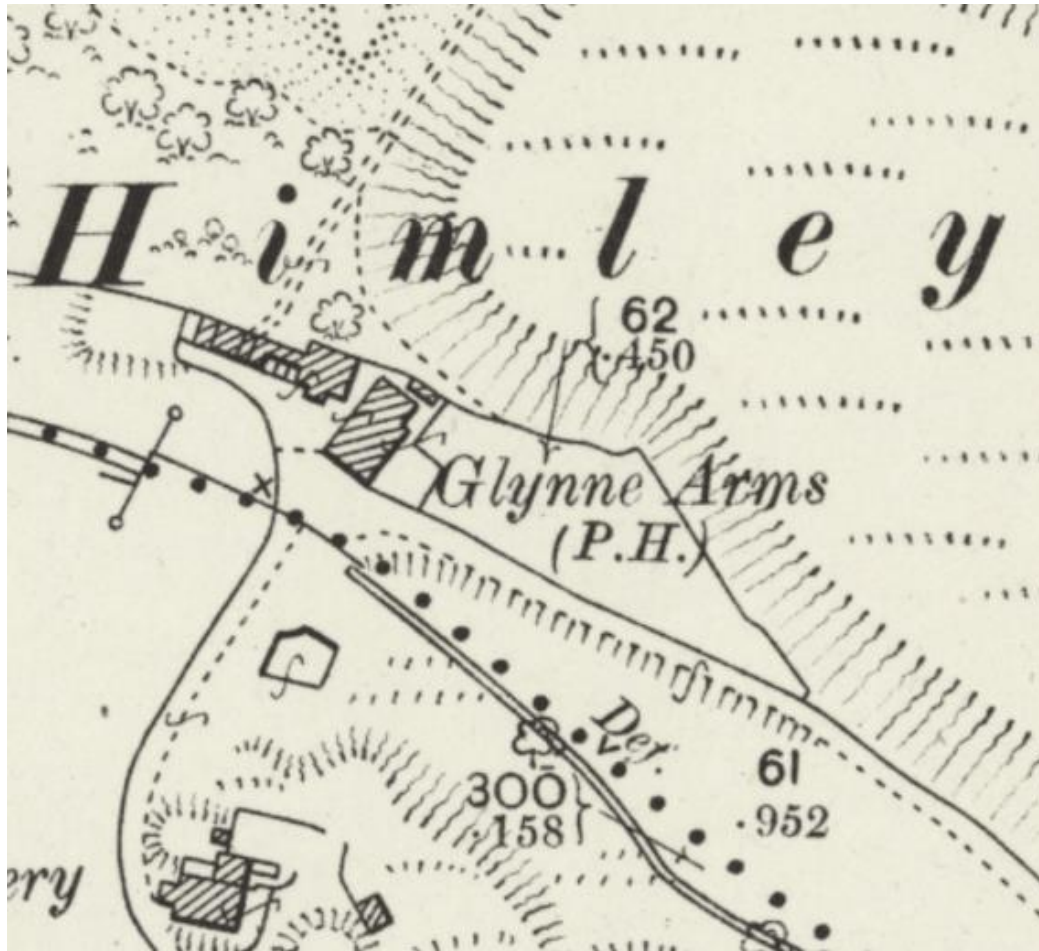
The built form on the site consisted of the original mid to late 18<sup>th</sup> century farmhouse, with extensive additions to the side and rear dating to the 1980s.

The building was constructed originally as a farmhouse in 1765 and was converted into a public house in around 1830. As a result of mining subsidence in the early 19<sup>th</sup> century (due to the buildings location within a colliery – see old Ordnance Survey mapping), the building sank at one end, resulting in one end of the building being over a metre lower than the other. The movement was gradual, and the building was secured and repaired over time leading to its characteristic lopsided appearance.

The pub was previously called the Glynne Arms after the local landowner upon whose land the building stood and the Siden House (local dialect for crooked). It was deemed unsafe in the 1940s but was purchased by the Wolverhampton and Dudley Breweries who undertook a scheme of repairs, including the insertion of girders in order to stabilise the building and retain the crooked appearance.



Ordnance Survey  
25-inch mapping  
(1892 – 1914)  
(<https://maps.nls.uk>)



Ordnance Survey  
25-inch  
mapping  
(1892 –  
1914)

<https://maps.nls.uk>

As is typical with many Georgian buildings, the front (principal) façade had sash windows (6 over 6 pattern), whilst the rear elevation contained more simple casement windows with arched heads. The original ancillary building associated with the building (presumably from when it was first built as a farmhouse) stood to the rear of the main building. These buildings were subsequently replaced by the large restaurant extension in the 1980s.

Old photographs of the building show that there had already been a considerable amount of work done to secure the building in the late 19<sup>th</sup> and early 20<sup>th</sup> centuries.

### **Significance**

Following the events at the start of August and the outpouring of grief for the loss of the building it is clear that the building was of significance to the local community. It is also clear from historic postcards of the pub produced in the early 20<sup>th</sup> century that the building already had an importance to the local area.

Referred to as “Britain’s wonkiest pub”, it is clear that the significance of the building came from the appearance following the subsidence in the early 19<sup>th</sup> century. Whilst there had been additions and extensions to the building over the years, the significance of the building as a heritage asset remained with the original 1765 building and its lean.

### **Harm**

Historic England define harm as:

“Change for the worse, here primarily referring to the effect of inappropriate interventions on the heritage values of a place.” (p71, Conservation Principles, English Heritage, 2008)

It is clear that harm has been caused to this non-designated heritage asset. The level of harm that has been caused by the demolition is considered to be **substantial harm**.

## Historic Environment Record

### Staffordshire CC HER Monument Full Report

13/06/2023

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PRN Number	Site Name	Record Type
59863 - MST23776	The Crooked House, Himley Road, Himley	Building

The Crooked House is a former farmhouse, originally built in the later 18th century. It's name comes from its crooked appearance, which was caused by mining subsidence in the 19th century, leading one end of the building to sink to over a metre lower than the other end. The farmhouse became a pub in circa 1830 and was known previously as Siden House and the Glynne Arms.

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#### Monument Types and Dates

FARMHOUSE (Georgian - 1765 AD)

Origin: 1765 AD

Evidence EXTANT BUILDING

Main Building BRICK

Material

PUBLIC HOUSE ((Circa) Georgian - 1830 AD)

Alteration: 1830 AD

Evidence EXTANT BUILDING

Main Building BRICK

Material

---

#### Description and Sources

##### Description

The Crooked House was built in 1765 and was originally a farmhouse. During the early 19th century mining in the area caused one side of the building to begin gradually sinking, leading to one side of the building being approximately 4 feet (1.2 metres) lower than the other.

The farmhouse later (c. 1830) became a public house called the Siden House, siden meaning 'crooked' in the local Black Country dialect. The building was later renamed the Glynne Arms after the local landowner, Sir Stephen Glynne, on whose land it stood.

The building was condemned as unsafe in the 1940s and was scheduled for demolition, but the Wolverhampton and Dudley Breweries purchased the pub and rescued it by making the structure safe using buttresses and girders to retain its lopsided appearance. The building was put up for sale in 2023. <1>

##### Sources

(1) Digital Archive: Wikipedia. Ongoing. Wikipedia (<https://www.wikipedia.org/>).

##### Associated resources

Web page [https://en.wikipedia.org/wiki/The\\_Crooked\\_House](https://en.wikipedia.org/wiki/The_Crooked_House)  
Wikipedia entry for The Crooked House

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##### Location

###### National Grid Reference

Centred SO 8975 9081 (45m by 24m) SO89SE Area

###### Administrative Areas

Parish Himley, South Staffordshire District

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##### Designations, Statuses and Scorin

Associated Legal Designations - None recorded

##### Other Statuses and Cross-References



PRN Number 59863 - MST23776 Site Name The Crooked House, Himley Road, Himley

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Primary Record Number - 59863

Active

Ratings and Scorings - None recorded

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*Related Monuments - None Recorded*

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*Finds - None recorded*

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*Associated Events/Activities - None recorded*

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*Associated Files*

Wikipedia entry for The Crooked House [https://en.wikipedia.org/wiki/The\\_Crooked\\_House](https://en.wikipedia.org/wiki/The_Crooked_House)

*Associated Individuals/Organisations - None recorded*

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## Local List Review

### Building:

The Crooked House, Crooked House Lane, Himley

### Description:

The building is a Public House which was originally constructed as a farmhouse in 1765. The building was surrounded by Himley quarry and in the early C19 mining subsidence caused the one end of the building to sink by 4 ft, leading to a lean of 15 degrees. The building was in use as a public house called the Glynne Arms from circa 1830. It was colloquially referred to as the Siden House (local dialect for crooked). The building had been secured by substantial buttresses by the early C20 but was condemned as unsafe in the 1940s. It was purchased by Wolverhampton and Dudley Brewery who secured the building with internal steelwork. The original outbuildings were removed, and a substantial new extension built to the side and rear of the pub in the 1980s. The C18 building was referred to as "Britain's wonkiest pub" with numerous optical illusions of things rolling uphill and a grandfather clock which seemed to be happily ticking whilst at an angle. The pub was a well-known local landmark.

### Criteria:

Criterion	Description
Age	The age of an asset may be an important criterion, and the age range can be adjusted to take into account distinctive local characteristics or building traditions.
Rarity	Appropriate for all assets, as judged against local characteristics
Aesthetic Interest	The intrinsic design value of an asset relating to local styles, materials or any other distinctive local characteristics.
Group Value	Groupings of assets with a clear visual design or historic relationship.

Archaeological Interest	The local heritage asset may provide evidence about past human activity in the locality, which may be archaeological – that is in the form of buried remains – but may also be revealed in the structure of buildings or in a manmade landscape. Heritage assets with archaeological interest are the primary source of evidence about the substance and evolution of places, and of the people and cultures that made them.
Archival Interest	The significance of a local heritage asset of any kind may be enhanced by a significant contemporary or historic written record.
Historical Association	The significance of a local heritage asset of any kind may be enhanced by a significant historical association of local or national note, including links to important local figures. Blue Plaque and other similar schemes may be relevant.
Designed Landscape Interest	The interest attached to locally important historic designed landscapes, parks and gardens which may relate to their design or social history. This may complement a local green space designation, which provides special protection against development for green areas of particular importance to local communities for their current use.
Landmark Status	An asset with strong communal or historical associations, or because it has especially striking aesthetic value, may be singled out as a landmark within the local scene.
Social and Communal Value	Relating to places perceived as a source of local identity, distinctiveness, social interaction and coherence, sometimes residing in intangible aspects of heritage, contributing to the 'collective memory' of a place.

**Recommendation:**

Criteria for consideration:

Rarity	The public house is referred to as the “wonkiest in Britain”. Whilst there are other buildings with walls that lean, the extent of the lean (15 degrees) and appearance of the building make the Crooked House unique.
Aesthetic Interest	The pronounced lean caused by the lean gives the historic part of the building a strong aesthetic interest.
Landmark Status	The building is well known locally and due to its appearance is a local landmark. Despite the location away from the main road, the building is still well known across the area.
Social and Communal Value	The building has strong connections to the mining history and people of the Black Country.

Based upon the criteria outlined above, I would have recommended that the building was added to the South Staffordshire Local List had the building not been demolished.

**Assessed by:**

██████████ Senior Conservation Officer, South Staffordshire Council

## APPENDIX 2

### Exterior photographs – Marstons (2023)

Front elevation of the Crooked House prior to the repair works to the roof.



Google maps image of the Crooked House from the access road showing relationship of 1765 building to the 1980s toilet block to the right and the car park to the frontage.



Exterior photographs – [REDACTED] (January 2023)

Photograph of front elevation of the 1765 building. Note the new roof slates (Ed Higgins, January 2023).





Photograph of front door. Not exterior door, and interior door with sash for servery. Modern step and handrail to left. ( [REDACTED], January 2023).



Detail view of the gable end of the 1765 building showing the three large buttresses and rear extension.



# Interior photographs of the Crooked House – Virtually There (January 2023)

## Plan showing location of photographs:

Photographs 1 – 30 taken from screenshots of virtual walk through of the Crooked House taken by Virtually There (virtuallythere.co) January 2023.





Photograph 1



Photograph 2

**Photograph 1:** Looking towards the back of the seating area in the bar. Casement window in rear wall of 1765 part of the building.

**Photograph 2:** Looking towards the front of the bar area. Door to wash up and back of bar area to the left. Sash window to front elevation visible.



Photograph 3



Photograph 4

**Photograph 3:** General view of fireplace and seating within the bar area.

**Photograph 4:** Detail view of the cast iron fireplace and mirror, along with built in seating in the bar area.



Photograph 5



Photograph 6

**Photograph 5:** Detail view of sash window (6 over 6) in front elevation of the bar area. View out towards access drive.

**Photograph 6:** View of the bar area. Timber bar surround and grandfather clock to the left.



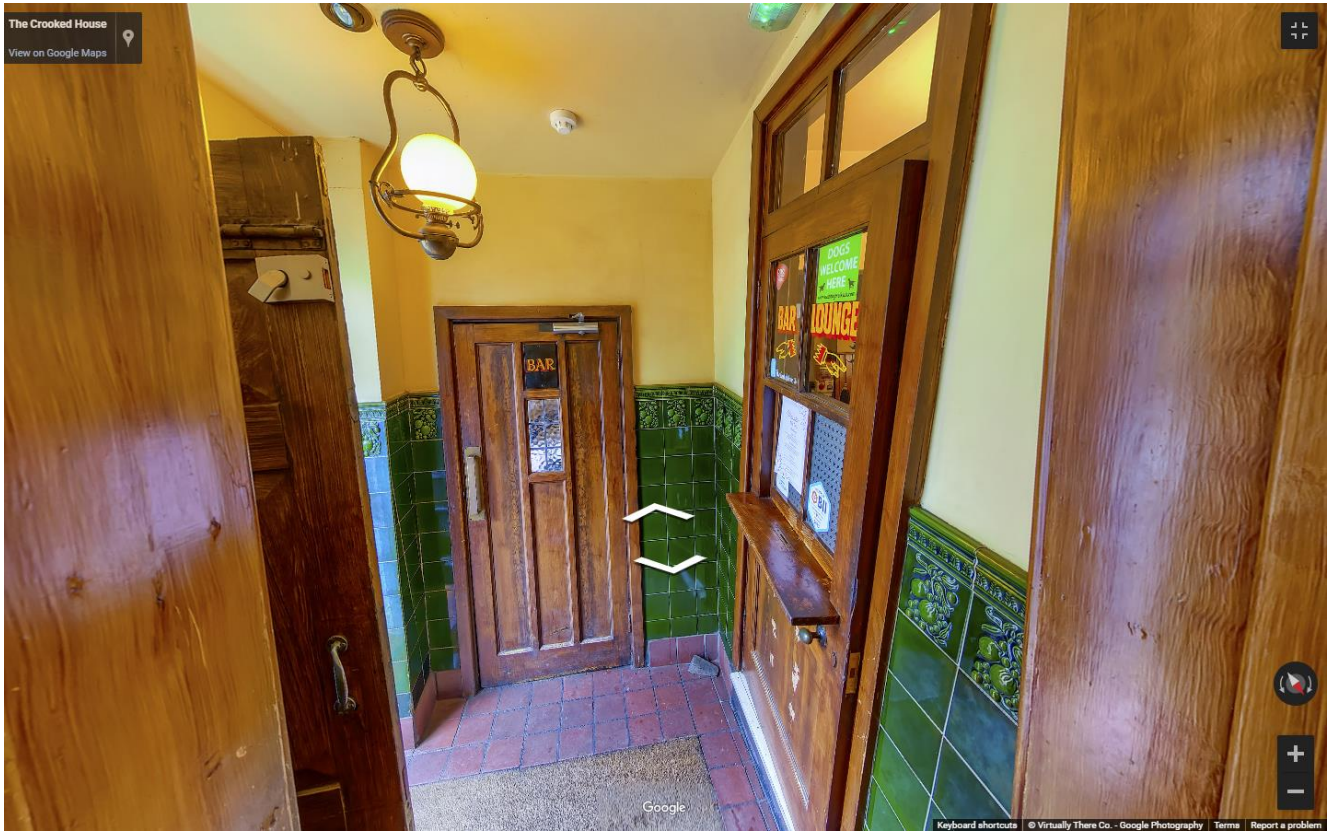
Photograph 7



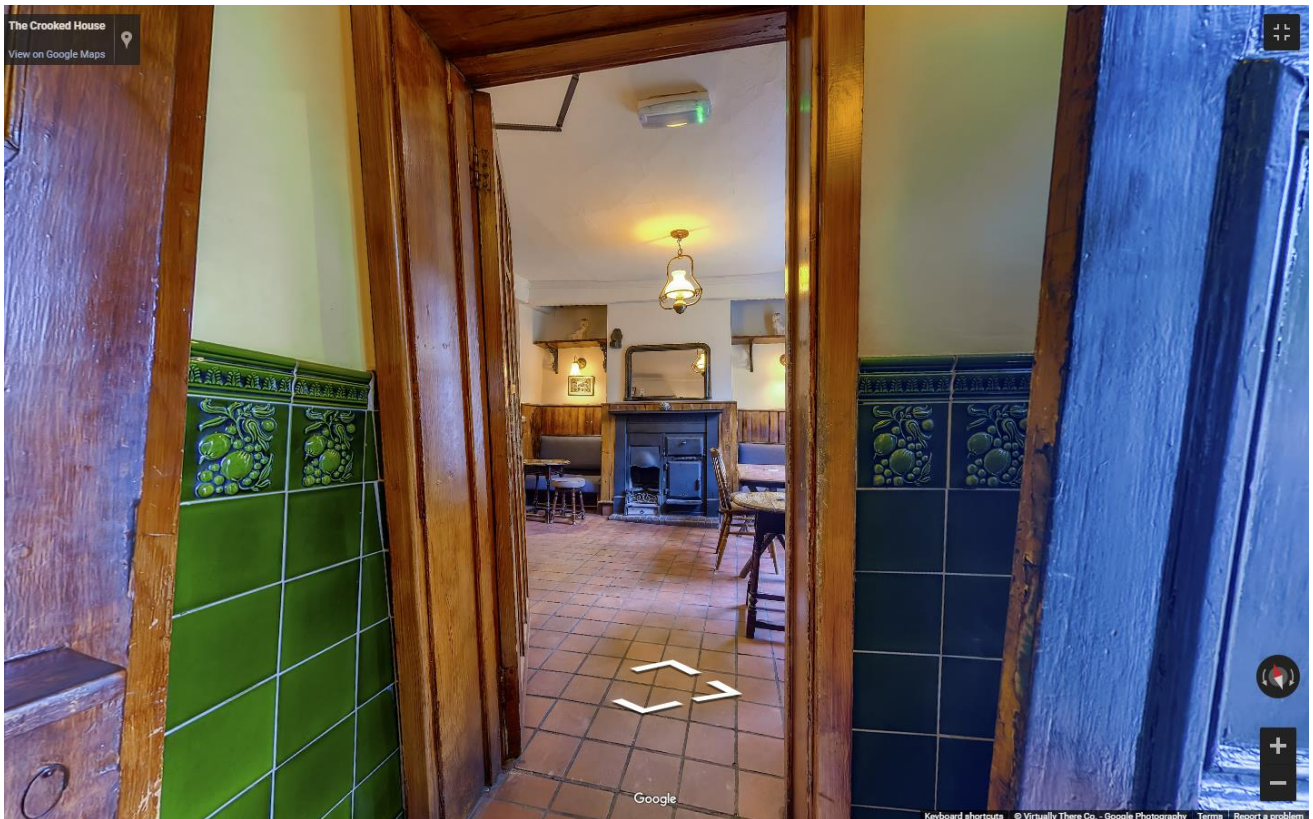
Photograph 8

**Photograph 7:** General view of the bar area from the entrance. The grandfather clock, fireplace, panelling and quarry tiled floor all visible.

**Photograph 8:** View into the entrance porch from the bar. Bar to the left. Front door visible within porch.



Photograph 9



Photograph 10

**Photograph 9:** View from lounge into the porch. Door into bar shut opposite. Door to back of bar area to left (see photograph 12). Green glazed tiles to lower part of porch (see photograph 11).

**Photograph 10:** View from porch into lounge. Range style fireplace visible in centre (see photograph 15).



Photograph 11



Photograph 12

**Photograph 11:** Detail view of glazed tiles in porch with fruit motif.

**Photograph 12:** Detail of door into back of bar area. Note central section with sliding sash and shelf (to serve into the porch area). Also note the angle of the door in relation to the surrounding porch.



Photograph 13



Photograph 14

**Photograph 13:** View of the lounge bar looking back towards the porch.

**Photograph 14:** View towards the back of the lounge bar. Bar to the left and fireplace to the right. Casement window in rear wall of the 1765 part of the building matches to the one in the bar (see photograph 1 for details).





Photograph 15



Photograph 16

**Photograph 15:** Detail view of range fireplace, built in seating and shelving in lounge.

**Photograph 16:** Detail of sash window in front elevation of 1765 element of the building (6 over 6, matching others to the front elevation).



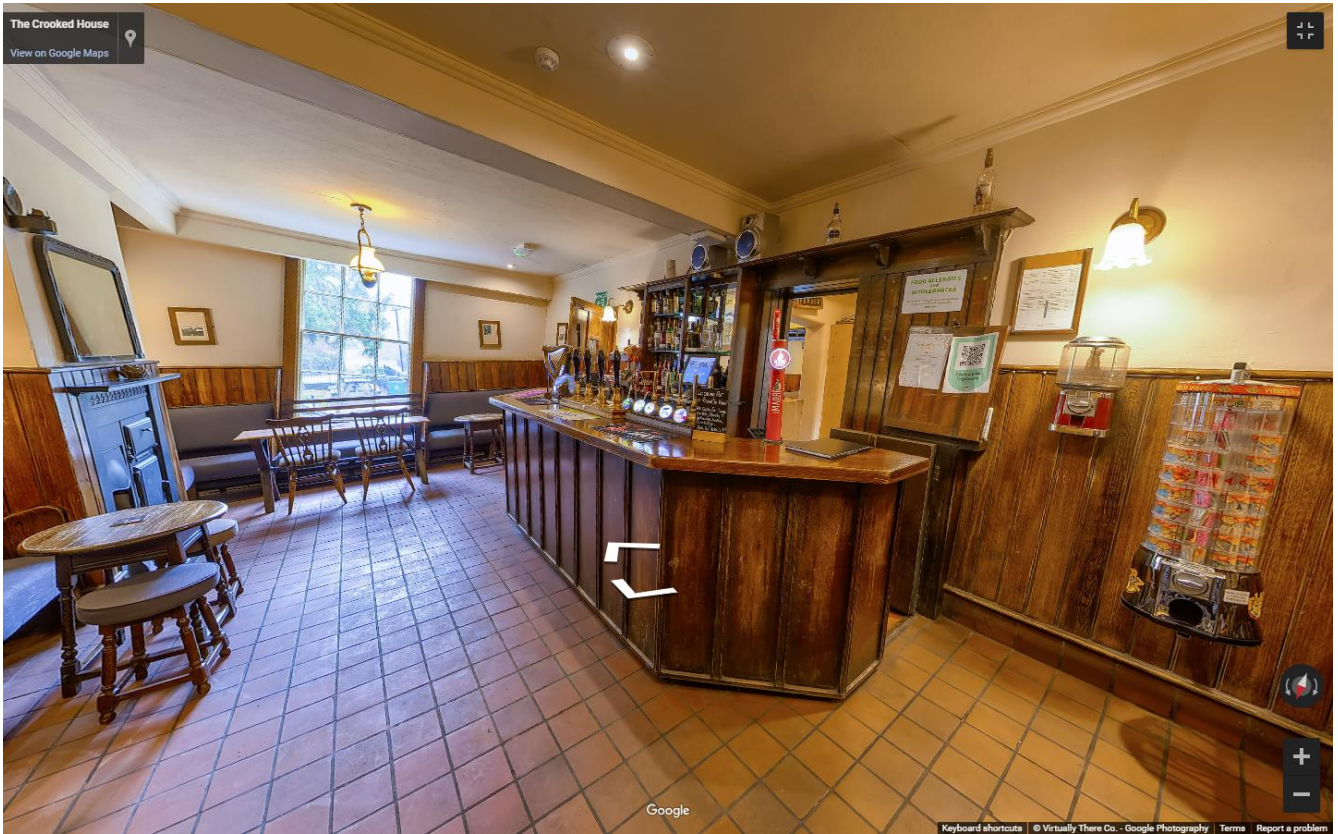
Photograph 17



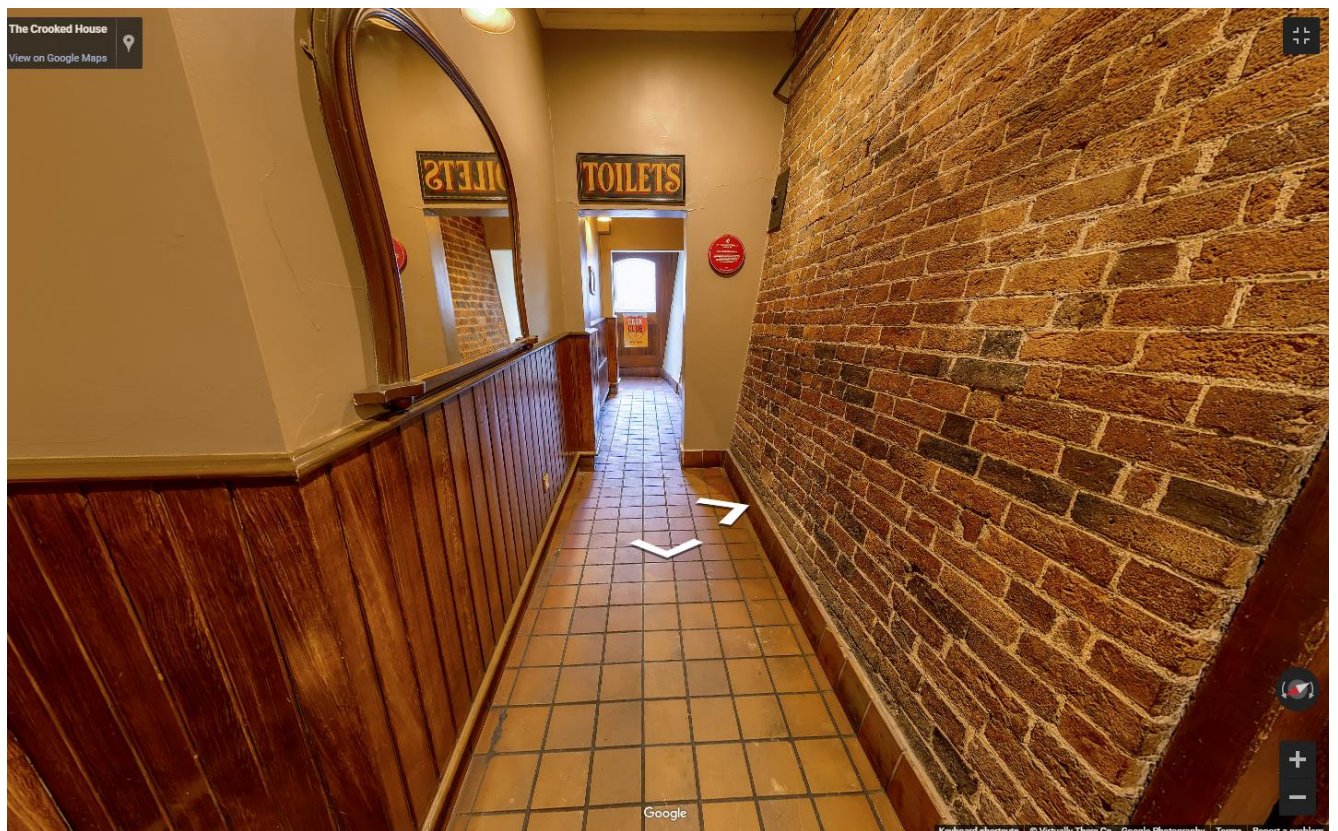
Photograph 18

**Photograph 17:** View of the bar in the lounge. Showing arrangement of the bar and view through to back of door in photograph 2.

**Photograph 18:** General view of the two fireplaces in the lounge.



Photograph 19



Photograph 20

**Photograph 19:** General view of the lounge area within the 1765 building.

**Photograph 20:** View towards the toilets in the 1980s parts of the building. Exterior brick wall of 1765 to right.



Photograph 21



Photograph 22

**Photograph 21:** Door into lounge from 1980s corridor to restaurant and toilets.

**Photograph 22:** View towards restaurant area access.



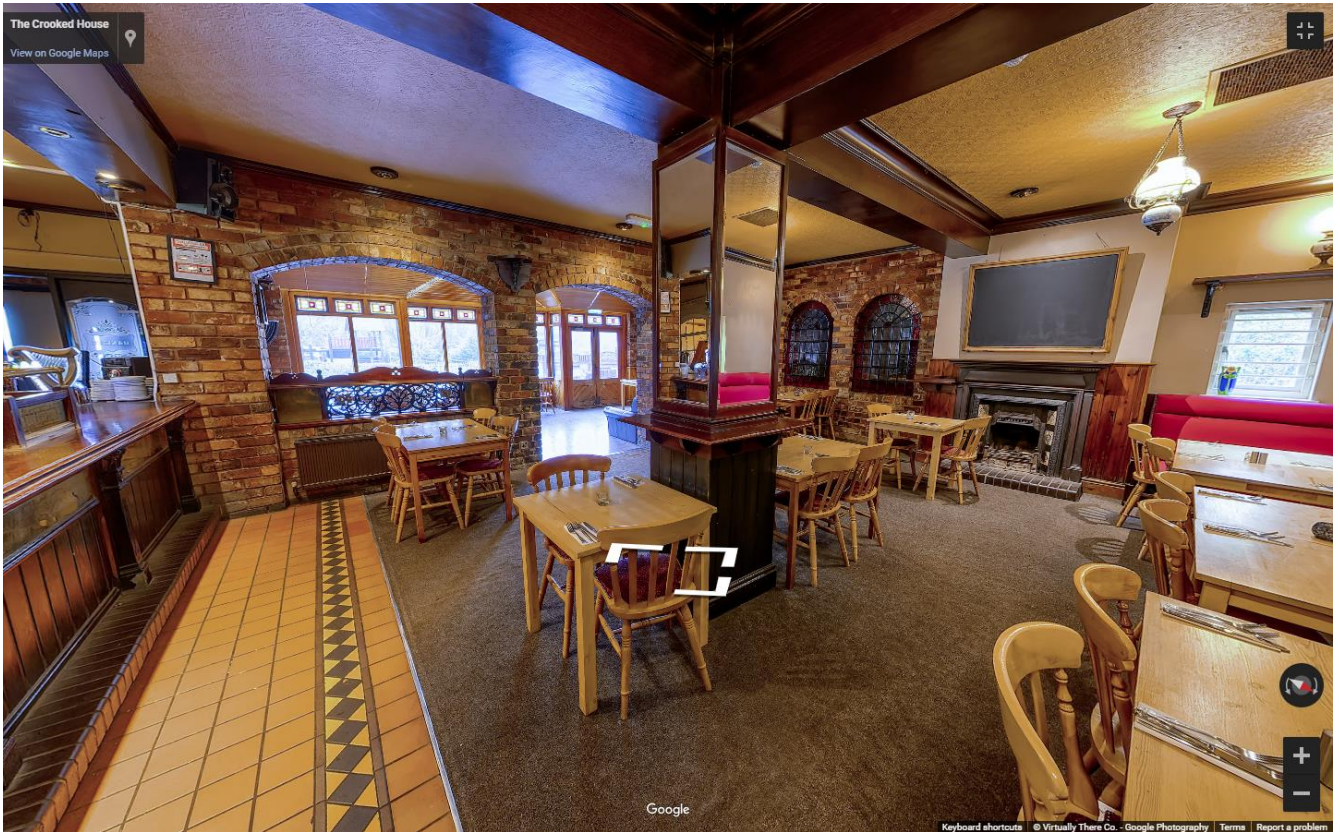
Photograph 23



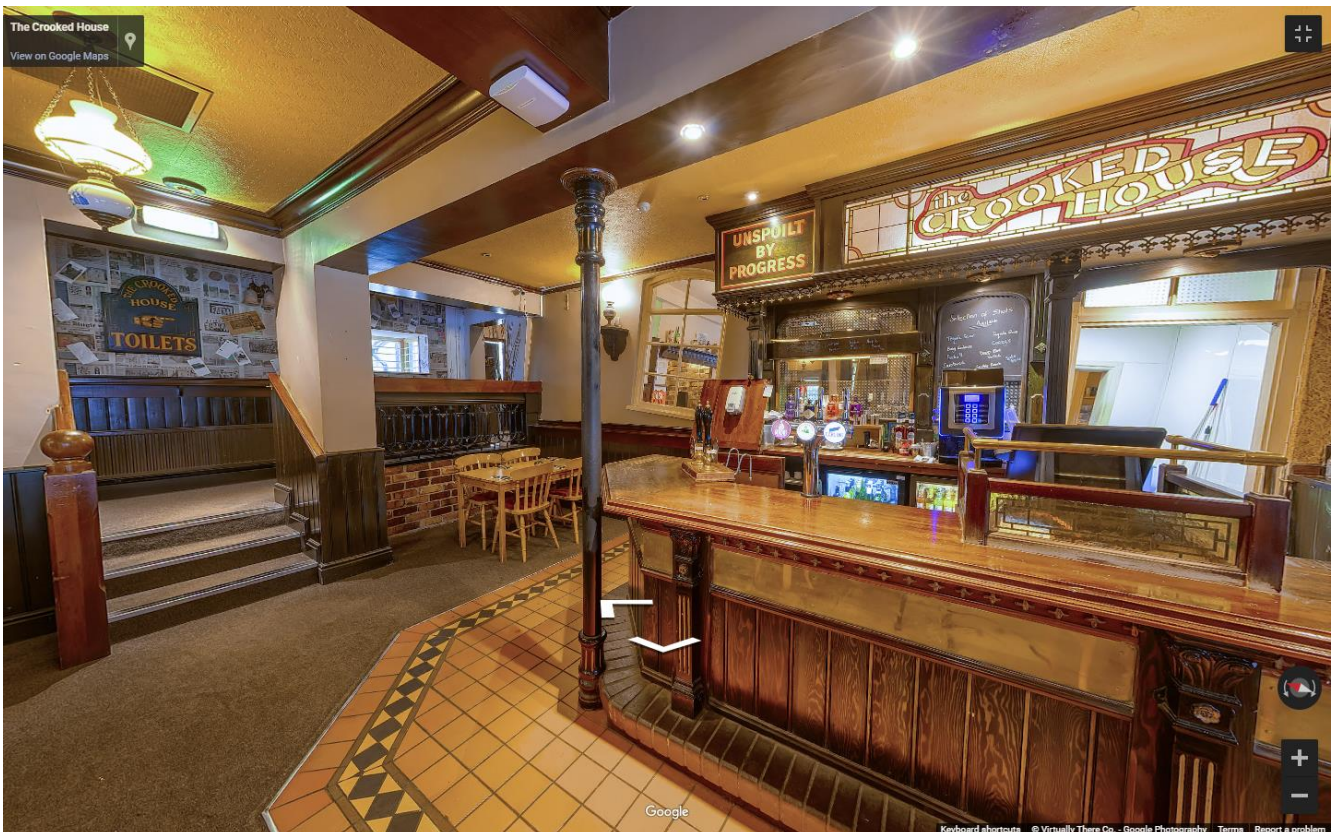
Photograph 24

**Photograph 23:** View from steps into 1980s restaurant extension.

**Photograph 24:** View of bar area within 1980s restaurant extension.



Photograph 25



Photograph 26

**Photograph 25:** General view of restaurant extension.

**Photograph 26:** View of bar area in restaurant looking back towards access steps.



Photograph 27



Photograph 28

**Photograph 27:** View into lounge area of 1980s extension.

**Photograph 28:** View back towards restaurant from 1980s lounge.



Photograph 29



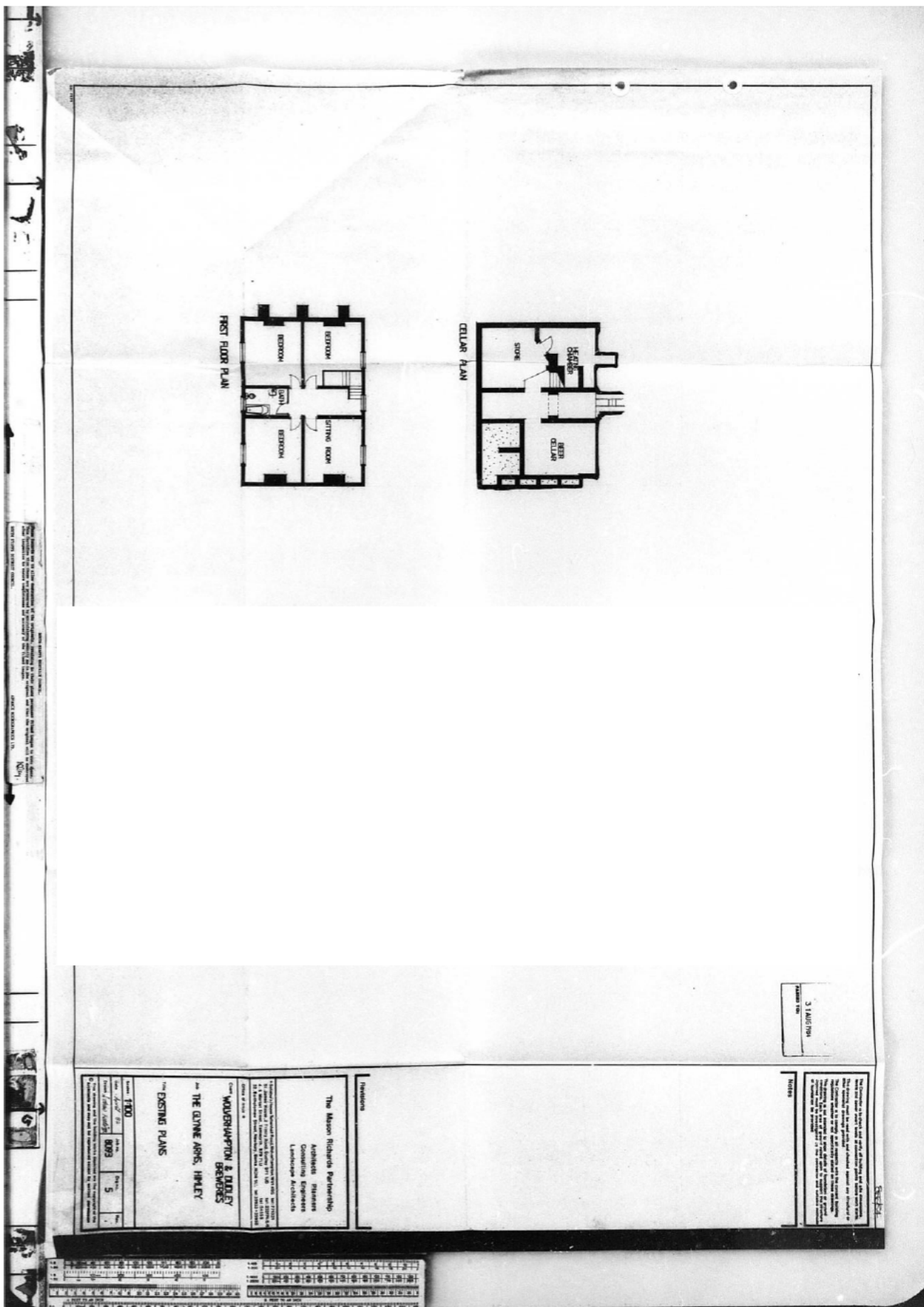
Photograph 30

**Photograph 29:** View of back of restaurant showing cast iron fireplace and metal arch topped windows.

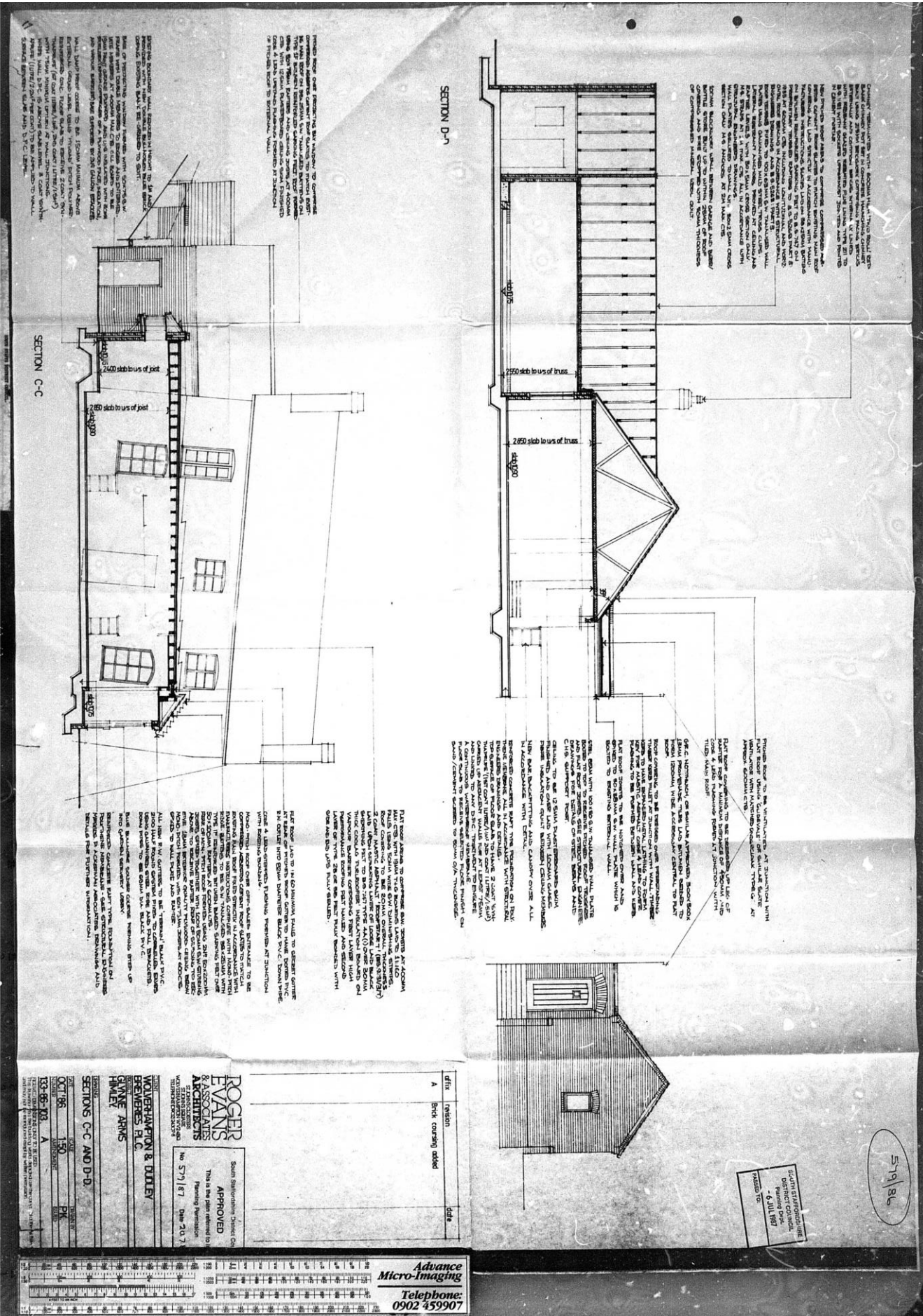
**Photograph 30:** Detail view of modern windows and seating to the rear of the modern restaurant extension.



Plans and Elevations: Plan 1 – Floor Plans illustrating Cellar and First Floor arrangement.



# Plan 2 – Sections illustrating form of 1980s Restaurant extension (rear extension)



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 TEL: (508) 833-2222  
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**GWYNNE ARMS HANLEY**

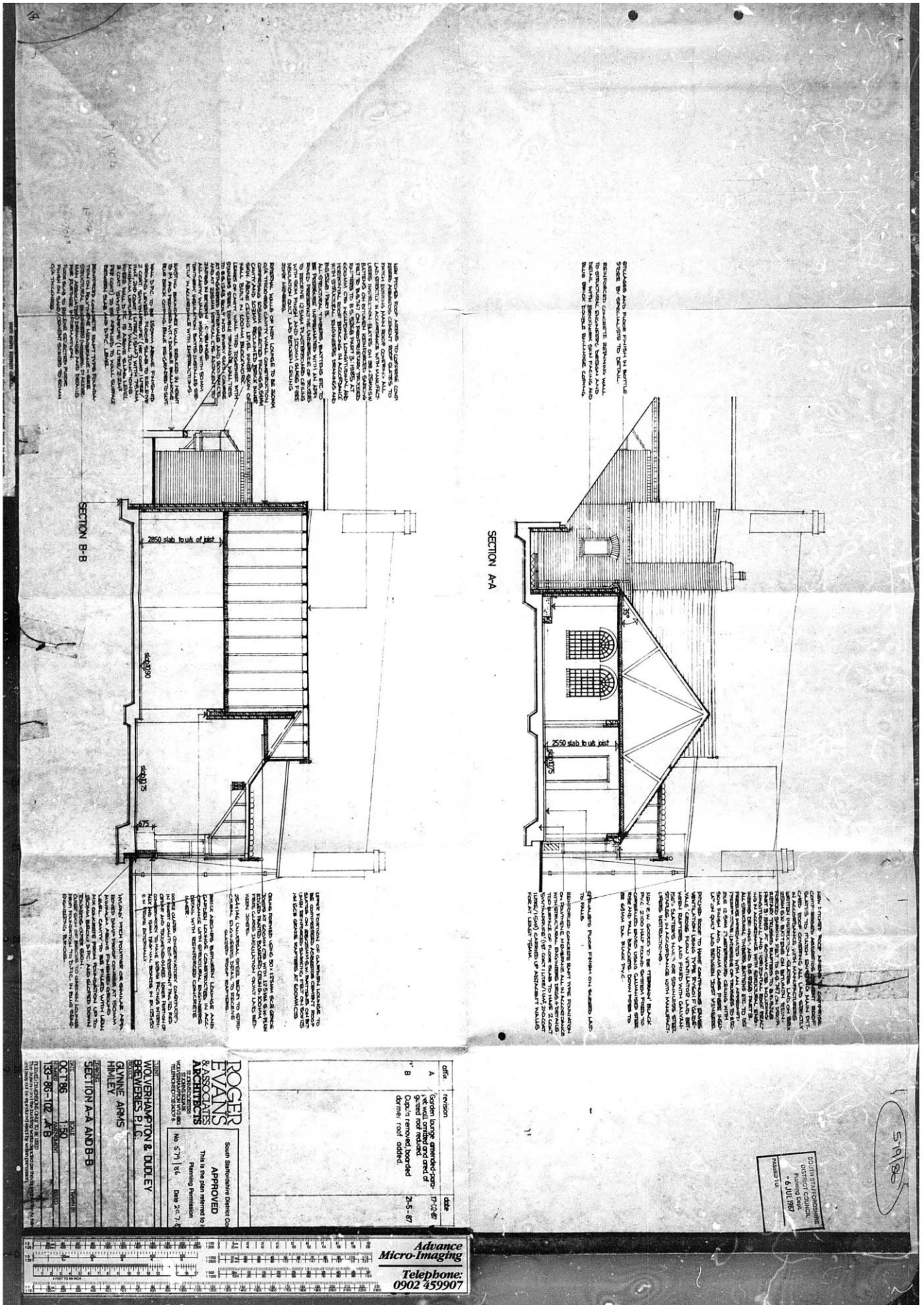
South Shore Building Dept. Co.  
 APPROVED  
 This is the plan referred to  
 in the permit application.  
 Planning Permission  
 No. S79/87 Date 20.7.87

**SECTIONS C-C AND D-D**

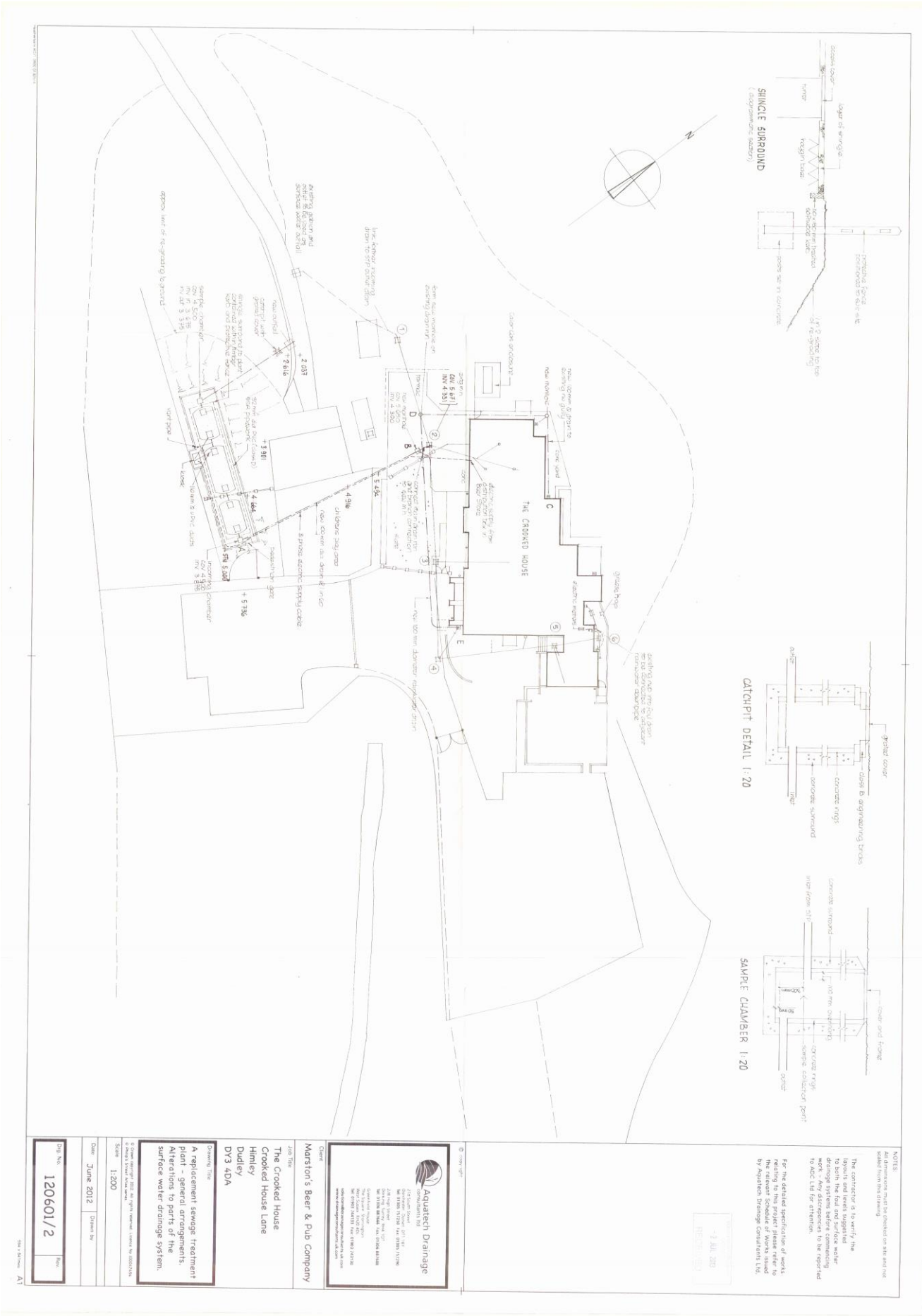
DATE: 1986  
 SCALE: 1/50  
 DRAWN BY: PK  
 CHECKED BY: JLD  
 133-86-03 A

**Advance Micro-Imaging**  
 Telephone: 0902 459907

Plan 3 - Sections illustrating form of 1980s Restaurant extension (rear extension)



# Plan 4 – Plan illustrating general footprint and layout



**NOTES**

The contractor is to verify the layout and levels shown on the drawings to suit the ground conditions to suit the proposed drainage system before commencing work. The proposed drainage system is to be approved to ADE List for attention.

For the detailed specification of works refer to the relevant schedule of works issued by Aquatech Drainage Consultants Ltd.

**Client**  
Moston's Beer & Pub Company

**Job Title**  
The Crooked House  
Crooked House Lane  
Himley  
Dudley  
DY3 4DA

**Drawing Title**  
A replacement sewage treatment plant - general arrangements. Attention to parts of the surface water drainage system.

**Scale**  
1:200

**Date**  
June 2012

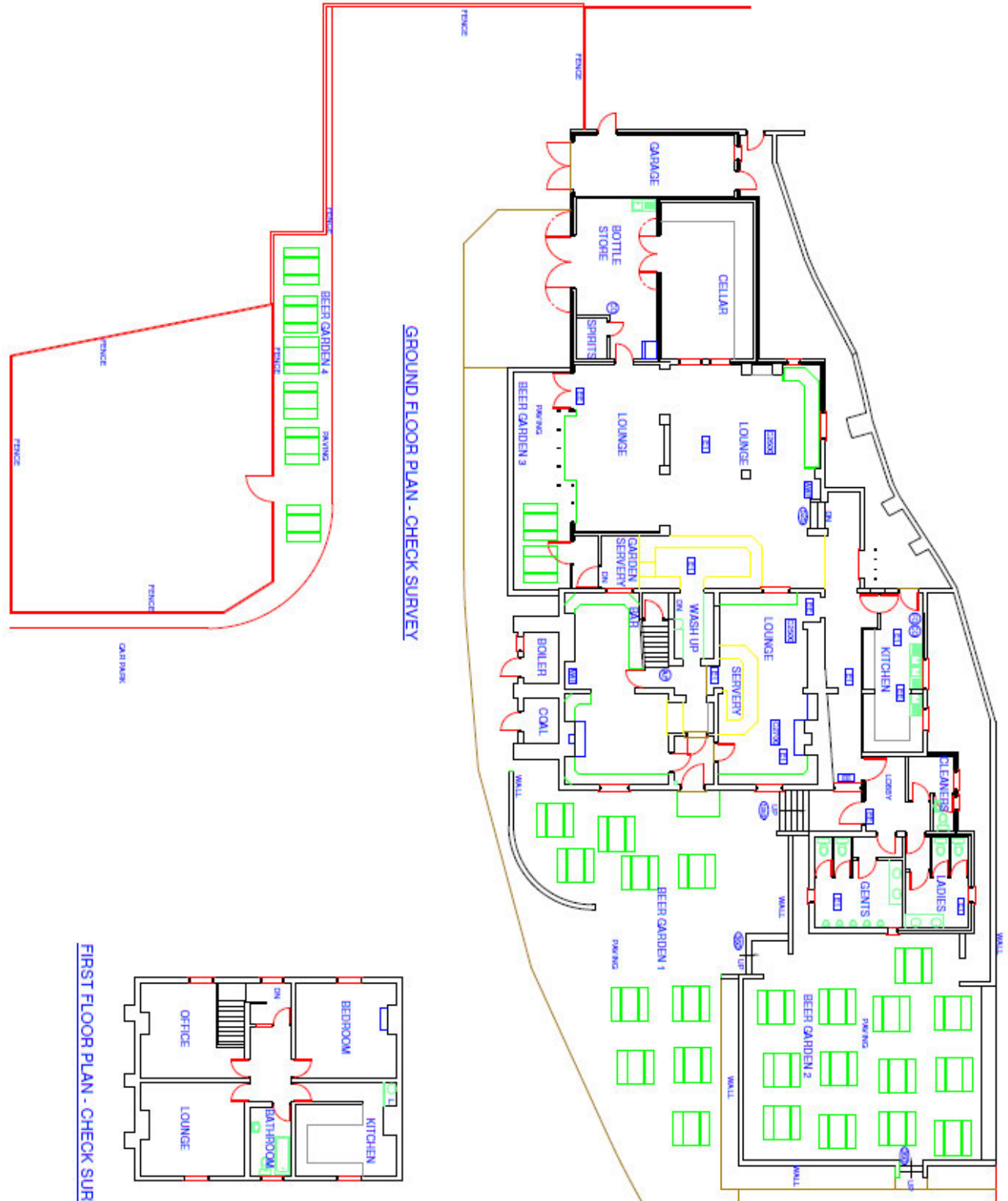
**Drawn by**  
[Signature]

**Proj No.**  
120601/2

**Sheet**  
AT

**Aquatech Drainage**  
2115, South Street  
Oldham, Greater Manchester  
OL10 1JG  
Tel: 0161 275 6100  
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www.aquatechdrainage.co.uk

# Plan 5 – Floor Plan illustrating layout of the Building.



FIRST FLOOR PLAN - CHECK SUR

