



## Report and Authorisation for Enforcement Action

THE AUTHORITY TO AUTHORISE THE ACTIONS PROPOSED IS DELEGATED TO THE CORPORATE DIRECTOR PLACE AND COMMUNITIES, BY VIRTUE OF PART 3 OF THE CONSTITUTION.

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**ENFORCEMENT REFERENCE:** 22/00007/UNDEV

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**ADDRESS:** 20 Springhill Park, Lower Penn, Staffordshire WV4 4TS

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### **BREACH OF PLANNING CONTROL:**

Construction of a wall and five pillars located in the position coloured green on the Plan attached to this notice, consisting of two sections of wall and five pillars, over 1 metre in height above ground level adjacent to the highway.

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### **POLICY CONSIDERATIONS:**

#### Adopted Core Strategy

- Core Policy 1: The Spatial Strategy
- National Policy 1: The Presumption in Favour of Sustainable Development
- Policy EQ9: Protecting Residential Amenity
- Appendix 6: Space about Dwellings Standards
- Core Policy 4: Promoting High Quality Design
- Policy EQ11: Wider Design Considerations
- Policy EQ12: Landscaping
- Core Policy 11: Sustainable Transport
- Policy EV12: Parking Provision
- Appendix 5: Parking Standards

#### Adopted local guidance

- South Staffordshire Design Guide [2018]
- Sustainable Development SPD [2018]

National Planning Policy Framework [2021]

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### **RELEVANT PLANNING HISTORY:**

- **None**
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TO BE READ IN CONJUNCTION WITH THE ATTACHED NOTICE

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**CASE SUMMARY:**

- 17.01.2022 Lee Marbury Telephone call with homeowner: retrospective application requested.
- Letter Sent 12.05.2022 Lee Marbury. Request for Planning Application
- 25.05.2022 Planning application 22/00525/FUL validated 'Retrospective application for front boundary wall'
- 20.06.2022 Application 22/00525/FUL refused. Decision not appealed.
- Letter Sent 14.12.2022. Lee Marbury. Post decision action letter requesting details of course of action within 14 days of date of letter. No response received.
- Site Visit 04.01.2023. Catherine Gutteridge. Wall over 1 metre in height still in situ and further two brick pillars built at front of property, adjacent to road, which are also over 1 metre in height. Photo taken- on file.
- 20.09.2023 Enforcement Notice authorised and served.
- 05.12.2023 Enforcement Notice dated 20.09.2023 withdrawn as the letter accompanying the enforcement notice had the incorrect breach alleged within the title and whilst it is considered that the notice itself was served in accordance with Section 172 of the Town and Country Planning Act 1990 this error had led to confusion for the recipients of the notice and therefore in the interests of those parties it is considered that the notice should be withdrawn.
- Notice to be reserved with amended covering letter to outline the correct breach.

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**CASE OFFICER DECLARATION:**

I hereby declare that I have adhered to the Council's Planning Enforcement Policy & Procedures, and that based on the evidence gathered during my investigation, it is both expedient and in the public interest to serve the notice attached to this form, subject, where relevant, to the amendments made by the named Officers below.

I have given consideration to [South Staffordshire Council's Planning Policies](#), the [National Planning Policy Framework](#), and to the Government's [Enforcement and post-permission matters](#) guidance during the course of my investigation and in the drafting of the attached notice, ensuring that it is a proportionate and reasonable response to the breach of planning control.

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**CASE OFFICER:** C. Gutteridge  
**POSITION:** Planning Enforcement Team  
Manager  
**DATE:** 28/05/2024

**Signed:**



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**DECLARATION:**

I hereby declare that I have reviewed the case and support the Case Officer declaration above.

Based on my review of the evidence gathered during the investigation, it is both expedient and in the public interest to serve the notice attached to this form, including, where relevant, my amendments detailed above, and those made by the other named Officers.

TO BE READ IN CONJUNCTION WITH THE ATTACHED NOTICE

I have given consideration to [South Staffordshire Council's Planning Policies](#), the [National Planning Policy Framework](#), and to the Government's [Enforcement and post-permission matters](#) guidance during my review of the investigation and my amendments to the attached notice, ensuring that it is a proportionate and reasonable response to the breach of planning control.

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**NAME:** N/A  
**POSITION:** Planning Enforcement Team Manager  
**DATE:**

**Signed:**

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**DECLARATION:**

I hereby declare that I have reviewed the case and support the Officer declarations above.

Based on my review of the evidence gathered during the investigation, it is both expedient and in the public interest to serve the notice attached to this form, including, where relevant, my amendments detailed above, and those made by the other named Officers.

I have given consideration to [South Staffordshire Council's Planning Policies](#), the [National Planning Policy Framework](#), and to the Government's [Enforcement and post-permission matters](#) guidance during my review of the investigation and my amendments to the attached notice, ensuring that it is a proportionate and reasonable response to the breach of planning control.

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**NAME:** Helen Benbow  
**POSITION:** Development Management Team Manager  
**DATE:** 3<sup>rd</sup> August 2023

**Signed:**



**DECLARATION:**

I hereby declare that, subject to the previous legal advice, the comments in this report and authorisation form, and on the attached notice, the notice attached is in a legally acceptable form.

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**NAME:** Pardip  
Sharma  
**POSITION:**  
Solicitor  
**DATE:** 03 06 24

**Signed:** Pardip Sharma

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**DECLARATION:**

I hereby declare that I have reviewed the case and support the Officer declarations above.

Based on my review of the evidence gathered during the investigation, it is both expedient and in the public interest to serve the notice attached to this form, including, where relevant, my amendments detailed above, and those made by the other named Officers.

I have given consideration to [South Staffordshire Council's Planning Policies](#), the [National Planning Policy Framework](#), and to the Government's [Enforcement and post-permission matters](#) guidance during my review

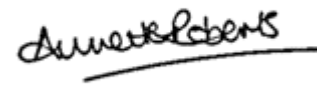
TO BE READ IN CONJUNCTION WITH THE ATTACHED NOTICE

of the investigation and my amendments to the attached notice, ensuring that it is a proportionate and reasonable response to the breach of planning control.

Annette Roberts

Corporate Director of Place and Communities

**DATE:** 03.06.2024

A handwritten signature in black ink that reads "Annette Roberts". The signature is written in a cursive style and is underlined with a single horizontal line.

**Signed:**

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TO BE READ IN CONJUNCTION WITH THE ATTACHED NOTICE