



The Occupier/Others

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Date: 11 October 2024

TOWN AND COUNTRY PLANNING ACT 1990 APPEAL UNDER SECTION 174

Appellant's name:	Mr Scott Folkes And Mrs Debbie Folkes
Site Address:	20 Springhill Park Lower Penn Wolverhampton WV4 4TS
Alleged breach:	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.
Enforcement reference:	22/00007/UNDEV
Appeal reference:	APP/C3430/C/24/3346818 and APP/C3430/C/24/3346819
Appeal start date:	7 October 2024

I refer to the above details. An appeal has been made to the Secretary of State against an enforcement notice issued by South Staffordshire District Council on 6 June 2024.

The enforcement notice was issued for the following reasons:

1. It appears to the Council that the above breach of planning control has occurred within the last four years.
2. The constructed wall and five pillars fail to respect the character of the surrounding area and have introduced an incongruous, overly dominant feature, which is detrimental to the street scene and to the character of the area. This is contrary to policy EQ11 of the Council's adopted Core Strategy and to the guidance contained within the Council's adopted Village Design Guide.

The enforcement notice requires the following steps to be taken:

Either

1. Reduce the overall height of the wall and five pillars located on the boundary adjacent to the highway to no more than one metre in height above ground level.

Or

2. Remove the wall and five pillars located on the boundary adjacent to the highway in their entirety, including any footings. Fill the resulting excavations with compacted topsoil and resurface to match the adjacent land.

The appellant has appealed against the notice on the following grounds:

Ground (a) – that planning permission should be granted for what is alleged in the notice.

Ground (e) – the notice was not properly served on everyone with an interest in the land.

The appeal will be determined on the basis of **written representations**. The procedure to be followed is set out in the Town and Country Planning (Enforcement) (Written Representations Procedure) (England) Regulations 2002.

If you wish to make comments, you can do so online at [Planning Inspectorate - GOV.UK \(www.gov.uk\)](https://www.gov.uk/planning-inspectorate) **(Please note that from the Planning Inspectorate will not be accepting emailed comments.)** If you do not have access to the internet, you can send your comments to:

Craig Maxwell
The Planning Inspectorate
Room 3B
Temple Quay House
2 The Square
Bristol
BS1 6PN

All representations must be received by 18 November 2024. Any representations submitted after the deadline will not usually be considered and will be returned. The Planning Inspectorate does not acknowledge representations. **All representations must quote the appeal reference.**

Please note that any representations you submit to the Planning Inspectorate will be copied to the appellant and this local planning authority and will be considered by the Inspector when determining the appeal.

If you submit comments and then subsequently wish to withdraw them, you should make this request to the Planning Inspectorate by the date above.

The appeal documents (including the decision when made) can be viewed online at [Enforcement Appeal Cases \(sstaffs.gov.uk\)](https://www.enforcementappeals.gov.uk) by clicking on the relevant Enforcement appeal case.

You can get a copy of one of the Planning Inspectorate's "Guide to taking part in enforcement appeals" booklets free of charge from the Planning Portal at: [Taking part in a planning, listed building or enforcement appeal - GOV.UK \(www.gov.uk\)](https://www.gov.uk/taking-part-in-a-planning-listed-building-or-enforcement-appeal) or from us.

When made, the decision will be published online at <https://acp.planninginspectorate.gov.uk> and the Council website. Paper copies of the appeal decision can be obtained from the Council. Please be aware that there may be a copying fee.

Helen Benbow
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