



The Occupier/Others

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Date: 1 November 2024

## TOWN AND COUNTRY PLANNING ACT 1990 APPEAL UNDER SECTION 174

<b>Appellant's name:</b>	<b>Mr Pavandeep Singh</b>
<b>Site Address:</b>	<b>Three Ridings, Radford Lane, Wolverhampton, WV3 8JT</b>
<b>Alleged breach:</b>	<b>Without planning permission, the construction of a blue clad, mono pitched roof, single storey building ("the Building") to the front of the principal elevation of the original dwellinghouse on the Land in the approximate position shaded blue on the Plan.</b>
<b>Enforcement reference:</b>	<b>23/00176/UNDEV</b>
<b>Appeal reference:</b>	<b>APP/C3430/C/24/3347254</b>
<b>Appeal start date:</b>	<b>18 October 2024</b>

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 17 June 2024.

### **The enforcement notice was issued for the following reasons:**

- (i) It appears to the Council that the above breach of planning control has occurred within the last 4 years and is not time immune from enforcement action.
- (ii) The Building by reason of its size, scale and prominent location in front of the existing dwelling and beyond the established building line within the immediate area, is an incongruous and intrusive form of development that fails to contribute positively to the street scene. The Building is detrimental to the character and appearance of the area and street scene, contrary to Policy EQ11 of the South Staffordshire Core Strategy, Design Guide SPD and Paragraph 135 of the NPPF (2023).
- (iii) The Council consider that planning permission should not be given and refused planning permission for the unauthorised development on the 23rd of January 2024 for application 23/00994/FULHH, because planning conditions could not overcome these objections to the development.

### **The enforcement notice requires the following steps to be taken:**

- (i) Remove the Building in its entirety including any foundations or concrete slabs;
- (ii) Fill the resulting excavations with compacted topsoil and resurface to match the adjacent land; and

(iii) Remove from the Land all materials arising from compliance with i) and ii) above.

**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.

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 the Planning Inspectorate will not be accepting emailed comments.)** If you do not have access to the internet, you can send your comments to:

Vanessa Poncia  
The Planning Inspectorate  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

**All representations must be received by 29 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.

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