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Date: 11th December 2024

TOWN AND COUNTRY PLANNING ACT 1990 APPEAL UNDER SECTION 174

Appellant's name: Mr Simon Bates
Site Address: Land to the south of Coach House, Stourton Court, Bridgnorth Road, Stourton, Stourbridge, DY7 5BQ
Alleged breach: Without planning permission the material change of use of the Land as domestic garden land associated with the dwelling known as the Coach House, Bridgnorth Road, Stourton, Stourbridge, DY7 5BQ.
Enforcement reference: 24/00156/UNCOU
Appeal reference: APP/C3430/C/24/3350817
Appeal start date: 2nd December 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 29th July 2024.

The enforcement notice was issued for the following reasons:

- (i)** It appears to the Council that the unauthorised material change of use of the Land has occurred within the last ten years and is not time immune from enforcement action.
- (ii)** It appears to the Council that the unauthorised development on the Land has occurred within the last ten years and is not time immune from enforcement action.
- (iii)** The unauthorised development on the Land is inappropriate development in the Green Belt, has a detrimental impact on the openness of the Green Belt and very special circumstances have not been put forward to justify a departure from the normal policy of restricting development in the Green Belt. This is contrary to Strategic Objectives 1 and 2 and policy GB1 of the South Staffordshire Council Core Strategy adopted December 2012. This is also contrary to paragraphs 152, 153 and 154 of the NPPF.
- (iv)** The unauthorised development has an adverse effect on the character, appearance and amenity of the rural area, contrary to Policies EQ4, EQ11 and EQ12 of the adopted Core Strategy and Chapter 15 of the NPPF.
- (v)** The Council considers that planning permission should not be given, because planning conditions could not overcome these objections to the development.

The enforcement notice requires the following steps to be taken:

(i) In relation to 3 (i) above cease the unauthorised use of the Land as a domestic garden.

(ii) In relation to 3(ii) remove from the Land the following:

(a) The converted horsebox;

(b) The wooden platform on which the converted horsebox is sited and steps giving access to the converted horsebox;

(c) The area of hardstanding;

(d) The timber pergola;

(e) The single storey metal shed;

(f) The residential style close-boarded wooden fence;

(g) All building materials; and

(h) All domestic paraphernalia including chairs, tables and plant pots.

(iii) Remove from the Land all materials arising from compliance with steps (ii) (a)-(h) above.

(iv) Remove the overly domesticated urban appearance of the Land, by re-seeding the Land with a mixture of wildflower mix or a 60% to 40% mix of wildflower and grass seed.

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

Ground (b) – that the breach of control alleged in the enforcement notice has not occurred as a matter of fact.

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.planninginspectorate.gov.uk) **(Please note that Planning Inspectorate will not be accepting emailed comments.)** If you do not have access to the internet, you can send your comments to:

Fredrica Rose
The Planning Inspectorate
Temple Quay House
2 The Square
Bristol
BS1 6PN

All representations must be received by 13th January 2025. 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](#) 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/guidance/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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