

South Staffordshire Council

**WRITTEN STATEMENT
OF
SOUTH STAFFORDSHIRE DISTRICT COUNCIL**

INSPECTORATE REFERENCE:

APP/C3430/C/24/3350817

SECTION 174 TOWN & COUNTRY PLANNING ACT 1990

APPEAL BY:

Mr. Simon Bates

SITE AT:

Land to the south of Coach House

Stourton Court

Bridgnorth Road

Stourton

Stourbridge

DY7 5BQ

Local Authority Reference 24/00156/UNCOU

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1. INTRODUCTION

This statement is prepared in respect of an appeal brought against the decision by South Staffordshire District Council in the following matters:

Section 174 Town and Country Planning Act 1990 in the service an Enforcement Notice in respect of Land to the south of Coach House, Stourton Court, Bridgnorth Road, Stourton, Stourbridge, DY7 5BQ.

Appeal Reference: C3430/C/24/3350817

2. SECTION 174 APPEAL AGAINST ENFORCEMENT NOTICE

The alleged breaches of planning control are:

- i. 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.
- ii. Unauthorised development to facilitate the material change of use of the Land comprising of:
 - a) The permanent storage of a converted horsebox, associated wooden platform and steps;
 - b) The laying of hardstanding in the approximate position hatched pink on Appendix 1 ('Appendix 1') as served with the Enforcement Notice;
 - c) The construction of a timber pergola;
 - d) The installation of timber raised planting beds which are currently utilised for storage of building materials;
 - e) The installation of a single storey metal shed; and
 - f) The construction of residential style close-boarded wooden fence located in the position coloured light blue on Appendix 1 (as served with Enforcement Notice).

3. SITE DESCRIPTION AND REASONS FOR ISSUING THE NOTICE

- 3.1 The Land is located within the West Midlands Green Belt, accessed via a single track extending from the southern side of Bridgnorth Road. Within the appellant's ownership is a dwelling at the northern end of the property; the middle portion of the property has a large paved private access drive to the dwelling. The southern portion of the property is the area outlined in red on the plan attached to the Enforcement Notice and was previously a grassed paddock. The surrounding land is rural in nature.
- 3.2 The red line boundary of Coach House, as identified within permissions 16/00103/FUL for the residential conversion and 18/00944/FUL for a subsequent extension, extends approximately 40m to the south of the rear building line of the dwelling. The Land subject of the Enforcement Notice is immediately to the south of the red line boundary associated with Coach House. The approved site plans for both 16/00103/FUL and 18/00944/FUL are included as appendices 8 and 10, respectively.

3.3 The reasons for issuing the Notice were:

(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 NPPF¹.

(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.

4. **RELEVANT PLANNING POLICY**

4.1 **Adopted Core Strategy 2012**

Strategic Objectives:

Strategic Objective 1: To protect and maintain the Green Belt and Open Countryside in order to sustain the distinctive character of South Staffordshire.

Strategic Objective 2: To retain and reinforce the current pattern of villages across South Staffordshire, and in particular protect and retain the important strategic gaps between existing settlements in order to prevent the coalescence of settlements.

Core Policies:

Core Policy 1 - The Spatial Strategy for South Staffordshire

Core Policy 2 – Protecting and Enhancing the Natural and Historic Environment

Development Policies:

GB1 - Development in the Green Belt

EQ4 - Protecting and Enhancing the Character and Appearance of the Landscape

EQ11 – Wider Design Considerations

EQ12 – Landscaping

¹ Please note – Paragraph 3.3 directly references the Enforcement Notice as served on the Land on 29 July 2024, which utilised NPPF December 2023 paragraph references. As the Statement of Case is being submitted after the publication of the NPPF December 2024, paragraph references within Section 8 below reference the current NPPF (Dec 24).

4.2 Other Relevant Policy, Guidance & Evidence Based Considerations

National Planning Policy Framework

5. PLANNING HISTORY

2014 – Certificate of Lawfulness Existing granted within 14/00330/LUE for “The division of Stourton Court from one residential house with outbuildings to six residential units comprising three flats, mews house, coach house and the remaining main house. All units have been self-contained since conversion was undertaken more than ten years ago.”

2016 – Permission granted within 16/00103/FUL for “Conversion of existing stables and garage to a two bedroom dwelling alterations to existing dwellings and extensions”

2018 – Permission granted within 18/00944/FUL for “Retrospective application to provide sauna and hot tub area”

6. SUMMARY OF EVENTS

- 6.1 On 16 May 2024, the Council received a complaint noting that the Land was allegedly being used for glamping, given the siting of a horsebox trailer permanently on the Land, with permanent utilities run to the Land.
- 6.2 On 20 May 2024, the Enforcement Case Officer emailed the property owner/appellant, whose details were on file due to a previous complaint submitted to the Council. The Case Officer enquired if the appellant would answer questions about the horsebox and use of the land via email.
- 6.3 On 22 May 2024, the appellant responded to the Officer’s email, noting that the Land was being used as an extension of the garden for the Coach House. The appellant would not answer further questions via email and instead a site visit was scheduled for June.
- 6.4 On 12 June 2024, the Case Officer conducted a site visit. The horsebox trailer was in the process of being converted into drive-able accommodation. The trailer was not finished so it was not used for glamping at the time of the site visit. However, the trailer has a Statutory Off Road Notification from the DVLA (provided as Appendix 3, confirmed at the time of writing of this Statement of Case). The trailer was sited upon a permanent crushed stone pad area, with large (non-permanent) steps up to the accommodation area and outdoor seating adjacent to the trailer. The Land held the appearance of a maintained garden area with cut grass, domestic items including table and chairs, plant pots, pergola, shed, raised planting beds which stored materials for the appellant’s construction business (timber, stones, wheelbarrow, ladders), a timber closed board fence surrounding the Land, with a separate gated access drive. Site visit photos are provided as Appendix 4.
- 6.5 On 13 June 2024, the Case Officer informed the appellant that the Council considers that a material change of use of the Land has occurred, from paddock/grassland to an extension of the residential garden of Coach House. The appellant was provided with the option of submitting a planning application for glamping, removing the domestic items from the land and converting it back to open field/grassland, or doing nothing and an Enforcement Notice would be served.
- 6.6 On 13 June 2024, the appellant responded that he would not be altering the Land and that the Council should serve the Enforcement Notice.

6.7 On 29 July 2024, an Enforcement Notice was served on the land.

7. GROUNDS OF APPEAL

- i. **Ground (b)** That the breach of control alleged in the enforcement notice has not occurred as a matter of fact.

8. LA RESPONSE TO GROUNDS OF APPEAL UNDER GROUND B

- 8.1 The appellant has appealed under ground (b), noting within Section G of the appeal form that “The area in question has always been my garden since I purchased it in 2016. There is no other area available for me to use as a garden. I have never been advised that it should be used otherwise so receiving this enforcement notice has come as a big shock.”
- 8.2 As referenced within paragraph 6.5 above, the appellant was notified via email that the Council considered that a material change of use of the Land had occurred; if a planning application was not submitted or the Land converted back to open field/grassland, an Enforcement Notice would be served. The appellant responded via email, on the same day, that the Land would not be altered, and that the Council should serve an Enforcement Notice. The Council respectfully retains the position that the service of the Enforcement Notice was not “a shock.”
- 8.3 It is clear from aerial imagery (Appendix 2) that in April 2016, the land to the south of Coach House existed as open field/paddock. There were no domestic elements/structures in place. Over the past 7-8 years, the Land has been gradually converted to a domestic garden, with the Land fenced off prior to March 2017 and various structures visible along the southern property boundary in April 2018. The structures do not appear in May 2019 or May 2020 aerial imagery, with open grassland covering the Land. The most distinct difference in imagery occurs between August 2021 and June 2023, with a separate access to the single track becoming visible, as well as the raised bed area along the northern property boundary. Some structures may be obscured in the aerial images by tree cover.
- 8.4 June 2023 is the most current aerial imagery available, but the site visit in June 2024 indicated an intensified domestic use of the land with the horsebox trailer sited upon a permanent crushed stone pad area, with large (non-permanent) steps up to the accommodation area and outdoor seating adjacent to the trailer. Site visit photos (Appendix 4) also indicate cut grass, domestic items including table and chairs, plant pots, pergola, shed, as well as raised planting beds which stored materials for the appellant’s construction business (timber, stones, wheelbarrow, ladders). The Council therefore submits that there is a striking difference between the appearance and character of the land that is the subject of the Enforcement Notice and the land that lies outside this area associated with the Coach House.
- 8.5 The appellant has provided the Council with several documents intending to indicate that the Land has always been associated with Coach House and is thus intended to be utilised as its garden. The Council has attempted to communicate that the information provided by the appellant relates to the ownership of the Land and not its use. The recent case of R (Hampshire County Council) v Secretary of State for Environment, Food and Rural Affairs [2022] QB reiterated the point that when considering curtilage issues in which the appellant appears to advance the curtilage of a building, is a different concept from the “planning unit” and the use or function of the land (past and present is a relevant consideration).

- 8.6 Within the appellant's documents submitted to the Inspectorate is a plan denoted with a circled number 1 with a hand-written note "Plan of Stourton Court Before it was Split Up 2016." The red line boundary indicated within this appellant document matches the red line boundary indicated within 14/00330/LUE (provided as Appendices 5 and 6). It should be noted that a red line boundary does not automatically denote curtilage or garden of a dwelling. Specifically, 14/00330/LUE was described as "The division of Stourton Court from one residential house with outbuildings to six residential units comprising three flats, mews house, coach house and the remaining main house. All units have been self-contained since conversion was undertaken more than ten years ago." As the Certificate pertained to six residential units, there is no documentation provided to indicate which areas of the Land would be associated with which residential unit.
- 8.7 In 2016 (chronologically after 14/00330/LUE), permission 16/00103/FUL was granted for "Conversion of existing stables and garage to a two bedroom dwelling alterations to existing dwellings and extensions" (provided as Appendices 7 and 8). This permission included a red line boundary for Coach House as a dwelling, which did not include the Land within the red line boundary of the Enforcement Notice subject of this appeal.
- 8.8 In 2018, permission 18/00944/FUL was granted retrospectively for works to Coach House (provided as Appendices 9 and 10). This permission was granted to the appellant, and the red line boundary did not include the Land within the red line boundary of the Enforcement Notice subject of this appeal.
- 8.9 It remains the Council's position that whilst the Land may have legally been associated with the ownership of Stourton Court, that does not determine the historical use of the land. Historically, the Land has been utilised as open grassland/paddock area and within the past ten years, a material change of use of the Land to domestic garden land and unauthorised development to facilitate the change of use has occurred.
- 8.10 The development subject of the appeal is unauthorised and the development has multiple unacceptable harmful impacts upon the Green Belt and landscape setting generally.
- 8.11 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 153 and 154 of the NPPF².
- 8.12 The use of the land as domestic garden sees a significant introduction of urbanising development which results in a marked loss of openness. The domestic features include a private access way, permanent storage of a horsebox, pergola, garden shed, raised beds utilised for business storage and a domestic-style fence; in combination these features significantly reduce the openness of the Green Belt in both spatial and visual terms, and conflict with one of the Green Belt purposes that seeks to safeguard the countryside from encroachment.

² Please note – Paragraph 3.3 above directly references the Enforcement Notice as served on the Land on 29 July 2024, which utilised NPPF December 2023 paragraph references. As the Statement of Case is being submitted after the publication of the NPPF December 2024, paragraph references within Section 8 reference the current NPPF (Dec 24).

- 8.13 Additional Green Belt harm is caused by encroachment into Green Belt open countryside. To assist in safeguarding the countryside from encroachment is one of the five cornerstone purposes of designating land as Green Belt (para. 143 NPPF).
- 8.14 Core Strategy Policy EQ4: 'Protecting and Enhancing the Character and Appearance of the Landscape', recognises the intrinsic character and value of the South Staffordshire landscape and seeks to maintain and wherever possible enhance this character.
- 8.15 Inter alia this policy states that:
"Throughout the District, the design and location of new development should take account of the characteristics and sensitivity of the landscape and its surroundings, and not have a detrimental effect on the immediate environment and on any important medium and long-distance views";
and that:
"The siting, scale, and design of new development will need to take full account of the nature and distinctive qualities of the local landscape".
- 8.16 The unauthorised development is visually conspicuous in the landscape setting. Whilst there is limited vehicular traffic along the access track, the landscape naturally slopes away from Coach House towards the south. As the landscape slopes away from the built environment and transitions to dense tree cover, the Land previously operated as an open grassland, aiding this transition from built form to natural environment. As the Land is now occupied by manicured garden and various domestic structures, this increases the distance between built form and the natural environment, detrimentally impacting the immediate environment.
- 8.17 In addition, Core Strategy Policy EQ11: 'Wider Design Considerations', at sub para. C. Form e) states that:
"proposals should respect local character and distinctiveness including that of the surrounding development and landscape, in accordance with Policy EQ4, by enhancing the positive attributes whilst mitigating the negative aspects".
- 8.18 Additionally, (Inter alia) Core strategy Policy EQ12: 'Landscaping' adds that the landscaping of new development should:
"c) protect and enhance key landscape features".
- 8.19 These adopted Local Plan landscape policies are consistent with the sustainable development objectives identified within the Core Strategy and within Chapter 15 of the NPPF, which aim to protect and enhance the natural environment and valued landscape character of the area.
- 8.20 The development causes harm to the landscape character and appearance of the area.

9. CONCLUSIONS

- 9.1 Evidence from the aerial imagery conclusively demonstrates that the appeal site has not been used as a domestic garden for over ten years; the change of use is harmful to the spatial aspect of openness of the Green Belt.

- 9.2 It remains the Council's position that historically the Land has been utilised as open grassland/paddock area and within the past ten years, a material change of use of the Land to domestic garden land and unauthorised development to facilitate the change of use has occurred.
- 9.3 The development is inappropriate development by definition within the Green Belt which should be afforded significant weight.
- 9.4 The harm by encroachment of the development within the Green Belt is significant. The development conflicts with one of the objectives of the Green Belt, namely, to assist in safeguarding the countryside from encroachment which should be given significant weight.
- 9.5 The development also impacts negatively on and conflicts with identified national and local planning policy aimed at protecting the character and appearance of the landscape of the area. These harms should also be given significant weight in their own right.
- 9.6 The LPA decision to take Enforcement Action accords with prevailing relevant national and local Green Belt planning policy and guidance, and landscape/countryside policy. It is therefore respectfully requested that the appeal is dismissed.

APPENDIX 1

THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 23 FEB 2023 AT 11:09:47. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S.67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN HM LAND REGISTRY. FOR SEARCH PURPOSES THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, BIRKENHEAD OFFICE.

TITLE NUMBER: SF613422

There is/are applications(s) pending against this title.

A: Property Register

This register describes the land and estate comprised in the title.

STAFFORDSHIRE : SOUTH STAFFORDSHIRE

- 1 (03.03.2005) The Freehold land shown edged with red on the plan of the above title filed at the Registry and being Coach House, Bridgnorth Road, Stourton, Stourbridge (DY7 5BQ).
- 2 (19.01.2016) The land has the benefit of any legal easements granted by the Transfer dated 8 January 2016 referred to in the Charges Register but is subject to any rights that are reserved by the said deed and affect the registered land.
- 3 (19.01.2016) The Transfer dated 8 January 2016 referred to above grants the exclusive use of the car parking space tinted blue on the title plan.
- 4 (19.01.2016) The Transfer dated 8 January 2016 referred to above contains provisions as to light or air and boundary structures and a provision excluding the operation of section 62 of the Law of Property Act 1925 as therein mentioned.
- 5 (25.09.2017) The land edged and numbered in green on the title plan has been removed from this title and registered under the title number or numbers shown in green on the said plan.
- 6 (25.09.2017) The land has the benefit of any legal easements reserved by a Transfer of the land edged and numbered SF629446 in green on the title plan dated 21 September 2017 made between (1) Simon Bates and (2) Louise Clare Billingham and Nigel Norman Laker but is subject to any rights that are granted by the said deed and affect the registered land.

NOTE: Copy filed SF629446.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (19.01.2016) PROPRIETOR: SIMON BATES of 30 Flavells Lane, Dudley DY3 2RU.
- 2 (19.01.2016) The price stated to have been paid on 8 January 2016 was £275,000.
- 3 (22.05.2019) RESTRICTION: No transfer, lease for a term expiring not less than 7 years after the date of the lease or other disposition of the registered estate by the proprietor of the registered estate is to be completed by registration without a certificate signed by the

B: Proprietorship Register continued

proprietor for the time being of the estate registered under title number SF496868 or their conveyancer that the provisions of clause 18 of a Transfer dated 8 January 2016 made between (1) CLF Properties Limited and (2) Simon Bates have been complied with.

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (19.01.2016) The land is subject to the following rights that are reserved by a Conveyance of the land in this title and other land dated 1 September 1952 made between (1) Francis Michael Grazebrook, Patrick Edward Michael Holmes and Celia Mabel Chance (Vendors) and (2) Hugh Trevor Ryan (Purchaser) and affect the registered land:-

"EXCEPT AND RESERVED unto the vendors and the owners or occupiers for the time being of the adjoining property hereby conveyed now used by the vendors and such adjoining properties and also the free running of water and soil in through and along such sewers and drains and the right to enter the property hereby conveyed for the purpose of inspecting cleansing and repairing the said sewers and drains the vendors and the owners and occupiers of the adjoining properties paying a fair proportion of the cost of keeping the same in repair Provided that the vendors shall not discharge into such common pipes any further drains without the consent of the purchaser and the vendors and the owners or occupiers of the adjoining property shall be entirely responsible for the repair of such parts of the drains now on the property hereby conveyed as are used exclusively by the vendors and such owners or occupiers"

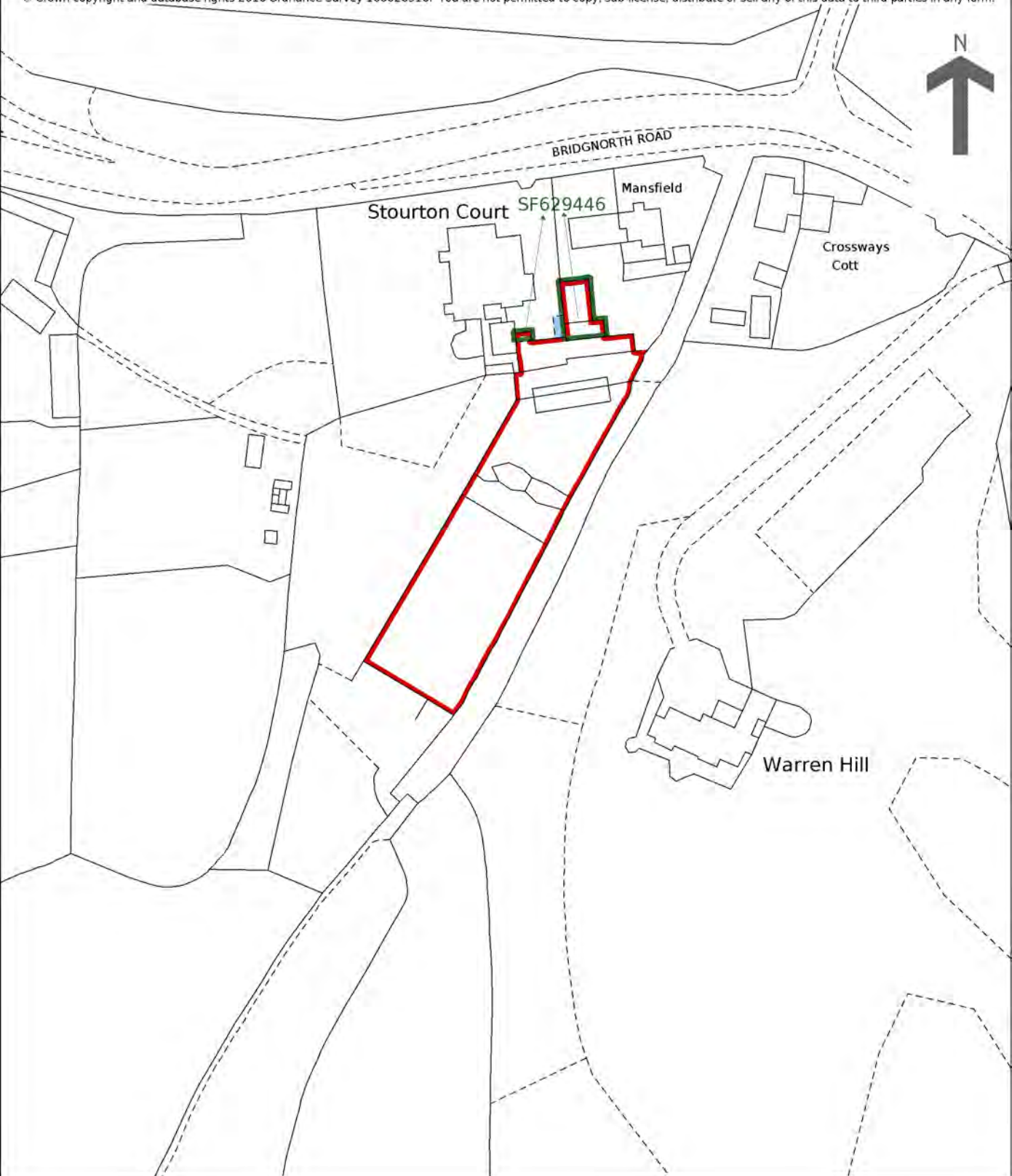
- 2 (19.01.2016) A Transfer of the land in this title dated 8 January 2016 made between (1) CLF Properties Limited and (2) Simon Bates contains restrictive covenants.

NOTE: Copy filed.

End of register



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This is a print of the view of the title plan obtained from HM Land Registry showing the state of the title plan on 23 February 2023 at 11:09:47. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

This title is dealt with by HM Land Registry, Birkenhead Office.

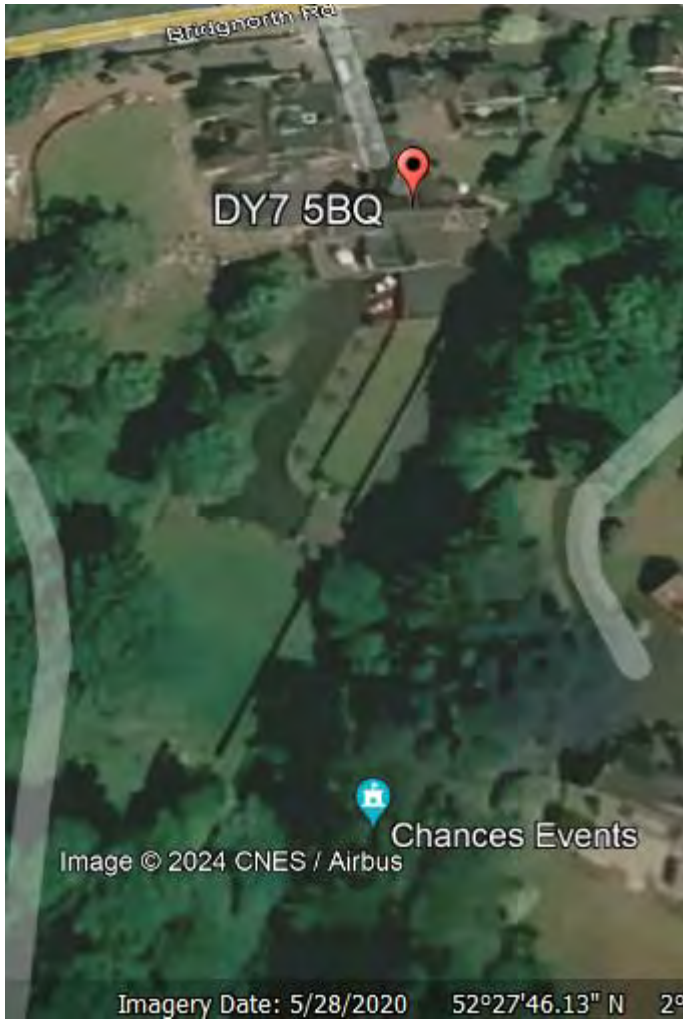
APPENDIX 2

Date stamped aerial photos



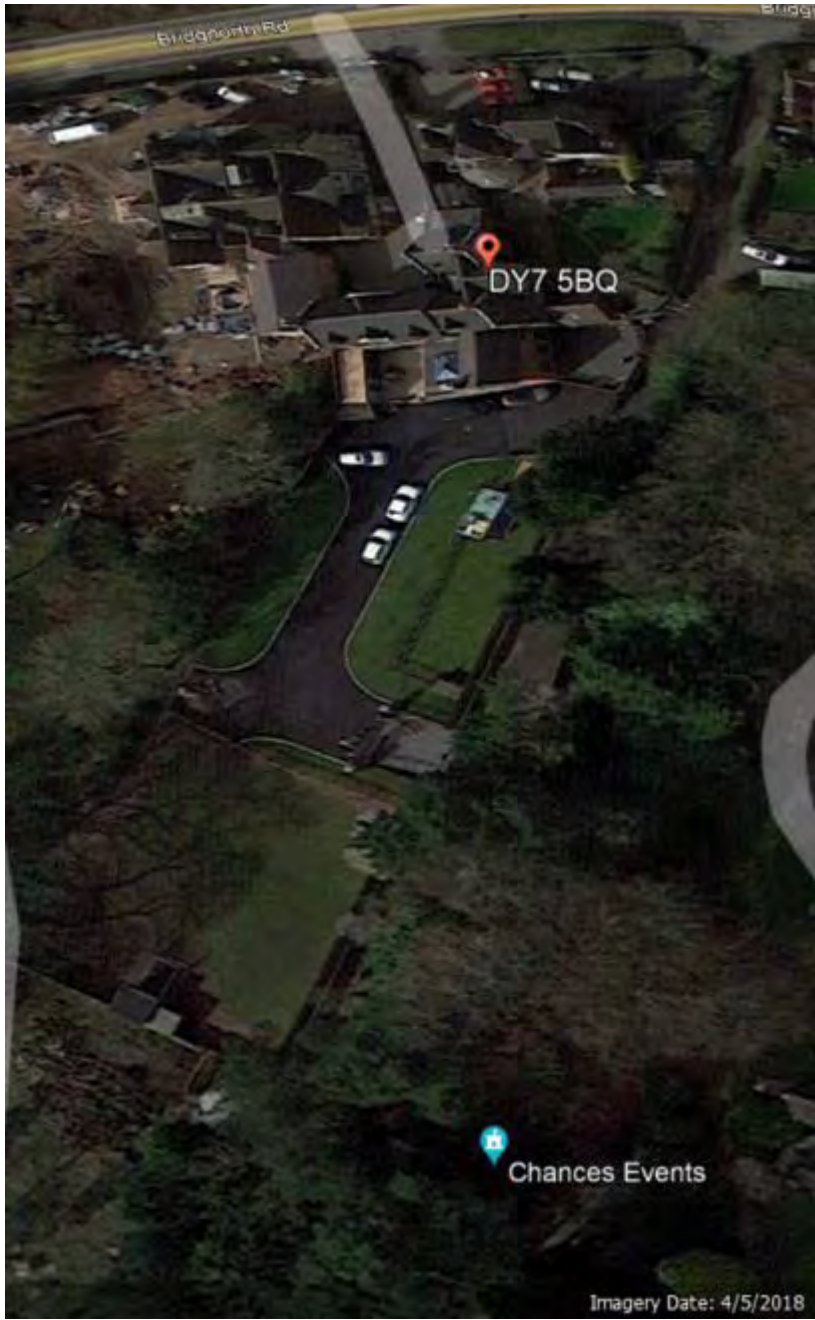
















APPENDIX 3

Cookies on Check if a vehicle is taxed and has an MOT

We use some essential cookies to make this service work.

We'd also like to set analytics cookies so we can understand how people use the service and make improvements.

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Check if a vehicle is taxed and has an MOT

N772 VNA

✓ SORN

MOT

No details held by DVLA

[▶ Incorrect tax status?](#)

[▶ Incorrect MOT status?](#)



If you've just bought this vehicle the [tax \(https://www.gov.uk/vehicle-tax\)](https://www.gov.uk/vehicle-tax) or [SORN \(https://www.gov.uk/make-a-sorn\)](https://www.gov.uk/make-a-sorn) doesn't come with it. You'll need to [tax \(https://www.gov.uk/vehicle-tax\)](https://www.gov.uk/vehicle-tax) it before driving it.

Vehicle Details

Vehicle make	LEYLAND DAF
Date of first registration	October 1995
Year of manufacture	1995
Cylinder capacity	Not available
CO ₂ emissions	Not available
Fuel type	DIESEL
Euro status	Not available
Real Driving Emissions (RDE)	Not available
Export marker	No
Vehicle status	SORN
Vehicle colour	GREY
Vehicle type approval	Not available

DVLA services

[Tax your vehicle \(https://www.gov.uk/vehicle-tax\)](https://www.gov.uk/vehicle-tax)

[Get a vehicle logbook \(V5C\) \(https://www.gov.uk/vehicle-log-book\)](https://www.gov.uk/vehicle-log-book)

[Driver and vehicles account: sign in or set up \(https://www.gov.uk/driver-vehicles-account\)](https://www.gov.uk/driver-vehicles-account)

[Register your vehicle as off the road \(SORN\) \(https://www.gov.uk/make-a-sorn\)](https://www.gov.uk/make-a-sorn)

[Change your vehicle's tax class \(https://www.gov.uk/change-vehicle-tax-class/\)](https://www.gov.uk/change-vehicle-tax-class/)

[Tell DVLA you've sold, transferred or bought a vehicle \(https://www.gov.uk/sold-bought-vehicle\)](https://www.gov.uk/sold-bought-vehicle)

[Update your vehicle's address \(https://www.gov.uk/change-address-\)](https://www.gov.uk/change-address-)

Wheelplan	2 AXLE RIGID BODY
Revenue weight	7490 kg
Date of last V5C (logbook) issued	20 June 2023

[v5c\)](#)

[Report an untaxed vehicle](https://www.gov.uk/report-untaxed-vehicle)
(<https://www.gov.uk/report-untaxed-vehicle>)

[Check you're not buying a stolen vehicle](https://www.gov.uk/checks-when-buying-a-used-car)
(<https://www.gov.uk/checks-when-buying-a-used-car>)

[Check if your vehicle can run on E10 petrol](https://www.gov.uk/check-vehicle-e10-petrol)
(<https://www.gov.uk/check-vehicle-e10-petrol>)

View the tax rates for this vehicle

If you have the latest 11 digit reference number from the V5C registration certificate (logbook) you can [view the tax rates for this vehicle.](#) ([/EnterV5C?locale=en](#))

► [Incorrect vehicle details?](#)

[Return to GOV.UK](https://www.gov.uk/done/check-vehicle-tax?) (<https://www.gov.uk/done/check-vehicle-tax?>)

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DVSA services

[Check the MOT history of a vehicle](https://www.gov.uk/check-mot-history)
(<https://www.gov.uk/check-mot-history>).

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(<https://www.gov.uk/mot-reminder>)

[Report a vehicle with no MOT](https://www.gov.uk/report-no-mot)
(<https://www.gov.uk/report-no-mot>)

[MOTs for vehicles registered in Northern Ireland](https://www.nidirect.gov.uk/information-and-services/motoring/mot-and-vehicle-testing)
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[ht](https://www.nationalarchives.gov.uk/information-management/re-using-public-sector-information/uk-government-licensing-framework/) (<https://www.nationalarchives.gov.uk/information-management/re-using-public-sector-information/uk-government-licensing-framework/>)

APPENDIX 4





12 June 2024 11:06





12 June 2024 11:06



12 June 2024 11:06







12 June 2024 11:07

APPENDIX 5



South Staffordshire Council

**Town and Country Planning Act 1990 Section 191 and 192
(As amended by Section 10 of Planning and Compensation Act 1991)**

**Town and Country Planning (Development Management Procedure) Order
2010**

CERTIFICATE OF LAWFULNESS OF EXISTING USE OR DEVELOPMENT

The South Staffordshire Council hereby **CERTIFY** that on 18 April 2014 the The division of Stourton Court from one residential house with outbuildings to six residential units comprising three flats, mews house, coach house and the remaining main house. All units have been self-contained since conversion was undertaken more than ten years ago. specified in the First Schedule, on the land specified in the Second Schedule hereto and edged red on the plan attached to this certificate, was lawful within the meaning of Section 191 of the Town and Country Planning Act 1990 (as amended).

Signed



Andrew Johnson

Director of Planning and Strategic Services

Dated 17 June 2014

Application Number: 14/00330/LUE

First Schedule The division of Stourton Court from one residential house with outbuildings to six residential units comprising three flats, mews house, coach house and the remaining main house. All units have been self-contained since conversion was undertaken more than ten years ago.

Second Schedule Stourton Court Bridgnorth Road Stourton Stourbridge South Staffordshire DY7 5BQ

PLEASE REFER TO NOTES ENCLOSED

The Executors Of The Late Mrs B Ryan
C/O Alan Tyler
The Tyler-Parkes Partnership Ltd
66 Stratford Road
Shirley
Solihull
West Midlands (Met County)
B90 3LP

NOTES

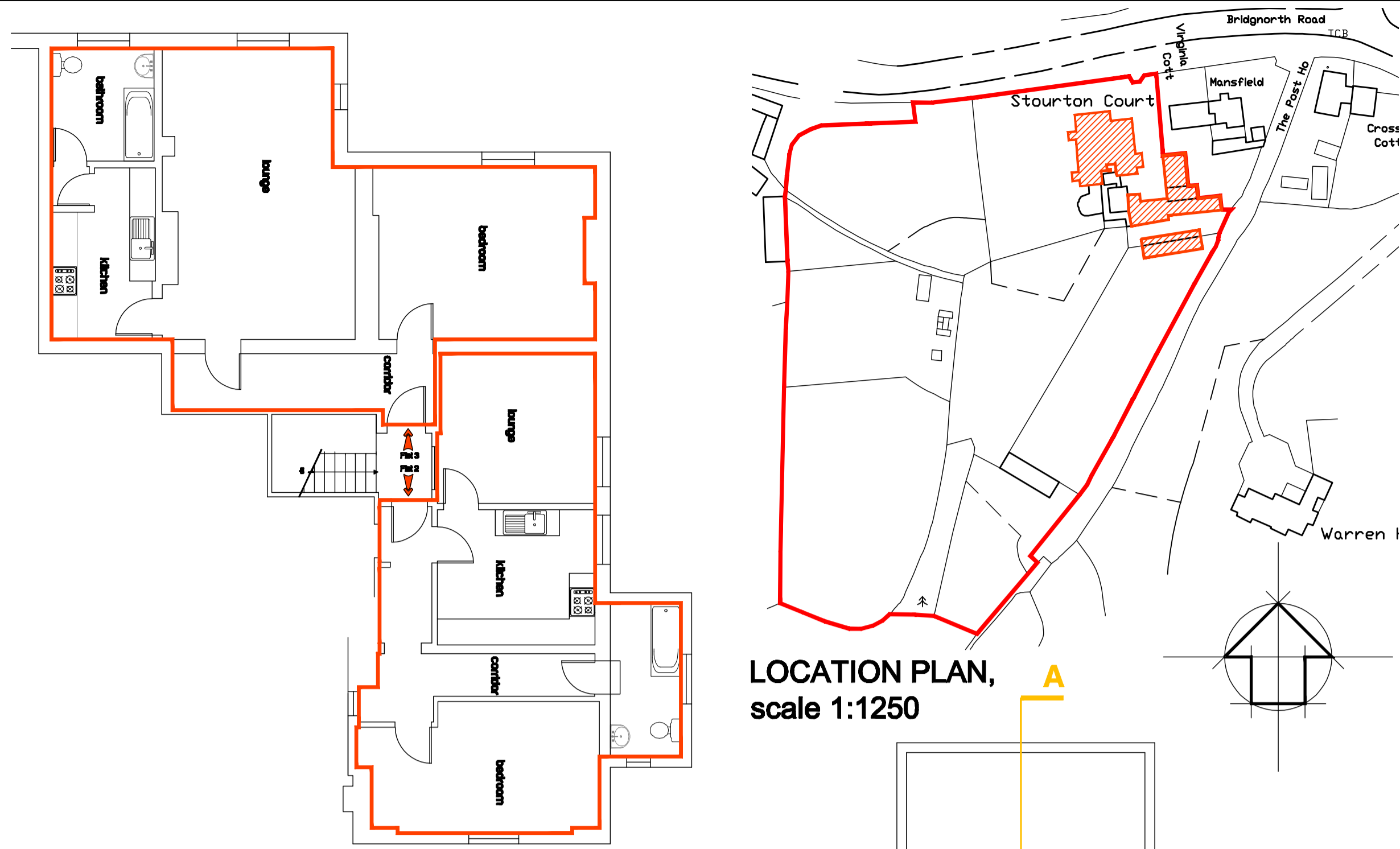
1. This certificate is issued solely for the purpose of Section 191 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the specified in the First Schedule taking place on the land described in the Second Schedule was lawful, on the specified date and, thus was not liable to enforcement action under Section 172 of the 1990 Act (as amended) on that date.
3. This certificate applies only to the extent of the described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.
4. The effect of the certificate is also qualified by the proviso in Section 192(4) of the 1990 Act, (as amended), which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change before the use is instituted or the operations begun, in any of the matter relevant to determining such lawfulness.

5. APPEALS

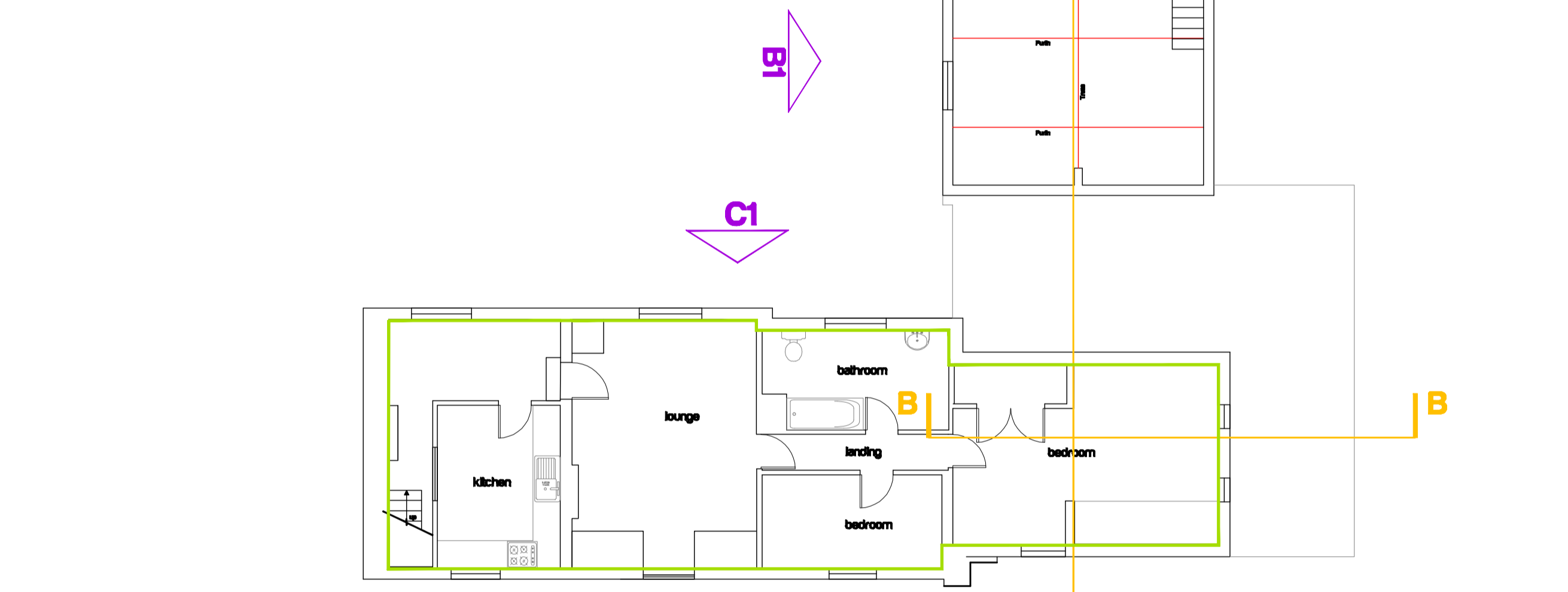
If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development, or to grant permission subject to conditions, she/he may appeal to the Secretary of State Communities and Local Government in accordance with Section 78(I) of the Town and Country Planning Act 1990. Any appeal must be made within **6 months** of the date of the decision. The Secretary of State has power to allow a longer period for giving of a notice of appeal, but she/he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to her/him that permission for the proposed development could not have been so granted otherwise then subject to the conditions imposed by them, having regard to the statutory requirements, to the provision of the development order and to any directions given under the order.

Appeal forms are obtained from The Planning Inspectorate, 3/07 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, BRISTOL, BS1 6NP or online at www.planningportal.gov.uk

APPENDIX 6



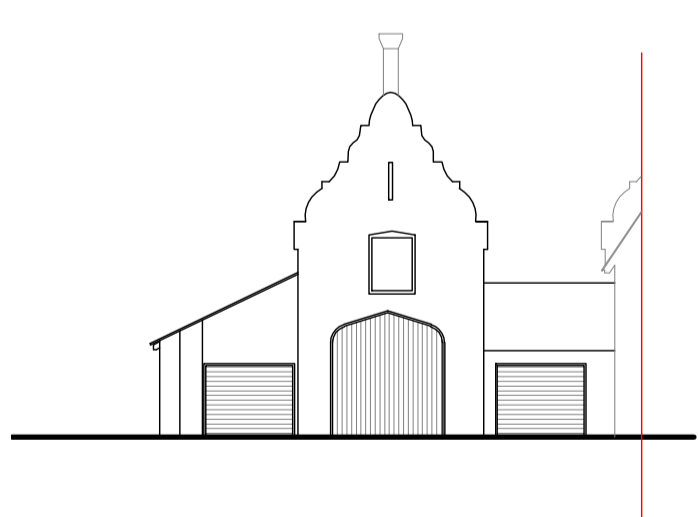
LOCATION PLAN, scale 1:1250



FIRST FLOOR, scale 1:100



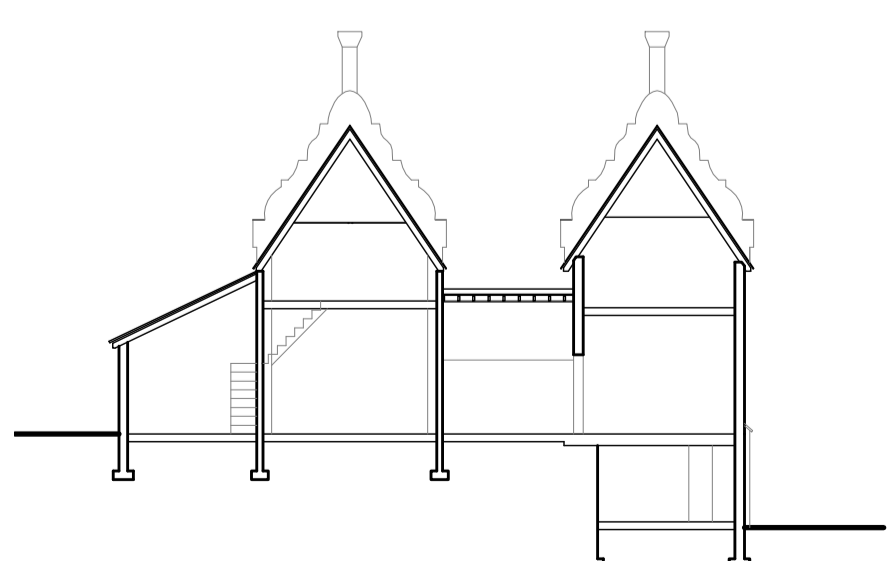
EXISTING A1 ELEVATION, scale 1:200



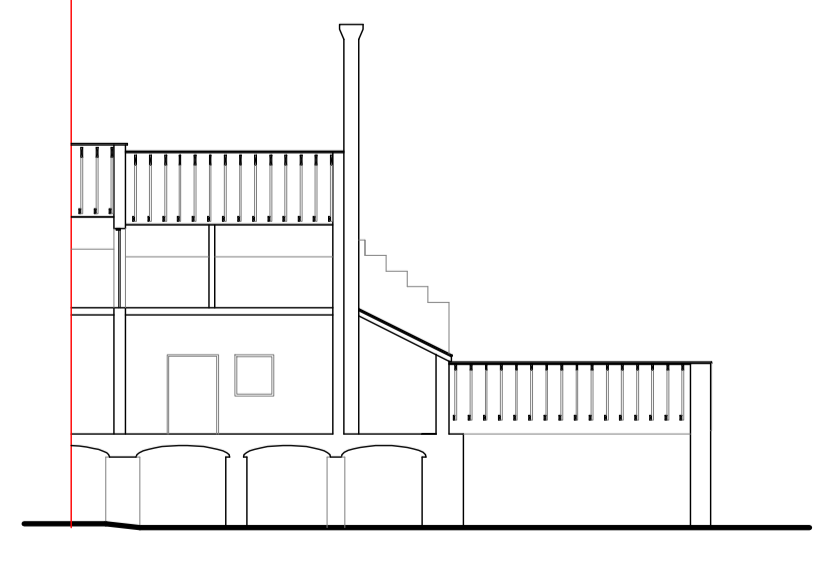
EXISTING B1 ELEVATION, scale 1:200



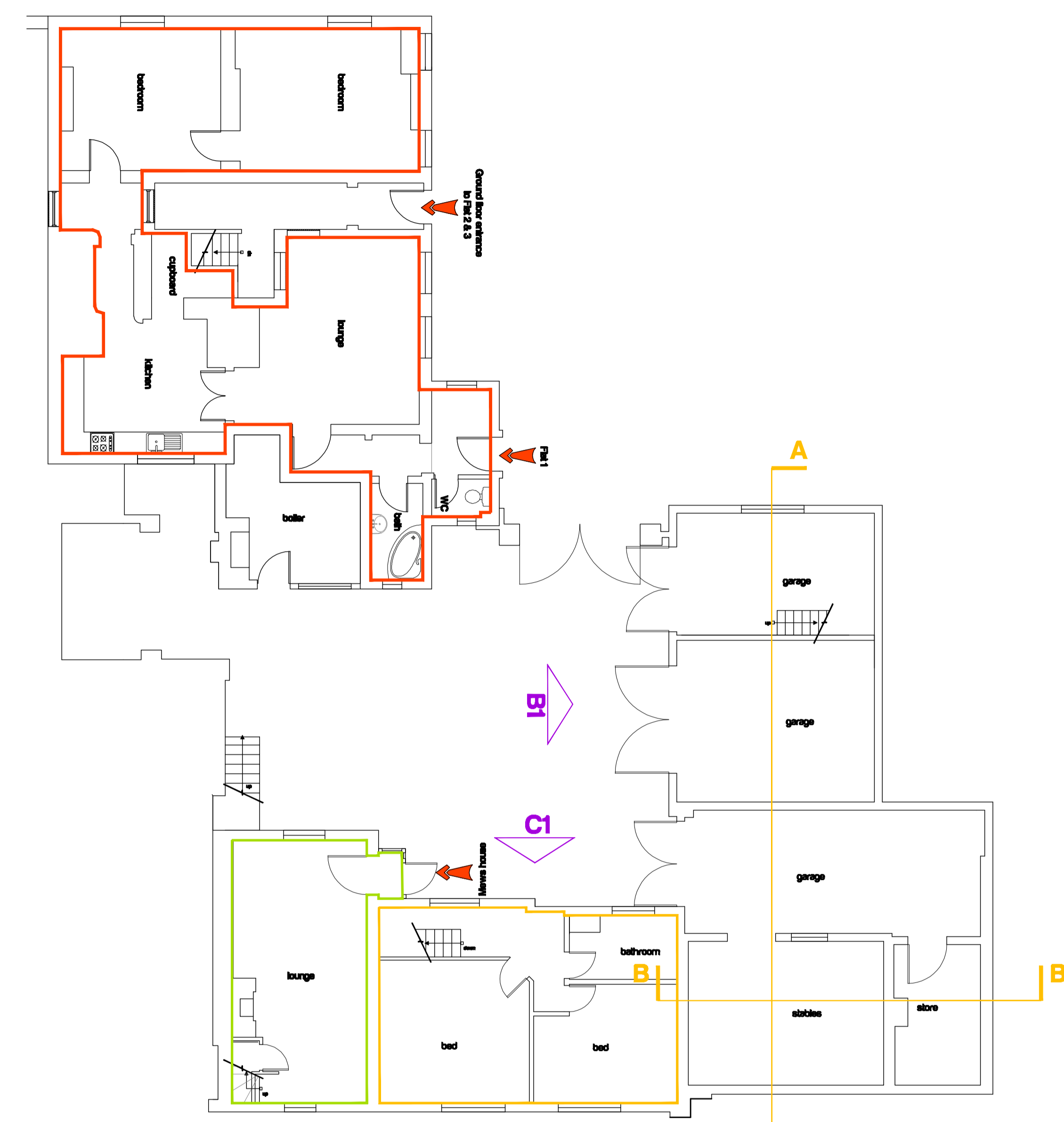
EXISTING C1 ELEVATION, scale 1:200



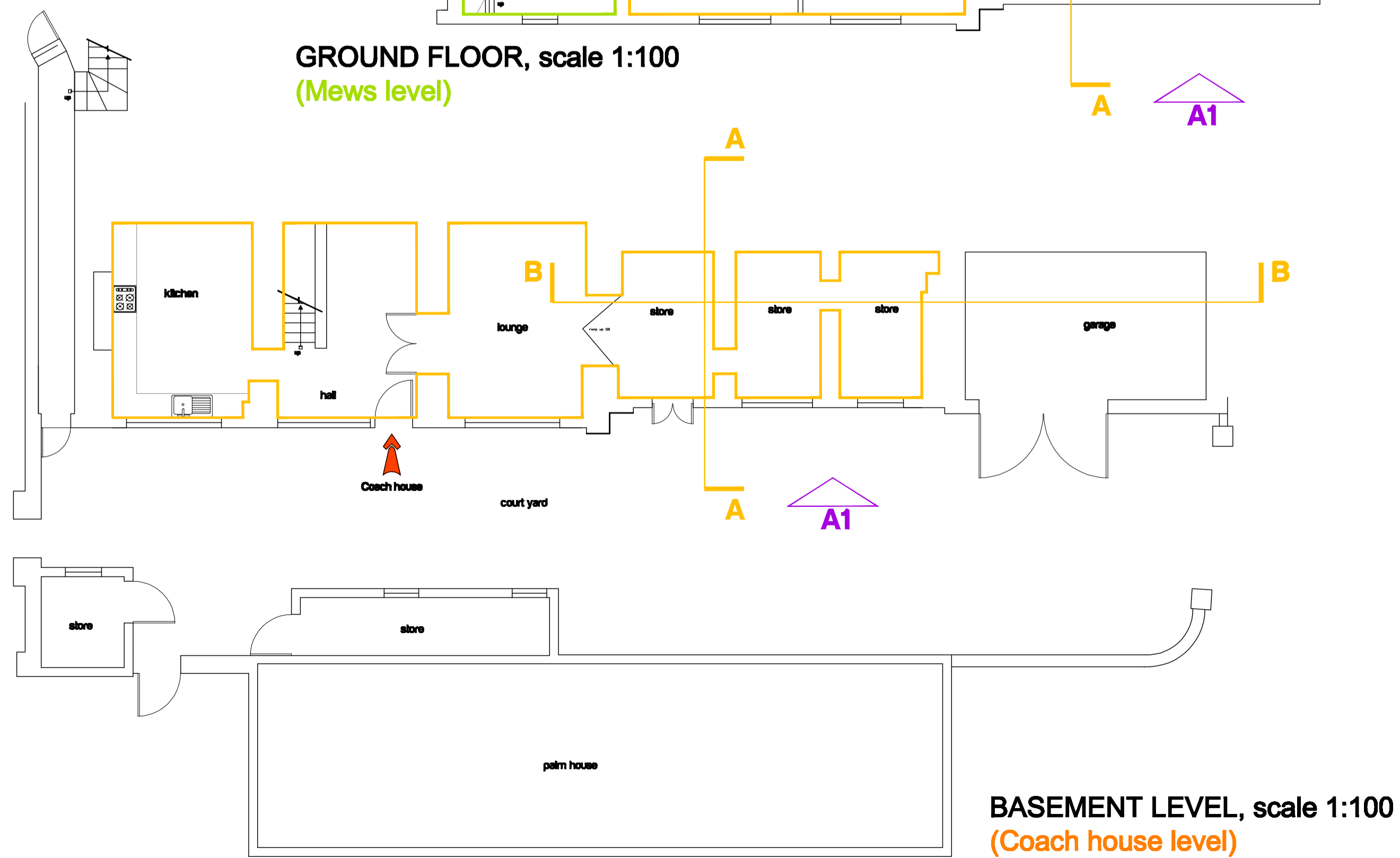
A-A SECTION, scale 1:200



B-B SECTION, scale 1:200



GROUND FLOOR, scale 1:100 (Mews level)



BASEMENT LEVEL, scale 1:100 (Coach house level)

ALL MEASUREMENTS AND DIMENSIONS TO BE CHECKED ON SITE BY THE BUILDER PRIOR TO COMMENCEMENT OF WORKS. ANY DISCREPANCIES TO BE REPORTED TO THE TYLER-PARKES PARTNERSHIP IMMEDIATELY.

COPYRIGHT © THE TYLER-PARKES PARTNERSHIP

SCALE

M 0 0.25 0.50 0.75 1.00 1.25
1:25

M 0 0.5 1.0 1.5 2.0 2.5
1:50

M 0 1 2 3 4 5
1:100

M 0 2 4 6 8 10
1:200

M 0 5 10 15 20 25
1:500

M 0 12.5 25 37.5 50 62.5
1:1250

tyler parkes

Planning & Architecture
advice | applications | drawings

tylerparkes
68 Stratford Road
Shirley, Solihull,
B30 9LP
Tel: 0121 744 5511
info@tyler-parkes.co.uk
www.tyler-parkes.co.uk

Revisions	Date

Project Title and Location

STOURTON COURT
BRIDGNORTH ROAD
STOURTON
STOURBRIDGE
DY7 5BQ

Client

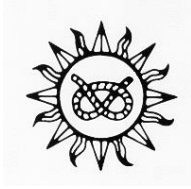
THE EXECUTORS OF THE LATE MRS. B. RYAN

Drawing Title

EXISTING FLOOR PLANS, ELEVATIONS & SECTIONS

Project	Dwg.	Rev.	Cad.
10043	05	-	(10)
Date	MARCH 2014	Auth.	Ck'd.
Scale	AS INDICATED	tr	-
Sheet	@ A1		

APPENDIX 7



South Staffordshire Council

Town and Country Planning (Development Management Procedure) (England) Order 2015

GRANT OF PLANNING PERMISSION

This permission does not carry any approval or consent which may be required under any enactment, bylaw, order or regulation (e.g. in relation to Building Regulations or the Diversion of Footpaths etc) other than Section 57 of the Town and Country Planning Act, 1990.

Application Number: 16/00103/FUL
Proposed: Conversion of existing stables and garage to a two bedroom dwelling alterations to existing dwellings and extensions
At: Stourton Court Bridgnorth Road Stourton Stourbridge South Staffordshire DY7 5BQ

In pursuance of their power under the above mentioned Act, South Staffordshire Council hereby **GRANT** planning permission for the development described above in accordance with the details given in the application numbered above,

Subject to the following condition(s):

1. The development to which this permission relates must be begun not later than the expiration of 3 years beginning with the date on which this permission is granted.
2. The development shall be carried out in accordance with the approved drawings: SB/16/103 101A received 11/03/2016 ..
3. The materials used shall be as those stated in received letter dated 10th March 2016 (reclaimed roof tiles and bricks).
4. The permission hereby granted relates to the conversion of the existing buildings and does not grant or imply consent for the demolition or rebuilding of any part of the buildings, other than as specified on the approved plans.
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), or any other subsequent equivalent order, no development within the following classes of development shall be carried out to the dwelling(s) hereby approved without the prior approval of the Local Planning Authority:
 - a. Schedule 2, Part 1, Class A - enlargement, improvement or other alteration
 - b. Schedule 2, Part 1, Class B - addition or alteration to the roof
 - c. Schedule 2, Part 1, Class C - any other alteration to the roof
 - d. Schedule 2, Part 1, Class D - porches
 - e. Schedule 2, Part 1, Class E - garden buildings, enclosures, pool, oil or gas storage container
6. Within 2 months of the date of this permission, drainage plans for the disposal of surface water and foul sewage shall be submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the

approved details before the development is first brought into use.

7. The development hereby permitted shall not be brought into use until the parking and turning areas have been provided in accordance with the approved plans.

The reasons for the Council's decision to grant permission for development subject to compliance with the conditions hereinbefore specified are: -

1. The reason for the imposition of these time limits is to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. In order to define the permission and to avoid doubt.
3. To safeguard the amenity of the area in accordance with policy EQ11 of the adopted Core Strategy.
4. In order to define the permission and to avoid doubt.
5. The site is within the Green Belt within which, in accordance with the planning policies in the adopted Core Strategy, there is a presumption against inappropriate development
6. To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimize the risk of pollution, in accordance with policy EQ7 of the adopted Core Strategy.
7. In the interests of public and highway safety and convenience and to conform to the requirements of policy EQ11 of the adopted Core Strategy.
8. Proactive Statement

The Council has considered the application submitted and negotiated amendments to the proposal which have resulted in the application being considered to be acceptable in accordance with the reasons for granting planning permission above. In reaching this decision the Local Planning Authority has therefore complied with paragraphs 186 and 187 of the National Planning Policy Framework, 2012.

Signed

Dated: 30 March 2016



Andrew Johnson

Director of Planning and Strategic Services

Mr S Bates
C/O Stuart Walters
Clee View Barn
Edgehill Road
Northway
Sedgley
DY3 3RH

NOTES

1) APPEALS

If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development, or to grant permission subject to conditions, she/he may appeal to the Secretary of State for Communities and Local Government in accordance with Section 78(1) of the Town and Country Planning Act 1990. Any appeal must be made within **6 months** of the date of the decision. The Secretary of State has power to allow a longer period for giving of a notice of appeal, but she/he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to her/him that permission for the proposed development could not have been so granted otherwise then subject to the conditions imposed by them, having regard to the statutory requirements, to the provision of the development order and to any directions given under the order.

Appeal forms are obtained from The Planning Inspectorate, 3/07 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, BRISTOL, BS1 6NP or online at www.planningportal.gov.uk.

2) PURCHASE NOTICE

If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or the Secretary of State for Communities and Local Government, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, she/he may serve on the Borough Council or District Council or County Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

3) COMPENSATION

In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

Compliance with Conditions

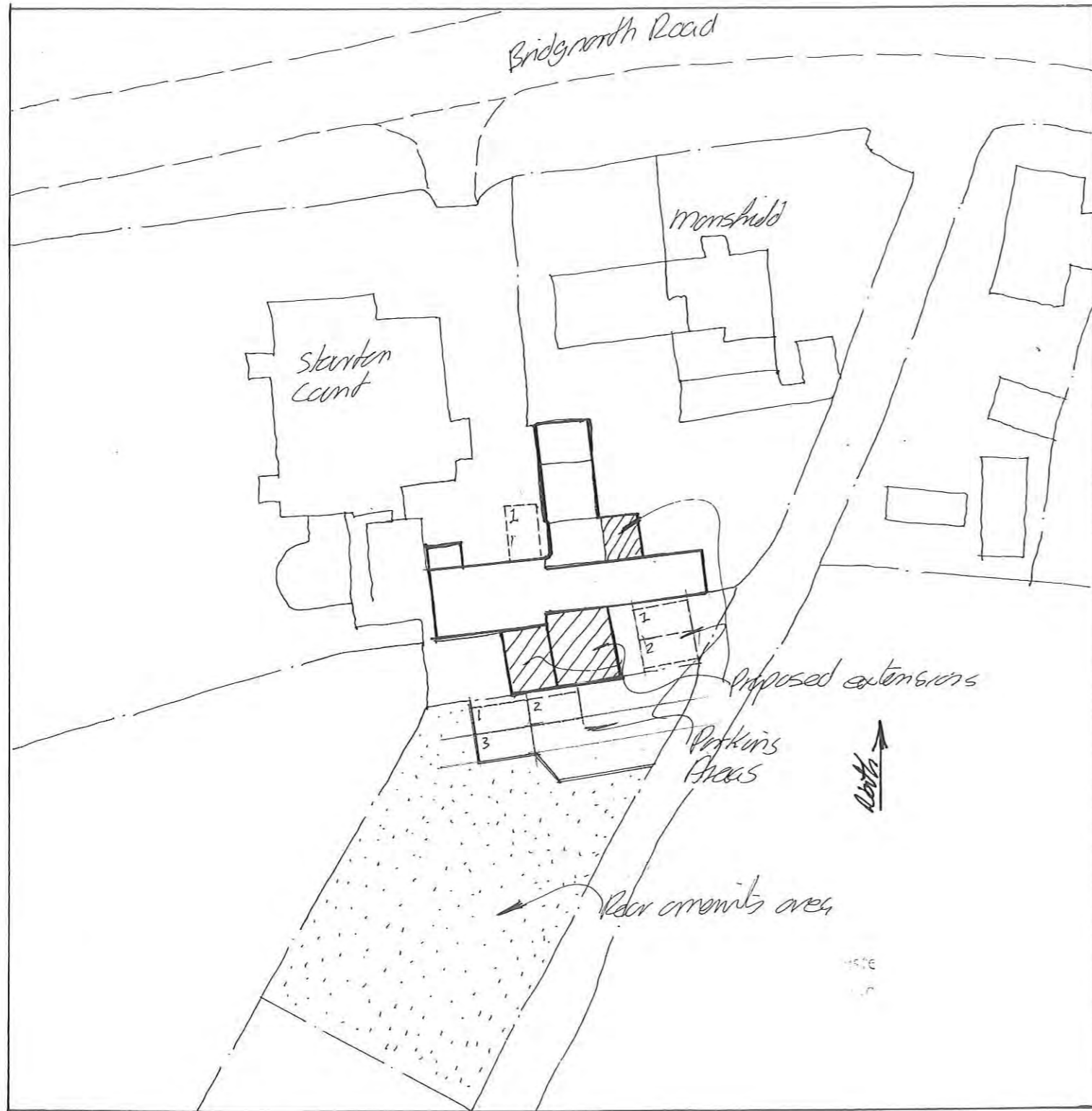
In accordance with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations 2008, there is now a fee payable for the request for written confirmation of compliance with a condition or conditions attached to the grant of planning permission:

£28 for each request that relates to a permission for householder development.

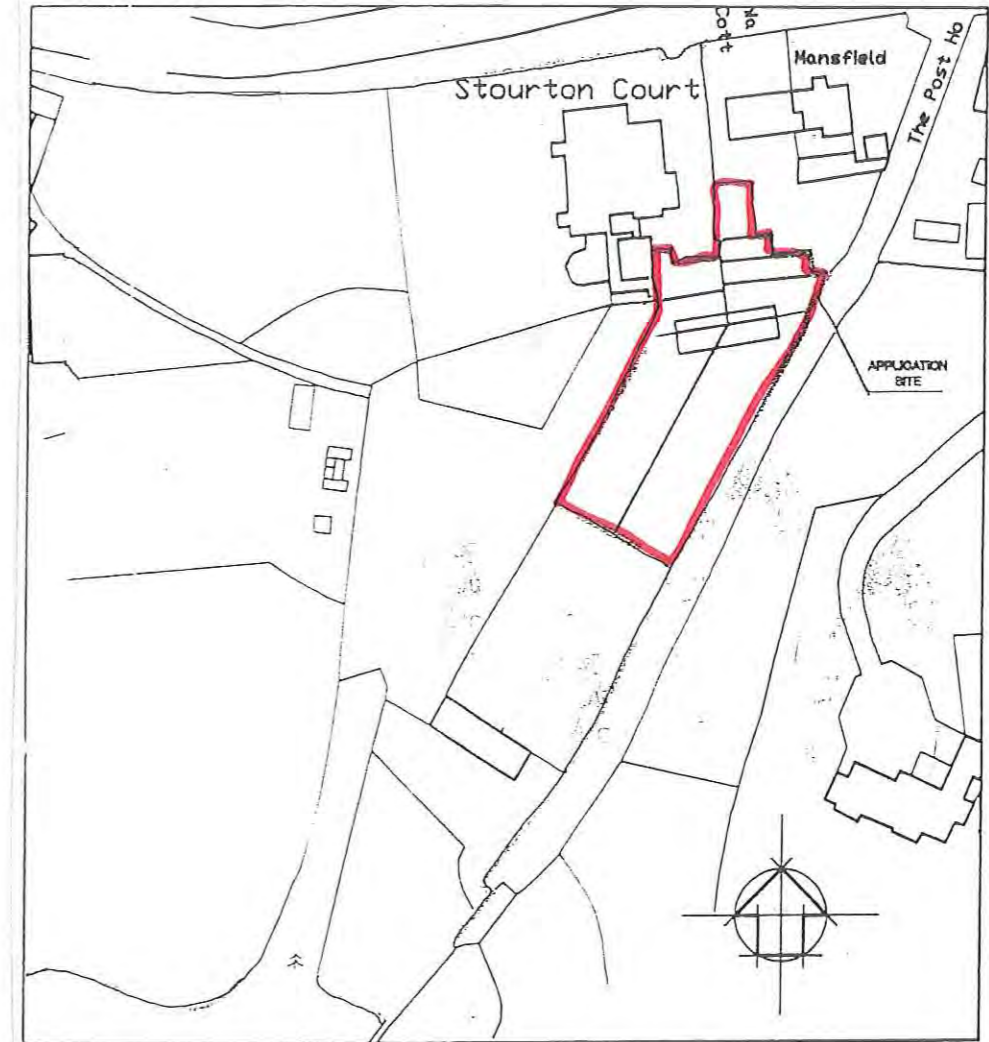
£97 for all other requests relating to a permission for development

APPENDIX 8

SOUTH STAFFORDSHIRE COUNCIL
 04 FEB 2016
 RECEIVED



Block Plan 1:500



Location plan 1:1250

Stourton Court
 Bridgnorth Road
 Stourton
 Stourbridge

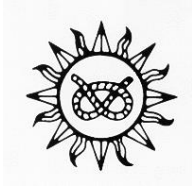
1:500 1:1250 Jan 2016



D E S I G N
ARCHITECTURAL SERVICES

CLEE VIEW BARN, EDGEHILL DRIVE, NORTHWAY,
 SEDGLEY, WEST MIDLANDS DY3 3RH
 TELEPHONE & FAX 01902 654353

APPENDIX 9



South Staffordshire Council

Town and Country Planning (Development Management Procedure) (England) Order 2015

GRANT OF PLANNING PERMISSION

This permission does not carry any approval or consent which may be required under any enactment, bylaw, order or regulation (e.g. in relation to Building Regulations or the Diversion of Footpaths etc) other than Section 57 of the Town and Country Planning Act, 1990.

Application Number: 18/00944/FUL
Proposed: Retrospective application to provide sauna and hot tub area
At: The Coach House Stourton Court Bridgnorth Road Stourton
Stourbridge South Staffordshire DY7 5BQ

In pursuance of their power under the above mentioned Act, South Staffordshire Council hereby **GRANT** planning permission for the development described above in accordance with the details given in the application numbered above,

Subject to the following condition(s):

1. The development shall be carried out in accordance with the approved drawings: Block plan, SB/18/110 received 20/11/2018.
2. This permission does not grant nor imply consent for the drainage scheme shown on approved plan 'Block Plan' received 20/11/2018.
3. The section of fence marked in green on approved plan SB/18/110 shall be permanently removed in its entirety within 1 month of the date of this permission and nothing erected in its place without the prior written consent of the Local Planning Authority.

The reasons for the Council's decision to grant permission for development subject to compliance with the conditions hereinbefore specified are: -

1. In order to define the permission and to avoid doubt.
2. In order to define the permission and to avoid doubt.
3. The site is within the Green Belt within which, in accordance with the planning policies in the adopted Core Strategy, there is a presumption against inappropriate development
4. Proactive Statement - In dealing with the application, the Local Planning Authority has approached decision making in a positive and creative way, seeking to approve sustainable development where possible, in accordance with paragraph 38 of the National Planning Policy Framework, 2018.

Signed

Dated: 12 March 2019

A handwritten signature in black ink, appearing to be 'AJ', followed by a long horizontal flourish.

Andrew Johnson
Chief Planning Officer

Mr S Bates
C/O Mr Stuart Walters
Oakham Design Ltd
7 Meadow View
Sedgley
Dudley
DY3 3EX

NOTES

1) APPEALS

If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development, or to grant permission subject to conditions, she/he may appeal to the Secretary of State for Communities and Local Government in accordance with Section 78(1) of the Town and Country Planning Act 1990. Any appeal must be made within **6 months** of the date of the decision. The Secretary of State has power to allow a longer period for giving of a notice of appeal, but she/he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to her/him that permission for the proposed development could not have been so granted otherwise then subject to the conditions imposed by them, having regard to the statutory requirements, to the provision of the development order and to any directions given under the order.

Appeal forms are obtained from The Planning Inspectorate, 3/07 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, BRISTOL, BS1 6NP or online at www.planningportal.gov.uk.

2) PURCHASE NOTICE

If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or the Secretary of State for Communities and Local Government, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, she/he may serve on the Borough Council or District Council or County Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

3) COMPENSATION

In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

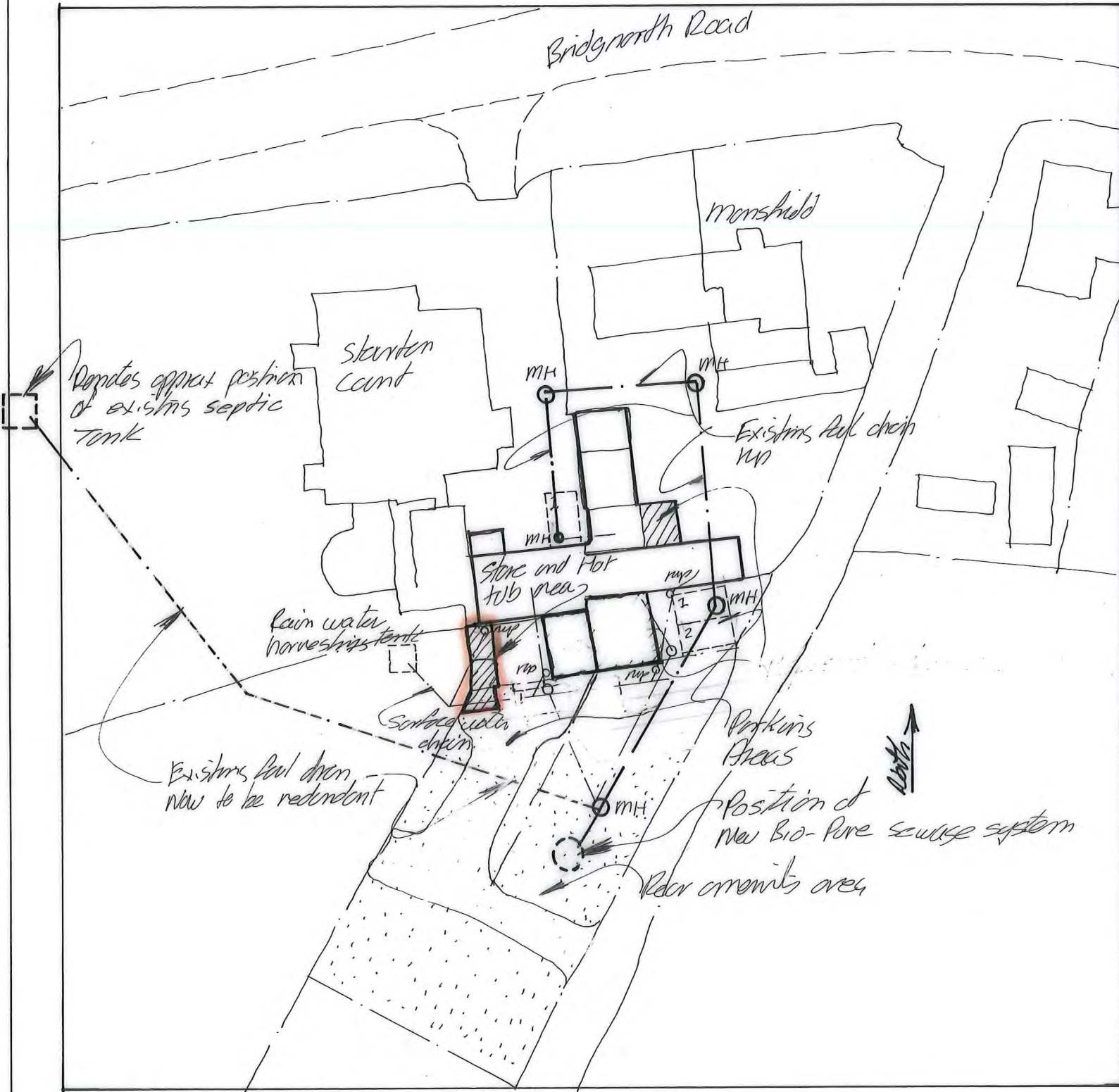
Compliance with Conditions

In accordance with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations 2008, there is now a fee payable for the request for written confirmation of compliance with a condition or conditions attached to the grant of planning permission:

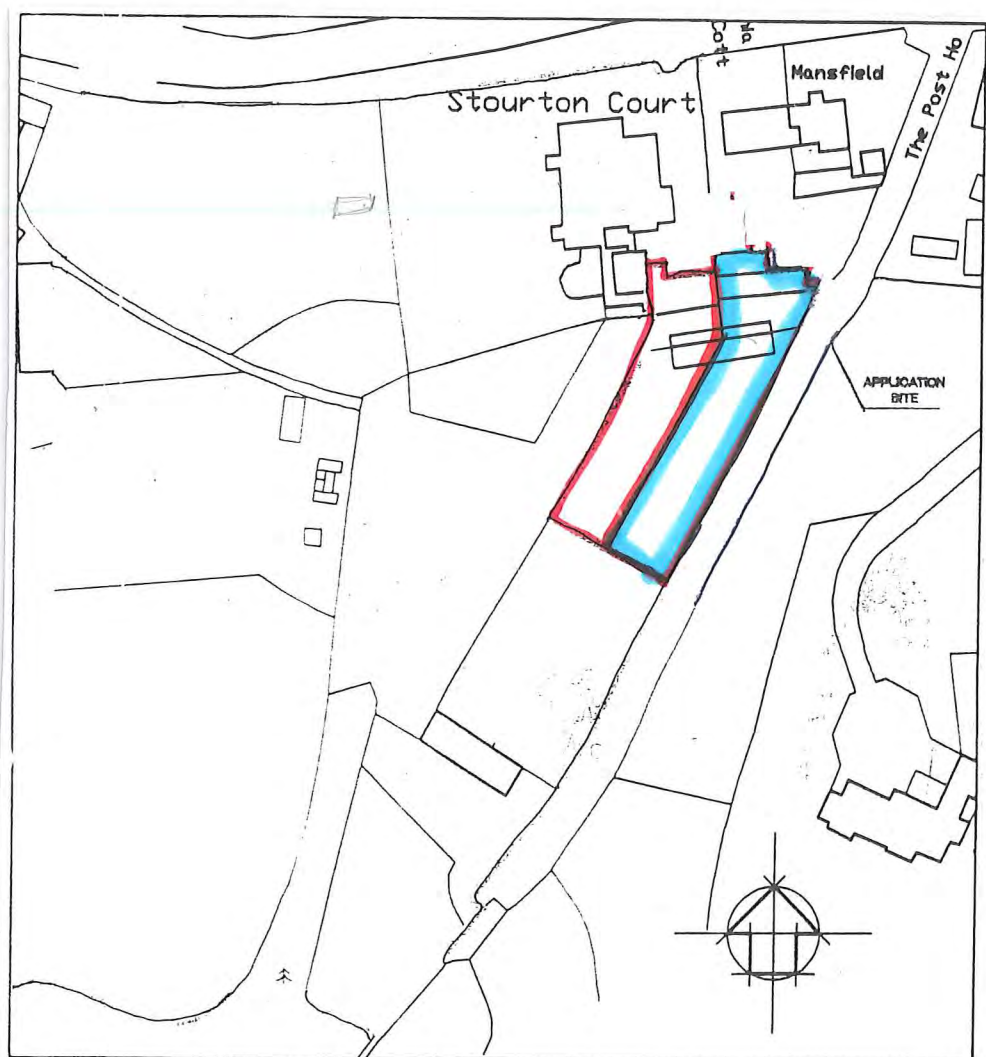
£34 for each request that relates to a permission for householder development.

£116 for all other requests relating to a permission for development

APPENDIX 10



Block Plan 1:500



Location plan 1:1250

B New sewage system added May 2018
 A Previous information added Nov 2017

Stourton Court
 Bridgnorth Road
 Stourton
 Stourbridge

1:500 1:1250 30th 2016

Oakham
 DESIGN
 ARCHITECTURAL SERVICES
 CLEE VIEW BARN, EDGEHILL DRIVE, NORTHWAY,
 SEDGLEY, WEST MIDLANDS DY3 3RH
 TELEPHONE & FAX 01902 654353

APPENDIX 11

own survey work, will help to explain how the historic built environment has evolved and to identify buildings for the local list.

- 7.19 This comprehensive evidence base will emerge as a Supplementary Planning Document which encompasses the Historic Environment, identifying the main issues, and will also be used to inform and refresh the Village Design Guide.
- 7.20 In order to ensure that buildings at risk are saved or not degraded further, sometimes 'enabling development' is the only viable option. In this case paragraph (b) of this policy will be used in conjunction with guidance 'Enabling Development and the Conservation of Significant Places' issued by English Heritage in 2008 or subsequent guidance for enabling development.

Key Evidence

Sustainable Community Strategy 2008 - 2020
Conservation Area Appraisals and Management Plans 2010
Village Design Guide SPD 2009
Buildings of Special Local Interest (on going)
Historic Environment Character Assessment 2011
Assessment of Physical and Environmental Constraints 2009
West Midlands Farmsteads and Landscapes Project 2010

Delivery and Monitoring

Through the Development Management process in consultation with English Heritage, the County Council and other partners
Conservation and Design advice
Conservation Area Management Plans
Village Design Guide SPD (or subsequent revisions)
Historic Environment SPD
LSP Environmental Quality Delivery Plan

The monitoring arrangements are set out in the Monitoring Framework in Appendix 1.

Policy EQ4: Protecting and Enhancing the Character and Appearance of the Landscape

The intrinsic rural character and local distinctiveness of the South Staffordshire landscape should be maintained and where possible enhanced. Trees, veteran trees, woodland, ancient woodland and hedgerows should be protected from damage and retained unless it can be demonstrated that removal is necessary and appropriate mitigation can be achieved. For visual and ecological reasons, new and replacement planting should be of locally native species.

The Council will encourage and support the creation of new woodlands

and the management of existing woodlands particularly where they contribute to community forestry. Reference should be made to the Council's Tree and Woodland Strategy.

Throughout the District, the design and location of new development should take account of the characteristics and sensitivity of the landscape and its surroundings, and not have a detrimental effect on the immediate environment and on any important medium and long distance views.

The siting, scale, and design of new development will need to take full account of the nature and distinctive qualities of the local landscape. The use of techniques, such as landscape character analysis, to establish the local importance and the key features that should be protected and enhanced, will be supported.

Proposals should retain and strengthen the components of landscape character and local distinctiveness, with particular attention to the detailing of any proposal and its relationship with existing buildings, features and vegetation. Proposals within the Historic Landscape Areas (HLA) defined on the Policies Map should have special regard to the desirability of conserving and enhancing the historic landscape character, important landscape features and the setting of the HLA. The County Council's Landscape Character Assessment and Historic Landscape Characterisation will provide an informed framework for the decision making process.

Where possible, opportunities should be taken to add character and distinctiveness through the contribution of new landscape features, particularly to landscapes which have been degraded.

Development within the Cannock Chase Area of Outstanding Natural Beauty (AONB) and its setting as shown on the Policies Map will be subject to special scrutiny, in accordance with national policy and any additional guidance, in order to conserve and enhance the landscape, nature conservation and recreation interests of the area.

Proposals that contribute to the objectives of the Cannock Chase AONB Management Plan, the Forest of Mercia and other local initiatives that will contribute to enhancing landscape character will be supported.

Development proposals should be consistent with the adopted Village Design Guide Supplementary Planning Document (or subsequent revisions), the Supplementary Planning Documents on Landscape Character and Biodiversity and other local planning policies.

Explanation

- 7.21 The landscape of South Staffordshire is rich and varied and includes part of the Cannock Chase Area of Outstanding Natural Beauty (AONB). It is an important objective of the Core Strategy to protect the character and appearance of the landscape and conserve this heritage for the future. The

NPPF states that the highest status of protection in relation to landscape and scenic beauty should be given to AONBs, and the extent of the Cannock Chase AONB, to which the national policy applies, is shown on the Policies Map.

- 7.22 There are 13 historic parklands and gardens in South Staffordshire, at Chillington, Enville, Four Ashes, Hatherton, Hilton, Himley/Wodehouse, Somerford, Stretton, Teddesley, Patshull, Prestwood, Wergs and Weston. The parklands at Chillington Hall, Enville, and Weston Park are of particularly high quality and have been identified as Grade ii* in the National Register of Historic Parks and Gardens by English Heritage. Patshull Hall and Himley Hall have been identified as Grade ii.
- 7.23 Historic parklands are valuable heritage assets and important to the distinctive rural character of South Staffordshire. They may contain avenues of trees, woodlands, individual veteran trees, areas of wood pasture, lakes and other water features, historic earthworks, moats, hedges, banks and green lanes which are all valuable habitats for wildlife. They also have potential for environmental education and tourism, as well as contributing to the attractiveness of the landscape.
- 7.24 The historic parklands and gardens in South Staffordshire, including those designated as Registered Parks and Gardens have been designated as 'Historic Landscape Areas' (HLAs) to protect them from inappropriate development and management. The principle of the HLAs was first established in the 1996 Local Plan and has been carried forward into the new local planning strategy to ensure that these areas are retained for the future.
- 7.25 The Council will encourage and support the conservation, enhancement and sustainable management of these heritage assets through the preparation of conservation management plans. The Council will work with landowners, English Heritage, the Staffordshire Gardens and Parks Trust, the Garden History Society, Natural England, Staffordshire Wildlife Trust and Staffordshire County Council on matters relating to historic parklands and gardens.
- 7.26 The Policy is consistent with the NPPF. Any development which will have an impact on the landscape should address the intrinsic character of its surroundings, and seek where possible to retain and strengthen the intrinsic character of areas. Landscape character analysis will be an important technique in many circumstances, utilising detailed work already undertaken by Staffordshire County Council in the Supplementary Planning Document 'Planning for Landscape Change' and work on historic landscape characterisation. More detailed guidance on landscape character will be included in a Supplementary Planning Document.

Key Evidence

Sustainable Community Strategy 2008 - 2020
Planning for Landscape Change – Staffordshire County Council SPG 1996-2011

Village Design Guide SPD 2009
Conservation Area Appraisals and Management Plans 2010
Open Space Strategy 2009

Delivery and Monitoring

Through Development Policy EQ13
LSP Environmental Quality Delivery Plan
Conservation Area Management Plans
Village Design Guide SPD (or subsequent revisions)

The monitoring arrangements are set out in the Monitoring Framework in Appendix 1.

Development Policies

7.58 The following Development Policies support Core Policy 4.

Policy EQ11: Wider Design Considerations

The design of all developments must be of the highest quality and the submission of design statements supporting and explaining the design components of proposals will be required. Proposals should be consistent with the design guidance set out in the adopted Village Design Guide Supplementary Planning Document (or subsequent revisions) and be informed by any other local design statements.

Development proposals must seek to achieve creative and sustainable designs that take into account local character and distinctiveness, and reflect the principles set out below. The Council will encourage innovative design solutions.

A. Use

- a) mixed use developments will be encouraged where the uses are compatible with and complementary to each other and to other uses in the existing community, and where the development will help support a range of services and public transport (existing or new);
- b) proposals should where possible promote a density and mix of uses which create vitality and interest where appropriate to their setting;

B. Movement

- c) opportunities should be taken to create and preserve layouts giving a choice of easy and alternative interconnecting routes, including access to facilities and public transport and offer a safe, attractive environment for all users;

- d) provision should be made, especially within the proximity of homes, for safe and attractive walking and cycling conditions, including the provision of footpath links, cycleways and cycle parking facilities, and links to green infrastructure in accordance with Policies EV11 and HWB2;

C. Form

- e) proposals should respect local character and distinctiveness including that of the surrounding development and landscape, in accordance with Policy EQ4, by enhancing the positive attributes whilst mitigating the negative aspects;
- f) in terms of scale, volume, massing and materials, development should contribute positively to the streetscene and surrounding buildings, whilst respecting the scale of spaces and buildings in the local area;
- g) development should relate to and respect any historic context of the site, including plot patterns and street layout taking account of the guidance contained in Policy EQ3;
- h) development within or adjacent to a waterway corridor should take advantage of the waterside setting with an appropriate green corridor taking account of the aims and objectives of Policy HWB2;
- i) development should take every opportunity to create good design that respects and safeguards key views, visual amenity, roofscapes, landmarks, and focal points;
- j) development should take account of traditional design and forms of construction where appropriate, and avoid the use of inappropriate details;
- k) development should incorporate high quality building design and detailing, with particular attention given to appropriately designed elements;
- l) development must ensure a high standard of access for all and that safe and easy access is available to all potential users, regardless of ability, age or gender;
- m) sustainable forms of development should be designed, incorporating renewable energy use, minimising waste production and providing opportunities for recycling, and minimising pollution. Development should seek to minimise water use including the incorporation of water recycling and harvesting, and ensure the use of Sustainable Drainage Systems (SUDS). Use or re-use of sustainable materials will be encouraged. Orientation and layout of development should maximise the potential for passive solar heating, taking account of the implications of solar heat gain;

D. Space

- n) proposals should create pedestrian-friendly places that allow for necessary vehicular access;
- o) places should be safe and secure, with effective natural surveillance;
- p) well designed private and semi-private open space should be incorporated for all buildings, appropriate to the character of the area;
- q) opportunities should be taken to support the development of a varied network of attractive, and usable publicly accessible spaces;
- r) provision for parking should where possible be made in discreet but planned locations within the development;
- s) design should seek to retain existing important species and habitats and maximise opportunities for habitat enhancement, creation and management in accordance with Policy EQ1.

The Council's Space About Dwelling standards are set out in Appendix 6.

Development proposals should be consistent with other local planning policies.

Explanation

- 7.59 The Council attaches significant importance to securing a high level of design quality in the District and this is reflected in the adopted Village Design Guide SPD (or subsequent revisions). The NPPF also refers to the importance of achieving high quality and inclusive design and the CABI publication "Making Design Policy Work" highlights a number of important issues to take into account in developing a policy approach to design.
- 7.60 The design guidance set out in the above Policy identifies the importance of local character and distinctiveness, and gives guidance on achieving sustainable development, use, movement, form and space. Achieving safe designs will be important and issues relating to community safety are addressed in Core Policy 13 and Policy CS1.

Key Evidence

Sustainable Community Strategy 2008 – 2020
Southern Staffordshire Surface Water Management Plan Phase 1 2010
Planning for Landscape Change – Staffordshire County Council SPG 1996-

2011
South Staffordshire Landscape Assessment 2003
Historic Environment Character Assessment 2011
Village Design Guide SPD 2009
Conservation Area Appraisals and Management Plans 2010
Open Space Strategy 2009

Delivery and Monitoring

Through the Development Management process
LSP Environmental Quality Delivery Plan
Village Design Guide SPD (or subsequent revisions)
Conservation Area Management Plans
Open Space Strategy Action Plan

The monitoring arrangements are set out in the Monitoring Framework in Appendix 1.

Policy EQ12: Landscaping

Landscaping of new development must be an integral part of the overall design, which complements and enhances the development and the wider area, and:

- a) creates a visually pleasant, sustainable and biodiversity rich environment;
- b) provides for sustainable solutions including the use of Sustainable Drainage Systems (SUDS). Designs should respond to the potential implications of climate change;
- c) protects and enhances key landscape features;
- d) creates new features and areas of open space that reflect local landscape character;
- e) contributes to character, appearance and sense of place;
- f) promotes a public realm which is attractive and safe.

Development proposals should be consistent with the adopted Village Design Guide Supplementary Planning Document (or subsequent revisions), the Supplementary Planning Documents on Landscape Character and Biodiversity and other local planning policies.

Explanation

- 7.61 The NPPF stresses the importance of giving due consideration to landscaping issues. The above Policy provides specific guidance on landscaping and stresses the need to ensure appropriate landscaping for all developments. It is important to achieve landscaping which protects and enhances key landscape features, and can take advantage of them, and that creates natural and sustainable features which contribute to biodiversity, and in terms of public realm are rich in identity, and are attractive and safe.
- 7.62 Sustainability considerations are also key elements of the policy including the use of Sustainable Drainage Systems (SUDS) and sustainable construction methods. Landscape designs should take into account the implications of climate change through species selection and by planting that provides for additional shade or winter solar gain. Further guidance on detailed landscaping and sustainability issues will be given in a Supplementary Planning Document on Landscape Character.

Key Evidence

Sustainable Community Strategy 2008 – 2020
South Staffordshire Climate Change Strategy and Action Plan 2009
Southern Staffordshire Surface Water Management Plan Phase 1 2010
Planning for Landscape Change – Staffordshire County Council SPG 1996-2011
South Staffordshire Landscape Assessment 2003
Open Space Strategy 2009

Delivery and Monitoring

Through the Development Management process
Landscape Character SPD
Open Space Strategy Action Plan
LSP Environmental Quality Delivery Plan

The monitoring arrangements are set out in the Monitoring Framework in Appendix 1.

Infrastructure Delivery

Introduction

- 7.63 The term infrastructure is broadly used to define all of the requirements that are needed to make places function efficiently and effectively and in a way that creates sustainable communities. Infrastructure is commonly split into three main categories, defined as:

- **Physical Infrastructure:** the broad collection of systems and facilities that house and transport people and goods, and provide services e.g. transportation networks, housing, energy supplies, water,

Policy GB1: Development in the Green Belt

Within the South Staffordshire portion of the West Midlands Green Belt as defined on the Policies Map, development acceptable within the terms of national planning policy set out in the NPPF will normally be permitted where the proposed development is for either:

A. A new or extended building, provided it is for:

- a) purposes directly related to agriculture or forestry; or
- b) appropriate small-scale facilities for outdoor sport or recreation, nature conservation, cemeteries and for other uses of land which preserve the openness of the Green Belt and which do not conflict with its purposes; or
- c) affordable housing where there is a proven local need in accordance with Policy H2; or
- d) limited infilling* and limited extension(s), alteration or replacement of an existing building where the extension(s) or alterations are not disproportionate to the size of the original building, and in the case of a replacement building the new building is not materially larger than the building it replaces. Guidance in these matters will be contained in the Green Belt and Open Countryside Supplementary Planning Document (SPD).

B. The re-use of a building provided that:

- e) the proposed use of any building (taking into account the size of any extensions, rebuilding or required alterations), would not harm the openness of the Green Belt or the fulfilment of its purposes.

C. Changes of Use of Land:

- f) the carrying out of engineering or other operations, or the making of a material change of use of land, where the works or use proposed would have no material effect on the openness of the Green Belt, or the fulfilment of its purposes.

D. Development brought forward under a Community Right to Build Order.

Development proposals should be consistent with other local planning policies.

**Footnote: Limited infilling is defined as the filling of small gaps (1 or 2 buildings) within a built up frontage of development which would not exceed the height of the existing buildings, not lead to a major increase in the developed proportion of the site, or have a greater impact on the openness of the Green Belt and the purpose of including land within it.*