
From: Katherine Else <kelse@claremontplanning.com>
Sent: 31 January 2022 10:55
To: ECAT
Cc: External Email for DM Appeals
Subject: RE: Planning Inspectorate APP/C3430/C/22/3291561: Landywood Farm, WS6 7AS

Dear Madeline,

Thank you for copying me into this correspondence.

Notwithstanding the comments from South Staffordshire Council Claremont Planning stand by the content of our appeal submission, specifically with respect to Ground E that Section 172 of the Town and Country Planning Act 1990 requires notice to be served on all occupiers of the site, and distinguishable companies occupying the site as their registered premises signifies lawful occupation. A simple search on Companies House would have identified this to the LPA, which is a more thorough assessment of legal occupation and is typically expected for legal notices.

I would appreciate if this comment would be passed to the case officer and Inspector when allocated.

Regards

Kathy

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Managing Director

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From: ECAT <ECAT@planninginspectorate.gov.uk>
Sent: 31 January 2022 09:57
To: External Email for DM Appeals <Appeals@sstaffs.gov.uk>

Cc: Katherine Else <kelse@claremontplanning.com>

Subject: RE: Planning Inspectorate APP/C3430/C/22/3291561: Landywood Farm, WS6 7AS

Dear Salindra

Thank you for the Council's Ground (e) comments.

I write to confirm we have imported a copy onto our appeal records ready for when we have a named Case Officer and Inspector appointed to the appeal.

I am copying the Council's e-mail and our response to the Agent for information.

Kind Regards.

Madeline Fox

Madeline Fox
Enforcement Appeals Validation Officer

Enforcement and LDC Casework
The Planning Inspectorate
3B Eagle, Temple Quay House, 2 The Square, Bristol, BS1 6PN
Telephone 0303 444 5277
ECAT Helpline Number 0303 444 5570

e: ecat@planninginspectorate.gov.uk

From: External Email for DM Appeals <Appeals@sstaffs.gov.uk>

Sent: 31 January 2022 09:08

To: ECAT <ECAT@planninginspectorate.gov.uk>

Subject: FW: Planning Inspectorate APP/C3430/C/22/3291561: Landywood Farm, WS6 7AS

Good morning

Please see below Enforcement Officer comments below.

Kind regards

Salindra

From: Mark Bray <M.Bray@sstaffs.gov.uk>

Sent: 28 January 2022 08:26

To: External Email for DM Appeals <Appeals@sstaffs.gov.uk>; Catherine Gutteridge <C.Gutteridge@sstaffs.gov.uk>

Cc: Sue Frith <S.Frith@sstaffs.gov.uk>

Subject: RE: Planning Inspectorate APP/C3430/C/22/3291561: Landywood Farm, WS6 7AS

Hi Sal,

Response to PINS as follows please:

Initial Comments in Response to Ground E

Dear Planning Inspectorate,

Section 172 (2) states:

A copy of an enforcement notice shall be served—

(a) on the owner and on the occupier of the land to which it relates; and

(b) on any other person having an interest in the land, being an interest which, in the opinion of the authority, is materially affected by the notice.

It is the Council's case that reasonable enquiry was made to ascertain the owner or occupier of the land, or any other person having an interest in the land, being an interest which, in the opinion of the authority, is materially affected by the notice.

On 24th September 2021, the case officer sent an e-mail to the planning agent representing the occupants of the yard to query the name of the company for service of the notice. An extract of that e-mail is reproduced below:

"Hi Fleur,

I won't put you at the top of the list for service of the notice and try and give you a little extra time. In the meantime could you provide me with details of the companies operating from the land that require a copy of the notice, I have Datom Utilities Limited - are there any more?"

The following response was received by e-mail the same day:

"Good Morning Mark,

Thank you so much we really appreciate your assistance and as said we will work with you and keep you updated; the only company that operates from the yard that requires notice is Datom Civil Engineering not Utilities.

If you require any further information please come back to me and I will assist in any way that I can"

The planning agent was specifically asked for any other details of the companies operating from the land that require a copy of the notice. The Council will say this was a reasonable and diligent enquiry to ascertain if any other persons required service of the notice.

In addition, the company that the Appellant states was not served with a copy of the notice is Datom Electrical Services Limited - Company number 08587387. Companies House shows the sole director of Datom Electrical Services Limited to be Tom Park, who was also served with a copy of the notice. It can hardly be claimed that Datom Electrical Services were unaware that the notice had been served against the land when the sole director was served with a copy of the notice.

This information will form the basis of the Council's response to Ground E which will respectfully be requested to be dismissed.

Regards

Mark Bray

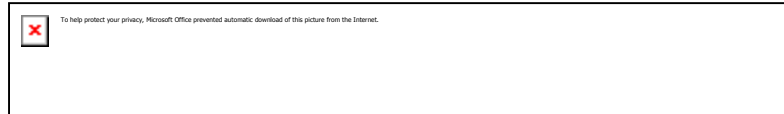
Senior Planning Enforcement Officer
Legal & Democratic Services
South Staffordshire Council

Tel: 01902696596

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From: ecat@planninginspectorate.gov.uk <ecat@planninginspectorate.gov.uk>

Sent: 27 January 2022 13:15

To: External Email for Development Management <planning@sstaffs.gov.uk>

Subject: Planning Inspectorate APP/C3430/C/22/3291561: Landywood Farm, WS6 7AS

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