



**South
Staffordshire
Council**

**FINAL COMMENTS
OF
SOUTH STAFFORDSHIRE DISTRICT COUNCIL**

**INSPECTORATE REFERENCE
APP/C3430/C/22/3291561**

**APPEAL BY
Mr Tom Park**

**SITE AT:
Landywood Farmhouse
Landywood Lane
Great Wyrley
WS6 7AS**

1. Introduction

1.1 These final comments have been prepared in response to the interested party comments received 24th March 2022 in relation to the appeal in respect of land adjacent to Landywood Farm House, Landywood Farm Lane, Cheslyn Hay, Walsall WS6 7AS.

2. LPA Response To Interested Party Comments

2.1 The Council's has no further comment on the appellants statement of case.

2.2 However, comments have been made from interested parties in relation to the ongoing affect on the amenity of their property that the unauthorised development continues to have upon them in relation to noise, damage to the small access lane caused by heavy vehicle movements and dust created from the operation of the yard setting within their property.

2.3 Mr Turner states he awoke one morning coughing because smoke was coming in through his bedroom window from the yard where they were burning something that clearly gave off unpleasant fumes.

2.4 Mrs Turner broadly agrees with Mr Turner adding that the builders yard has ruined the lane and character of the village. The Council agrees and has presented evidence in its statement of case showing the harm the development has on the amenity of the rural setting.

2.5 Ms Keeley describes in detail, with photographic evidence, the damage caused to the road by heavy vehicular traffic and the resultant noise and dust causing them to keep their windows closed. She states that the current use of the site is more like living in a construction site.

2.6 The appellant has not appealed under ground a and the cessation of the use of the site will go some way towards remedying these problems. However, the development requires removing in its entirety at the earliest available opportunity to remedy the harmful affect on the amenity of the rural setting.

2.7 All of these matters have of course been addressed in the Council's statement of case, however the most impactful comments come from Ms Keeley in her response to the appeal under ground g. The Council concurs entirely with Ms Keeleys comments in that the appellants planning application was declined, (over twelve months ago now).

2.8 The Council attempted to avoid the need to take enforcement action by allowing a reasonable period of time within which to cease use of the site but it would appear, despite assurances from the appellant there was no such intention to do so.

2.8 The Inspector must be aware of the ongoing effect this development is having on those having to endure its ongoing use. Any extended period of time beyond that given in the enforcement notice will continue to effect residents of

the surrounding properties and, given the history of this case and representations received from interested parties it cannot be in the public interest to extend that period of time any further.