

## The Planning Inspectorate

### COMMENTS ON CASE (Online Version)

Please note that comments about this case need to be made within the timetable. This can be found in the notification letter sent by the local planning authority or the start date letter. Comments submitted after the deadline may be considered invalid and returned to sender.

**Appeal Reference: APP/C3430/C/23/3324336**

#### DETAILS OF THE CASE

Appeal Reference	APP/C3430/C/23/3324336
Appeal By	MAXIMUM PROJECTS LTD
Site Address	Leighton Pools, Chillington Lane Codsall Wood WV8 1QF

#### SENDER DETAILS

Name	MR CLIVE EVANS
Address	Leighton View Cottage Chillington Lane Codsall WOLVERHAMPTON WV8 1QF

#### ABOUT YOUR COMMENTS

In what capacity do you wish to make representations on this case?

- Appellant
- Agent
- Interested Party / Person
- Land Owner
- Rule 6 (6)

What kind of representation are you making?

- Final Comments
- Proof of Evidence
- Statement
- Statement of Common Ground
- Interested Party/Person Correspondence
- Other

## COMMENT DOCUMENTS

The documents listed below were uploaded with this form:

**Relates to Section:** REPRESENTATION  
**Document Description:** Your comments on the appeal.  
**File name:** jack letter.docx  
**File name:** Response letter.docx  
**File name:** vicki letter.docx  
**File name:** Planning gudlines pdf.pdf  
**File name:** Carl and Amy letter.jpg  
**File name:** BDCROOEING letter.pdf  
**File name:** Steven Brodie letter.pdf  
**File name:** Dave's letter .pdf  
**File name:** Will Hodson letter.pdf  
**File name:** TPO map.pdf  
**File name:** Mr Meredith PP1.pdf  
**File name:** Ariel photos PDF.pdf

PLEASE ENSURE THAT A COPY OF THIS SHEET IS ENCLOSED WHEN POSTING THE ABOVE DOCUMENTS TO US

Date 19-08-2023

To whom it may concern.

Re. Four sheds at Leighton pools fishery, codsall, Wolverhampton.

I have been asked by Mr Clive Evans to inspect the quality of 4 sheds.

Shed 1. Width 9M. X Length 10.6 X height 3.7M. (95.4 m<sup>2</sup>) part of construction is standard steel 20ft x 8ft container and is integral to structure thus contributing to strength and stability. Entrance to this shed is a roller shutter door 3m wide. Roof trusses are of a frame construction. Ridge beam 230 x 50 timber, rafters 230 x 50 timber, cross member 200 x 50 timber, eaves beams 200 x 50 timber, trusses are spaced at 1m pitches and support 75 x 50 timber purlins at 750mm pitches. Vertical columns are constructed to form L section using 2 no. 200 x 50 timber screwed together which are positioned at corners and 3 intermediate positions per side. Bracings 200 x 50 timber (3 Paris mid vertical) to mid truss cross member positioned both ends and middle of building. Roof sheets: Light weight corrugated steel 0.3mm thick rust proofed. Cladding: All 4 aspects are Cladded with 100 x 25 vertical timber. All timbers are joined using adequate no. Coach bolts and/or heavy-duty wood screws at each node.

Shed 2. Width 2.12 x 6.1m length (12.9 m<sup>2</sup>). Double doors (French) similar build quality to shed 1. Has pitched roof light weight corrugated steel 0.3mm thick rust proofed.

Shed 3. Width 2.2 x 6.1m length (13.42 m<sup>2</sup>) Designed as a garden shed for general use. Similar build quality to shed 1. Has flat roof set at 10 degree angle. Roof material light weight polycarbonate. Has UPVC double (French) doors and frames windows removed and replaced with 19mm thick exterior quality plywood.

Shed 4. Width 2.3m x 6.1m length (14.03 m<sup>2</sup>). Designed as a garden shed for general use. Similar build quality to shed 1. Has flat roof light weight corrugated steel 0.3mm thick rust proofed. Door and frame UPVC with side panel. Windows removed and replaced with 12mm thick exterior quality plywood.

Conclusion.

Shed 1 is a building suitable for medium commercial use built to a high standard for rugged strength and longevity.

Shed 2,3 and 4 are of rugged build quality far superior to the ubiquitous mass-produced wooden garden shed.

All of the timber and plastic used in the construction of the 4 sheds mentioned above are reclaimed from previous use (recycled)

All timber and UPVC painted and Forrest Green

Jack Southampton (Retired Engineering Desgin Draughtsman)

Qualifications: HNC Mech Eng.

C&G final Machine Shop Eng. FTC.

APP/C3430/C/23/3324336

We have now looked onto planning permission granted to our neighbours as Mr Bray, is quoting from CSDP and I find it hard to believe my site is the only one in the biodiverse alert area. My neighbours 4 in total over the last 10 years, and much more recent have been given permission to put up large stables, menages and concrete pads, I assume they are in the same biodiverse area as my site. It seems Mr Bray's interpretation of the CSDP only applies to my site as the planning committee has given permission for all this development in the green belt, I fail to see the outstanding design and architectural value and improvement to the local history of the area or the improvement in the biodiversity he mentions.

They are just sheds used as stables made out of bits of wood obviously all different lengths and thickness but still bits of wood doc 2.

It was made clear to the officer's when visiting our site, me and my wife both suffer from heart failure, Catherine Cutteridge was kind enough to drive me in her car as I have difficulty in walking. We know the council has a job to do but it should be done with due care and diligence making sure that what is wrote down is true and factual. This has caused me and my wife a great deal of distress and has affected our mental well-being, because Mr Bray invented a narrative and would not have any of the evidence, we had to offer he ignored us. He only started to listen when we presented the evidence at appeal, only then did he start to change his narrative.

There are guidelines for enforcement officers to make sure they collect all of the evidence before proceeding with an enforcement notice, Mr Bray did not do this somebody somewhere must check that what is written on a legal document is true and accurate and if not why not.

Part 3 question 6c.

When asked about the area of the hard standing Mr Bray quotes 235 square metres this is inaccurate and the total is 165 square metres. The hardcore that we have covered up in the same field 210 square metres, green belt benefits from 45 square metres extra.

There question was how many TPO'S are on site. (Part 4 question 14G)

The document that should have been produced if researched is the one I now submit as doc 1, there are 10 TPO'S on site and one woodland and pool area W1.

The Document produced by Mr Bray, is 42 years out of date and to submit this as a true and factual document was done without due care and diligence.

I have marked the existing TPO'S in green and the ones no longer there in pink just another misleading document and not to put the site boundary on so people would know where to look, is at best forgetful and to list 122 TPO'S, 112 not on my site why?

The holiday lodge/cabin/shed is a useful tool for us the maintain our conservation area, some 9 acres in total out of 15 acres, (lodge 45m square) people who volunteer, some of them with hectic lives come here to be one with nature and help maintain the site, children learn about nature and how important it is to their future. We have now supplied an ecology report from green scape where they class the lodge as neutral it doesn't enhance the conservation area but it takes nothing away either I would argue it enhances the conservation area and people's lives who help to maintain our

biodiversity and the children who learn all about biodiversity, we class this lodge as an ancillary use to our business and it helps protect and maintain conservation biodiversity areas. letters of support have been supplied.

We have now proved the commercial use of the site is over 10 years.

We have proved that the white container in shed 1 was on site in 2012 when council officers inspected it and was moved to the bottom in sept/oct 2020 we have supplied letters from the council statements from people that have helped move it also photographic evidence has also been supplied.

We have proved the green container 4 (shed) was also on site in 2012 again with photographic evidence and witness statements, and proof of movement to the bottom of the site. We have proved shed 3 was on site in 2012, with letters from the council and witness statements even though one side of it was in poor condition.

Shed 1 was at the side of the barn again we have supplied photographic evidence to support this and with witness statements and council letter. The shed was rebuilt around the white container. Mr Bray mentions permitted development on looking into it sheds 2,3, and 4 are all under 15 square metres and used in conjunction with our business as Mr Bray states, aqua cultural /agricultural so they do not need planning permission (even though they have been on site since 2011 next to the barn). In conclusion we have not changed our position from the very first letter we sent to Mr Bray the one he chose to ignore we have back up our original letter with evidence from the council photographic evidence witness statements structural report and ecology report from green scape.

Shed 2 is a direct replacement for the boat house shown in green scapes report it has been there for 100 years.

We have recently found a letter from Mr Meredith head of development and building control we asked if we could move a caravan on hard standing from one side of our site to another, we were told we did not need planning permission doc pp 1.

Yours Faithfully

Mr C. R. Evans



To Whom It May Concern,

I would like to inform you what visiting leighton pools fisheries does for me and my family. I work in a highly stressful job, which is my desired career, however i utilise Leighton fisheries to get into the countryside. For one this helps my well-being bringing me out of my work environment as through COVID my home has also become my office. It also helps me be with my children and gets them to associate with nature and environmental changes to our planet. Where I live, we have a garden. However, my son enjoys gardening, which Mrs Evans kindly helps and engages him with, he has been taught aspects of horticulture which has resulted in him looking into future career options within this industry. To which I am amazed the work and protection that has been done down the fishery to support local wildlife and the environment. My eldest son has been hugely influenced by this desired options for his career also in looking into working as a tree surgeon, Mr Evans has let him experience the knowledge of tree's and has informed him of some amazing facts and colleges which he has signed up to for open days.

The Space and time down Leighton fisheries has enable my children to be children, to be safe, to have time to witness nature, and wildlife such as hedgehogs, and kingfishers. Mr Evans and Mrs Evans have so kindly let us stay in their shack on several occasions as a family we spend time around the pools and aid in looking after the property, such as pruning.

I would like to state that Mr Evans and Mrs Evans are two amazing individuals that care about people, wildlife and the environment, I have witnessed the love and support they show to the amazing community of individuals that utilises the pools as I do.

If you have any further questions, please do not hesitate to contact myself on.



Yours Sincerely

Victoria Shore

powers for planning enforcement purposes. One option available is for the local planning authority to serve a [planning contravention notice](#).

Paragraph: 014 Reference ID: 17b-014-20140306

Revision date: [06 03 2014](#)

## Planning contravention notice

### What does a planning contravention notice do?

A planning contravention notice may be issued under [section 171C of the Town and Country Planning Act 1990](#) and can be used to do the following:

- allow the local planning authority to require any information they want for enforcement purposes about any operations being carried out; any use of; or any activities being carried out on the land, and;
- can be used to invite its recipient to respond constructively to the local planning authority about how any suspected breach of planning control may be satisfactorily remedied.



### [Model planning contravention notice](#)

MS Word Document, 23.5 KB

This file may not be suitable for users of assistive technology.

► [Request an accessible format.](#)

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## Obtaining information about alleged breaches of planning control

### Why is information about an alleged breach of planning control important?

Effective enforcement action relies on accurate information about an alleged breach of planning control.

In many instances, comprehensive information about the planning history of the site and the alleged breach of control is readily available; from the local planning authority's own records, site visits and other publicly available information. It is important to keep documentary evidence of any investigation.

Where necessary, local planning authorities also have a range of investigative powers for planning enforcement purposes. One option available is for the local planning authority to serve a [planning contravention notice](#).

Paragraph: 014 Reference ID: 17b-014-20140306

Revision date: [06 03 2014](#)

## Planning contravention notice

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To Whom it may Concern

We have known Mr Evans for over 10 years and we regularly fish the pools.

We come to Leighton Pools because of how Mr Evans looks after the pools and the wildlife.

I have been to many fisheries and most of them are all about the money, but Mr Evans limits the amounts of anglers on site and puts the environment first.

In the last 3 years we have been stopping in the cabin on Chapel Pool for free of charge with my wife and children and have helped Mr Evans maintain the site.

As we live on an estate my wife and I look forward to this as it introduces our children to nature and now it is important to look after it.

When we stop in the cabin my children are in awe of the wildlife they never see at home and they forward to helping even if it is only in a small way and it has changed the way they see nature and we now have bird feeding tables and a hedgehog house in our garden to encourage the wildlife this they have learnt from Mr Evans.

Yours faithfully

Mr Carl Westwood

104 Middlepark Road, Dudley, West Midlands DY12LH



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Yours faithfully

[REDACTED]  
104 Middlepark Road, Dudley, West Midlands DY12LH

To whom it may concern,

In September/October 2020 we helped Mr Evans move two containers from where the barns were being converted into a bungalow.

Mr Evans son used a track machine to drag them out and we used our forklift truck to lift the back of the containers and move them to their present position.

The shed at the rear of the containers was in poor condition and Mr Evans said he would have to repair it but the roof was still in good condition.

We did not help Mr Evans take down the large shed at the side of the building as somebody else was doing this.

Yours Faithfully,

Wayne Harman



BDC Roofing Limited

Tel: 

Email: 

Steven Brodie

15 Aug 2023 at 14:30:45

To who it may concern

We have been coming to leighton pools

For the last 15 years and in the last three years stopping in  
the lodge on chapel pool

At the weekends and helping Mr evens maintain the area  
around the three pools .

We have helped Mr evens with controlling the rushes and  
pruning the trees even on one occasion racking some of the  
weeds out to create clear areas in the pools.

Mr evens prides himself on the amount of wild life present  
and we often sit out at dusk watching the bats feeding over  
the lake . We have seen kingfisher's owls, kestrels, buzzards,  
sparrowhawk's and many other song birds to mention .

The lodge has become a special place to us where we can  
help in some small way to preserve the the wild life, the green  
belt with Mr evens

Yours faithfully

Mr Brodie



To whom it may concern

I have known Mr Evans for some twenty years, when i was made redundant Mr Evans offered me a job, to help maintain the site.

Over the years we have changed the site in many ways, we have reduced the number of anglers and introduced large specimen fish, this was done because of the way the fisherman used to leave the rubbish and use tree's and bushes as toilets, even though a shower and toilets was provided.

We then proceeded to dig out a new pool and to start landscaping the area, all the species planted came from the site, Mrs Evans took cuttings several hundred over the years to make sure the integrality of the site was maintained.

The new Lake known as Chapel pool has been left as a dragonfly and damselfly nature reserve and over the years the population has boomed.

I helped Mr Evans put the containers one white and one green and the shed at the back of them in 2011 by the barn where Mr Evans sold his house.

We built a shed at the side of the barn now a bungalow at the same time and i was present when the council came to inspected them in late 2012.

Several weeks later me and Mr Evans removed tyres left over from Mr Evans's tyre business from the shed because the council asked him to do so, I believe this was Frank Whitley and Lucy McDonald.

In September/October 2020 we moved the containers to a new position to the bottom of the site as Mr Evans was trying to get everything in one place, John from BCD roofing helped with there fork lift truck to move the containers.

We repaired and made good the shed from behind the containers and attached it to the green container.

We built a new shed to replace the boat house as this had collapsed just before COVID.

In the shed was placed Mr Evans water pumps, insulation and sheeting for making temporary holding ponds for when the fish are netted and sold on.

This is done every 3 years to maintain high food levels in the pool for the fish to grow.

I helped Mr Evans take down the shed from the side of the barns\bungalow and rebuilt it around the white container we had taken to the bottom of the site.



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From: Will Hodson [REDACTED]  
Subject: Thank You !

Date: 15 Aug 2023 at 12:05:04

[REDACTED]

Dear Clive and Sue

I just wanted to drop you a line to thank you once again for this years fishing.

I have fished at your pools for many years now and still enjoy every visit like the first.

I have made many friends with the regular community who fish the pool's....everyone gets on brilliantly and are even unpaid volunteers in helping you and Alex with Bank Maintenance.....!!

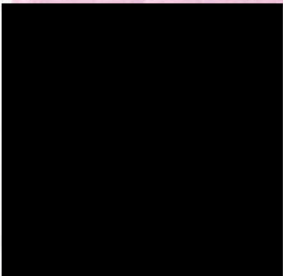
I have also really enjoyed using the cabin...such a relaxing place where you can spot all kinds of wildlife including the regular bats and Kingfisher.....!!

Having a really stressful job as a Director of two large companies Leighton gives me just the relaxation I need....

As you know my Uncle (Graham) first introduced me to your pool's....we fished together for many years and although his health now prevents him from fishing we are grateful in you allowing him to come as a guest with me on occasions to enjoy the relaxation....

Not many sessions left for me now this year but looking forward to each and every one of them....!!

Cheers



OPPORTUNITY IS AROUND THE

CORNER

**Pertemps**  
the face of recruitment



15





PPI

## SOUTH STAFFORDSHIRE COUNCIL

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24 February, 2000.

Please ask for: Jon Woodhall

Our Ref: JW/3/cd/20

Direct Dial: (01902) 696662

Direct Fax: (01902) 696403

Mr Evans  
Park Farm  
Chillington Lane  
Codsall  
South Staffs

Dear Mr Evans

**Re: Siting of caravan & proposed extension of 'banks' at Park Farm,  
Chillington Lane, Codsall.**

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I refer to your meeting and telephone conversation with Jon Woodhall regarding the above.

The siting of a new caravan, as a replacement for the existing is acceptable and planning permission is not required, as it is being used as ancillary to the use of the land. However, it will be necessary for the now unused caravan to be removed from the land, as the siting of two would require planning permission and it likely that any application for the retention of a second caravan would be recommended for refusal.

Bearing in mind the problems you describe regarding access to the caravan by a suitable vehicle to remove it, I would request that you make every effort to remove the unused caravan within 28 days of the date of this letter.

With regard to the matter of importing soil to improve/ extend the banks around the fishing pool, planning permission would likely be required. You may wish to submit a detailed plan, indicating the proposed works in order for this to be clarified.

✓

RPI

Contd.

I trust I can rely on your co-operation in this matter and please contact Jon Woodhall if you have any further enquires. I enclose a set of application forms for your convenience.

Yours faithfully,

[Redacted signature]

W.G. Meredith,  
Head of Development and Building Control.







