

The Planning Inspectorate

QUESTIONNAIRE (s174) ENFORCEMENT NOTICE (Online Version)

You must ensure that a copy of the completed questionnaire, together with any enclosures, is sent to the appellant/agent. Any documents which you have indicated as 'To follow' should also be sent to the case officer by the date given in the start letter.

If notification or consultation under an Act, Order or Departmental Circular would have been necessary before granting permission and has not yet taken place, please inform the appropriate bodies of the appeal now and ask for any comments to be sent direct to us within 6 weeks of the 'starting date'.

Appeal Reference	APP/C3430/C/24/3337033
Appeal By	ON BEHALF OF DONNA WARD
Site Address	Land South Of New Acre Stables Wolverhampton Road Penkridge Staffordshire ST19 5PA

PART 1

1.a. Do you agree to the written representation procedure? Yes No

Note: If the written procedure is agreed, the Inspector will visit the site unaccompanied by either party unless the relevant part of the site cannot be seen from a road or other public land, or it is essential for the Inspector to enter the site to check measurements or other relevant facts.

1.b. Do you wish to be heard by an Inspector at; Inquiry Hearing

1.c. How long do you expect an inquiry would last? 2 day(s)

1.d. How many witnesses do you intend to call? 2

2.a. If the written procedure is agreed, can the relevant part of the appeal site be seen from a road or other public land? Yes No

2.b. Is it essential for the Inspector to enter the site to check measurements or other relevant facts? Yes No

The site cannot be viewed externally

2.c. Are there any known health and safety issues that would affect the conduct of the site inspection? Yes No

Please describe:

2.d. Would the Inspector have to go onto any privately owned adjoining land as well as the appeal site itself? Yes No

PART 2

3. Are there any related appeals currently before the Secretary of State, e.g. under s.78, 174 or 195 of the Town and Country Planning Act 1990, s20 or 39 of the Planning (Listed Buildings and Conservation Areas) Act 1990 or orders under Yes No

s102 of the Town and Country Planning Act 1990? If yes please provide reference number(s)

- | | | | | |
|---|-----|-------------------------------------|----|-------------------------------------|
| 4.a. Has the local planning authority received the correct fee payable for the deemed planning application/ground (a) to be considered? | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |
| 5.a. Is the appeal site within a conservation area? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| 5.b. Is the appeal site adjacent to a conservation area? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |

PART 3

- | | | | | |
|---|-----|--------------------------|----|-------------------------------------|
| 6.a. Does the notice relate to building, engineering, mining or other operations? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| 6.b. Is the area of the alleged breach different from the above? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| 6.c. Does the alleged breach create any floor space? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |

Does the enforcement notice relate to a change of use of land to use for:

- | | | | | |
|--|-----|--------------------------|----|-------------------------------------|
| 7.a. the disposal of refuse or waste materials? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| 7.b. the deposit of materials remaining after mineral extraction? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| 7.c. the storage of minerals in the open? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| 8. If the enforcement notice relates to the erection of a building or buildings, is it accepted that their use is for purposes of agriculture on land used for agricultural purposes (not necessarily an agricultural unit as defined in the Agriculture Act (1947))? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| 9. Does the enforcement notice relate to the erection/change of use of a building which is a single private dwellinghouse, as defined in Regulation 2(1) of the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |

PART 4

- | | | | | |
|---|-----|-------------------------------------|----|-------------------------------------|
| 10. Has the local planning authority made a Local Development Order under sections 61A to 61C of the Town and Country Planning Act 1990 (as inserted by section 40 of the Planning and Compulsory Purchase Act 2004) in relation to the application site? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| 11. Has any planning permission been granted previously in respect of the development? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| 12. Has the appellant applied for planning permission and paid the appropriate fee for the same development as in the enforcement notice? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| 13. Has a planning contravention notice been served? | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |
| If YES, please send a copy of the Planning Contravention Notice and the reply
A copy of the PCN and the reply:
<input checked="" type="checkbox"/> see 'Questionnaire Documents' section | | | | |
| 14.a. the appeal site is within 67 METRES OF A TRUNK ROAD? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| 14.b. the appeal site is CROWN LAND (as defined in s293 of the Act)? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| 14.c. a STOP NOTICE has been served in addition to the enforcement notice? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| 14.d. the appeal site is in or adjacent to or likely to affect a SSSI? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |

14.e. any protected species are likely to be affected by the alleged development?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
14.f. the appeal site is in a Green Belt or AONB?	Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/>
If YES, please state which one (name).			
West Midlands Green Belt			
14.g. any part of the site is subject to a Tree Preservation Order?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
14.h. the appeal site is within 400m of an area of underground or surface mineral interest?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
14.i. the appeal site is within 250m of a waste landfill site?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
14.j. does the development affect the setting of a listed building or ancient monument?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
14.k. has importation of waste materials been involved in the development?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
14.l. does the appeal involve persons claiming gypsy/traveller status, whether or not this is accepted by the planning authority?	Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/>

PART 5			
16.a. Is the appeal site subject to an ARTICLE 4 Direction?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
17. Have any development rights been restricted by means of a planning condition?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
18. Does the development relate to operational development for a disabled person, as defined by s29 of the National Assistance Act 1948?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
19. Will any consultation be carried out on the possibility of planning permission being granted if the appeal is confirmed as valid?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
Environmental Impact Assessment - Schedule 1			
20.a. Is the alleged development within Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
Environmental Impact Assessment - Schedule 2			
20.b.i. Is the development Schedule 2 development as described in Column 1, Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
Environmental Impact Assessment - Environmental Statement (ES)			
20.e. Has the appellant supplied an environmental statement?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>

PART 6			
21.a. a copy of the letter with which you notified people about the appeal.			<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> see 'Questionnaire Documents' section			
21.b. a list of the people you notified and the deadline you gave for their comments to be sent to us.			<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> see 'Questionnaire Documents' section			

the deadline you gave for their comments to be sent to us.

22/03/2024

21.c. the planning officer's report to committee or delegated report and any other relevant document/minutes.

see 'Questionnaire Documents' section

21.d. where ground (a) (s174) has been pleaded and any fee required has been paid, a comprehensive list of conditions which you consider should be imposed if planning permission is granted. You need not attach this now, but it should reach us within 6 weeks of the starting date. The list must be submitted separately from your appeal statement.

Policies/Planning Guidance

22.a. extracts from any relevant statutory development plan policies (even if you intend to rely more heavily on the emerging plan). You must include the front page, the title and date of approval/adoption, and the status of the plan. Copies of the policies should include the relevant supporting text.

List of policies

Core policies 1,4,6,11,13, CS1, EQ 1,4,9,11,12, EV 11,12, GB1, H6 and Strategic Objectives 1-16

see 'Questionnaire Documents' section

22.b. extracts of any relevant policies which have been 'saved' by way of a Direction.

22.c. extracts from any supplementary planning guidance, that you consider necessary, together with its status, whether it was the subject of public consultation and consequent modification, whether it was formally adopted, and if so when.

22.d. extracts from any supplementary planning document that you consider necessary, together with the date of its adoption. In the case of emerging documents, please state what stage they have reached.

List of supplementary planning documents

SPDs Design Guide SPD 2018, South Staffordshire Green Belt Study 2019 and GTAA 2021 Final Report

see 'Questionnaire Documents' section

22.e. if any Development Plan Document (DPD) or Neighbourhood Plan relevant to this appeal has been examined and found sound/met the basic conditions and passed a referendum, the date the DPD or Neighbourhood Plan is likely to be adopted and, if you consider this date will be before the Inspector's decision on this appeal is issued, an explanation of the Council's policy position in respect of this appeal upon its adoption. You should also include an explanation of the status of existing policies and plans, as they relate to this appeal, upon adoption and which (if any) will be superseded;

22.f. if any DPD or Neighbourhood Plan relevant to this appeal has been submitted for examination, or in the case of a Neighbourhood Plan has been examined and is awaiting a referendum, an explanation of any substantive changes in the progress of the emerging plan, and their relevance to this appeal if it is considered that the plan will not be adopted before the Inspector's decision on this appeal is issued;

22.g. your Authority's CIL charging schedule is being/has been examined;

22.h. your Authority's CIL charging schedule has been/is likely to be adopted.

22.i. any other relevant information or correspondence you consider we should know about.

PART 7

23. A true copy of the Enforcement Notice

see 'Questionnaire Documents' section

25. A list of those served with the Notice

see 'Questionnaire Documents' section

26. Do you wish to attach your statement of case?

Yes

No



LPA Details

I certify that a copy of this appeal questionnaire and any enclosures will be sent to the appellant or agent today.

LPA's reference

22/00239/UNCOU

Completed by

Mark Bray

On behalf of

South Staffordshire District Council

Please provide the details of the officer we can contact for this appeal, if different from the Planning Inspectorate's usual contact for this type of appeal.

Name

Salindra Shakespeare

Phone no (including dialling code)

01902696274

Email

Appeals@sstaffs.gov.uk

Please advise the case officer of any changes in circumstances occurring after the return of the questionnaire.

Appeal Reference	APP/C3430/C/24/3337033
Appeal By	ON BEHALF OF DONNA WARD
Site Address	Land South Of New Acre Stables Wolverhampton Road Penkridge Staffordshire ST19 5PA

The documents listed below were uploaded with this form:

- Relates to Section: PART 4
 Document Description: 13. A copy of the Planning Contravention Notice (PCN) and the reply.
 File name: 4 Note-PCNs.pdf
 File name: 4a Certificate of Service M Bray 29.09.2023.pdf
 File name: 4a Fred Smith Cover Letter 29.09.2023.pdf
 File name: 4a Fred Smith-PCN 29.09.2023.pdf
 File name: 4a John McCarthy-Cover Letter 29.09.2023.pdf
 File name: 4a John McCarthy-PCN 29.09.2023.pdf
 File name: 4b Certificate of Service M Bray 27.10.2023.pdf
 File name: 4b Fred Smith Cover Letter 26.10.2023.pdf
 File name: 4b Fred Smith-PCN 26.10.2023.pdf
 File name: 4b John McCarthy-Cover Letter 26.10.2023.pdf
 File name: 4b John McCarthy-PCN 26.10.2023.pdf
- Relates to Section: PART 6
 Document Description: 21.a. A copy of the letter with which you notified people about the appeal.
 File name: 6 Appeal notice.pdf
- Relates to Section: PART 6
 Document Description: 21.b. A list of the people you notified and the deadline you gave for their comments to be sent to us.
 File name: 5 LOIP - Penkridge.pdf
- Relates to Section: PART 6
 Document Description: 21.c. the planning officer's report to committee or delegated report and any other relevant document/minutes.
 File name: 2 Officer report.pdf
- Relates to Section: PART 6
 Document Description: 22.a. Extracts from any statutory development plan policy including the front page, title and date of approval/adoption and status.
 File name: 3 Core strategy front page.pdf
 File name: 3a All Policies.pdf
- Relates to Section: PART 6
 Document Description: 22.d. Extracts from any supplementary planning document that you consider necessary, together with the date of its adoption. In the case of emerging documents, please state what stage they have reached.
 File name: 3d GTAA 2021 Final Report.pdf
 File name: 3b Design Guide SPD 2018.pdf
 File name: 3c South Staffordshire Green Belt Study 2019.pdf

Relates to Section: PART 7
Document Description: 23. A true copy of the Enforcement Notice.
File name: 7 Enforcement Notice.pdf

Relates to Section: PART 7
Document Description: 25. A list of those served with the Notice.
File name: 8 List those served notice.pdf

Completed by

Not Set

Date

16/02/2024 11:47:19

LPA

South Staffordshire District Council



South Staffordshire Council

Planning Enforcement

Authorisation for Enforcement Action

THE AUTHORITY TO AUTHORISE THE ACTIONS PROPOSED IS DELEGATED TO THE CORPORATE DIRECTOR INFRASTRUCTURE AND BUSINESS GROWTH, BY VIRTUE OF PART 3 OF THE CONSTITUTION.

ENFORCEMENT REFERENCE: 22/00239/UNCOU

ADDRESS: Land South of New Acre Stables, Wolverhampton Road, Penkridge, Staffordshire ST19 5PA

BREACH OF PLANNING CONTROL:

Without planning permission, the material change of use of land to a use for the stationing of a caravan for residential purposes on the land ("the Land") outlined in red for identification purposes on the site plan attached to this notice.

POLICY CONSIDERATIONS:

National Planning Policy Framework

13. Protecting Green Belt land

Adopted Core Strategy

Core Policy 1: The Spatial Strategy for South Staffordshire

GB1: Development in the Green Belt

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

EQ2: Cannock Chase Special Area of Conservation

Core Policy 6: Housing Delivery

H6: Gypsies, Travellers and Travelling Showpeople

Other Policy Considerations

Planning Policy for Traveller Sites

Designing Gypsy and Traveller Sites - A Good Practice Guide Communities and Local Government (historic context)

Gypsy and Traveller Accommodation Assessments (GTAA's)

South Staffordshire Design Guide 2018

South Staffordshire Green Belt Study 2019

RELEVANT PLANNING HISTORY:

1990, 5 enforcement notices (A-E) served requiring the removal of hardstanding (notice A),

TO BE READ IN CONJUNCTION WITH THE ATTACHED NOTICE

and the use of the land for the stationing of caravans for residential purposes to cease (notice E). Notices B-D related to the individual plots for the stationing of caravans. The Inspector noted in his decision (para 29) that the site 'might accommodate up to 20 or more caravans' 1990, change of use of land to private gypsy site with 11 pitches, refused and appeal dismissed (90/00062)

2011, change of use of land for 9 gypsy and traveller pitches comprising 23 caravans, 2 amenity buildings and associated access improvements, refused. Appeal allowed for 7 pitches for a temporary period to 31st December 2014, personal to the named applicants (09/00809/FUL).

2011, new gateway entrance, approved (11/00885/FUL).

2013, Change of use land (northern portion of the 2011 appeal site) to use as a residential caravan site for an extended gypsy family with 6 caravans, refused (13/00191/FUL). Appeal dismissed.

2013, vary condition 11 of permission 09/00809/FUL to substitute the names of site occupants, refused (13/00139/VAR).

2013, vary condition 11 of permission 09/00809/FUL to substitute the names of site occupants, refused (13/00290/VAR).

2013, use of land for permanent stationing of residential caravans (2 mobile homes and a touring caravan), Plot 2, applicant John McCarthy., refused (13/00347/COU).

2015, Change of use of land to Traveller site for 5 plots (6 pitches) with associated hard standing, access, fencing, utility blocks and cesspools-retrospective, refused (15/00001/FUL). Granted 3 year temporary/personal planning permission (expiring 12.04.2020) at Appeal (Ref. APP/C3430/W/15/3033377).

2015, Change of use of land to use as residential caravan site for one Gypsy family for up to 4 caravans, laying of hardstanding, erection of utility building and formation of new access, refused (15/00008/FUL). Appeal Dismissed.

2015, New gated access, approved, (15/00547/FUL).

2017, Variation of condition 4 of 15/00001/FUL) - to substitute name in personal condition, refused (17/00435/VAR). Appeal allowed on a personal and temporary basis for the duration of the term of the host appeal permission (12.04.2020).

2020, Variation of 15/00001/FUL appeal decision. Conditions 1 (time limit), 4 (personal condition), 9 (number of caravans). Approved subject to conditions, including personal and temporary consent until 12.04.2025 (20/00243/VAR).

2023, Use of land for the stationing of caravans for residential purposes. Refused 23/00066/FUL.

CASE SUMMARY:

The Land is located to the south of an existing gypsy traveller site and forms an extension to the existing site. The site itself is located to the western side of the A449, approximately 100m south of the village

TO BE READ IN CONJUNCTION WITH THE ATTACHED NOTICE

boundary of Penkridge and within the West Midlands Green Belt. It is bounded by the main West Coast railway line to the west, the former mineral railway line to the north and the A449 to the east.

In June 2022 the Council received a complaint relating to an unauthorised use of the Land taking place for the stationing of a caravan for residential purposes.

On 14th October 2022, Council officers visited the Land and found a large static mobile home ("the Caravan") stationed upon it. The Caravan had been erected upon a concrete base surrounded by brick infill and a brick wall entrance.

On 26th January 2023, a retrospective planning application was received for a change of use of the Land for the stationing of caravans for residential purposes, (application reference 23/00066/FUL).

On 25th August 2023 the retrospective planning application was refused for the following reasons:

1. The proposal represents inappropriate development in the Green Belt, contrary to Policies GB1 and H6 (criterion 7 and 8) of the adopted South Staffordshire Core Strategy and Central Government Policy and Guidance given in the National Planning Policy Framework (Protecting Green Belt Land) and Planning Policy for Traveller Sites. The circumstances put forward do not justify overriding the presumption against inappropriate development in the Green Belt in this case.

2. The proposal would cause demonstrable harm to the openness and permanence of the Green Belt, detrimentally impacting upon its essential characteristic; and would also introduce increased built form which would cause additional encroachment; contrary to policies GB1 and H6 of the adopted Core Strategy, Planning Policy for Traveller Sites and the National Planning Policy Framework.

3. The proposal, in the absence of necessary mitigation measures, is contrary to Policy EQ2 'Cannock Chase Special Area of Conservation' of the adopted Core Strategy being within a 15 kilometre radius of the SAC and having potentially adverse effects on its integrity.

On 1st September 2023, following the Council's decision to refuse the retrospective planning application, an e-mail before action was sent to the applicant's agent informing them of the Council's intention to proceed with formal enforcement action unless a commitment was received to remove the caravan within 28 days and cease the use of the land. No response was received.

The use of the Land is continuing, and the Caravan remains in situ.

APPLICATION REFERENCE 23/00066/FUL

This application was a dual application for the use of the Land together with a separate area of Land to the north of the existing site. The officers delegated report details the relevant policy considerations for the Land (including the land to the north of the existing site), and the relevant matters where not detailed in other areas of this report are produced below:

SITE DESCRIPTION AND PLANNING HISTORY

The application proposes 2 new pitches to the north and one to the south of the existing authorized site which has personal/temporary planning permission for 5 pitches (including one double pitch) and is extant until 12th April 2025.

There is an unauthorised static home on the southern section of the proposed site which is the subject of ongoing Enforcement investigation.

TO BE READ IN CONJUNCTION WITH THE ATTACHED NOTICE

A unit has been installed on a concrete pad, parallel with the A449 to the north of the site access (Pitch 2) of the extant permission site that does not accord with the site layout approved under conditions attached to the temporary appeal approvals and is not part of the current application proposals. There are also additional touring caravans and sheds on the site that do not accord with the appeal approved site layout. These matters are subject to a separate Enforcement investigation.

Pre-Application Discussions

None.

AGENTS SUBMISSION:

The applicant seeks planning permission for no.3 residential pitches to meet a recognised need, and a personal need, for such facilities in the area to accommodate a gypsy lifestyle.

The site layout has been determined to best meet the applicant's requirements and although it has been withdrawn by Government, in the absence of any replacement document, the pitch has been designed with reference to the standards that were defined in 'Designing Gypsy and Travellers Sites – A Good Practice Guide (2008)'.

The proposed caravans will conform to the definition within Section 29(1) of the Caravan Sites and Control of Development Act 1960 and Section 13(1) of the Caravan Sites Act 1968.

The application site is located on the Western side of the Wolverhampton Road within the South Staffordshire Green Belt, 0.6km to the south of Penkridge. The proposed application will demonstrate that there would, at worst, be limited impact or other harm to the character and appearance of the area.

Penkridge is a tier 1 settlement and provides the nearest facilities to the application site. Due to its close proximity, the application site has the potential to be considered sustainable.

Facilities such as Princefield First School (1.8km), Co-op Food Penkridge (0.4km) and Rodbaston Drive Bus Stop (0.6km) support the application site as a sustainable location.

The application site will be accessed from the Wolverhampton Road using an existing driveway. Vehicles accessing the site are able to enter without blocking the highway, turn, and leave in a front facing gear. Wolverhampton Road encloses the sites Western boundary, whilst the West Coast Main Line encloses the sites Eastern boundary. To the south there is vacant open space and to the north is the Wolverhampton Road Park which is extensively screened from site. Public viewing points of the site are limited as existing screening will be maintained. Any visual concerns can be minimised through appropriate landscaping, which can be agreed by condition.

The site benefits from the following planning permissions:

- Application Reference Number: 15/00001/FUL – “Planning application for material change of use of land to Traveller site for 5 plots with associated hard standing, access, fencing, utility blocks and cesspools- retrospective. Variation of condition 4 - to substitute name in personal condition” – Appeal allowed 28/03/2019

- Application Reference Number: 15/00010/REF – “Planning application for material change of use of land to Traveller site for 5 plots with associated hard standing, access, fencing, utility blocks and cesspools- retrospective” – Appeal allowed 12/04/2017

- Application Reference Number: 10/00032/REF – “Change of use to residential caravan site for occupation by 5 gypsy families (9 pitches) providing a total of 23 caravans, plus erection of two amenity

TO BE READ IN CONJUNCTION WITH THE ATTACHED NOTICE

blocks, laying of hardstanding and access improvements [partially retrospective]” – Appeal allowed 28/02/201.

This planning history demonstrates a clear pattern of development, of which caravans are prominent, and therefore contribute to the existing character of the area. The proposed development would have limited impact upon the visual amenity of the Green Belt location and be in keeping with existing character.

Further supporting this, the officer report for application 18/00789/COU – “Change of use of land to provide 2 no. additional pitches adjacent to existing gypsy & traveller site” at Bursnips Road Essington. – Approved 19/03/2020, states that in an assessment of the South Staffordshire Local Plan Site Allocations for Gypsy and Traveller sites in 2018 the appointed Inspector specified that: “ in South Staffordshire, all the existing Gypsy and Traveller sites lie within the Green Belt and all additional pitches are proposed at existing established sites, where the test of “very special circumstances” justifying this use has already been met. Moreover, SS CS Policy H6 does not envisage or require such sites to be removed from the Green Belt. The need to provide additional pitches established by SS CS Policy H6, the presence of existing Gypsy & Traveller provision on these sites, the site- selection process, including the GB assessment, and the needs of existing local Gypsy & Traveller families combine to provide further justification for proposed allocations.” Therefore, this application is of a similar nature to existing developments in the Green Belt and would have, at worst, limited impact upon the area.

The 2017 GTAA identifies a need for 90 pitches from 2016-2036. It is understood that there are no public sites in South Staffordshire and the local authority has no suitable sites to meet the unmet need. The minor expansion of an established site would cause limited harm to the Green Belt and the immediate area. This proposal will make for a more efficient use of space, have no urbanising or adverse effects on the environment and/or amenity of the area and will not impact on the Green Belt any more than existing developments.

The proposal incorporates 1no. mobile home, 1no. touring caravan, and 1no. dayroom per pitch. Pitches are positioned to limit public views, utilising existing screening provided by trees/hedging, fencing and other vegetation where available. If there were any residual concerns, these could be satisfactorily dealt with by a landscaping condition. The dayroom will provide facilities that enable the occupants of the caravans to minimise the recognised hazards associated with cooking and fire in the close confines of caravans and provide facilities for washing and bathing and the maintenance of basic hygiene. The dayroom will be constructed out of brick to be in keeping with nearby existing building.

There are children living on the site and as such any decision taken by the Council should be made having considered the best interests of the children on the site. There is an explicit requirement to treat the needs of the children on the site as a primary consideration (UNCRC Article 3, fully set out at para 80-82 of AZ) and, in respect of a decision by the LPA to safeguard and promote the welfare and well-being of the children (Children’s Act 2004, s.11(1)).

APPLICATION DETAILS

The refused planning application relates to an additional 3 pitches. Whilst the application was assessed in respect of two pitches to the north of the site and one to the south of the site, the enforcement action subject of this report relates to the issuing of a notice to the south of the site only, where development has already taken place and a single static caravan is already in situ and occupied. The policy

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considerations and harm to the Green Belt are equally relevant for this single pitch to the south of the site.

Proposal

The proposal would add 3 additional pitches, two extending to the north and one to the south of the extant temporary permission/Publication Plan proposed Allocation site for 4 pitches.

Each pitch would comprise a static residential caravan, a touring caravan a utility/day room, permeable stone hardstanding areas, post and rail and close boarded boundary fencing, and grassed amenity areas.

Details of the mobile home would be controlled under the terms of the Caravan Sites Acts (max. size approx. 20m x 6.8m x 3m high).

The proposal seeks permanent permission. Other than stating that the Best Interests of Children are engaged, no personal/family circumstances are provided.

Temporary/personal permission should be considered as a fallback position if very special circumstances are not considered to weigh the planning balance in favour of a permanent permission for general gypsy and traveller occupation needs but are considered sufficient to weigh the balance in favour of a temporary consent when taking account of all material considerations.

POLICY CONTEXT

Within the Green Belt

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 3: To protect and improve South Staffordshire's environmental assets.

Strategic Objective 6: To ensure that all new development is sustainable, enabling people to satisfy their basic needs and enjoy a better quality of life, without compromising the quality of life of future generations.

Strategic Objective 8: To ensure the delivery of decent homes for members of the community including the provision of more affordable housing which matches in type, tenure and size the needs of the residents of South Staffordshire and to meet the needs of an ageing population.

Core Policies:

Core Policy 1 - The Spatial Strategy for South Staffordshire

Core Policy 4 - Promoting high quality design.

Core Policy 6 - Housing Delivery

Core Policy 11 - Sustainable Transport

Core Policy 13 - Community Safety

Development Policies:

GB1 - Development in the Green Belt

Commented [MT1]: Does this need amending in light of your email saying the use of the land to the north has ceased?

Commented [MB2R1]: See introduction in red above which I think should cover it.

TO BE READ IN CONJUNCTION WITH THE ATTACHED NOTICE

EQ1- Protecting, Enhancing and Expanding Natural Assets EQ2: Cannock Chase Special Area of Conservation (within 15km of zone of influence). Development will only be permitted where it can be demonstrated that it will not be likely to lead directly or indirectly to an adverse effect upon the integrity of the Cannock Chase Special Area of Conservation (SAC).

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

EQ9 - Protecting residents' amenity.

EQ11 -Wider Design Conditions

EQ12 -Landscaping

H6 - Gypsies, Travellers and Travelling Showpeople

EV11- Sustainable Travel

EV12 -Parking Provision

CS1 - Designing Out Crime

Adopted Site Allocations Document 2018

SAD 4 Gypsy and Traveller Pitch Provision.

Joint Strategic and Site Allocations Local Plan Review (including Gypsy & Traveller provision assessment and future allocations).

Issues & Options consultation undertaken between 8th October 2018 and 30th November 2018.

The Regulation 19 (Publication Plan) consultation ran for 6 weeks from Friday, November 11 to Friday, December 23, 2022. The LA announced a pause to the Local Plan in January 2023 in order to seek clarification on the National planning reform position/proposals. The LA is now resuming work on the Local Plan which it is anticipated, subject to confirmation of the National position, to be adopted by early 2026. Allowing a subsequent 12 month period for

the preparation and determination of planning applications, allocated sites should be available on the ground by early 2027.

The Publication Plan proposes the allocation of the neighbouring site for 4 permanent pitches from extant temporary consent.

Other Policy Considerations:

Planning Policy for Traveller Sites

National Planning Policy Framework

Designing Gypsy and Traveller Sites - A Good Practice Guide Communities and Local Government (historic context)

Gypsy and Traveller Accommodation Assessments (GTAA's)

South Staffordshire Design Guide 2018.

South Staffordshire Green Belt Study 2019.

CONSULTATION RESPONSES

Councillor comments:

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Councillor Victor Kelly (comments received 31.07.23).

Objects. This plot was dismissed at appeal on Green Belt grounds, when it was supposed to be returned to its original condition, as stated by the planning Inspector, but never has been. The Ward family now reside on the other four plots, in breach of planning by extending this site without firstly having a need, constructing fencing around the perimeter adding caravans on the site plus The site is still in Green Belt.

Local Plans (Comments received 24.07.2023).

Introduction

The applicant seeks planning permission for no.3 residential pitches. Two of the pitches are to the north of an existing site which is proposed for allocation within the emerging Publication Plan and one to the south. The sites are not proposed for allocation within the Publication Plan but are adjacent to the proposed allocation.

National Policy

The National Planning Policy Framework (NPPF) and Planning Policy for Traveller's Sites (PPTS) imposes a duty on Local Planning Authorities (LPA'S) to provide Gypsy and Traveller pitches and plots to meet evidenced need over a plan period. The above proposal however is within the West Midlands Green Belt.

While the National Planning Policy Framework is based upon a presumption in favour of sustainable development, it is clear from the framework that Green Belt Policy cannot be overridden by this presumption (see paragraph 11 and footnote 6). Likewise, the PPTS Paragraph 16 under Policy E further enhances this stance by stating that;

"Inappropriate development is harmful to the green belt and should not be approved, except in very special circumstances"

Paragraph 16 of the PPTS also comments that;

"Subject to the best interests of the child, personal circumstances, and unmet need are unlikely to outweigh harm to the Green Belt and any other harm so as to establish very special circumstances."

South Staffordshire Local Plan

The 2012 adopted Core Strategy contains Policy H6: Gypsies, Travellers, and Travelling Showpeople, which sets out criteria for the determination of applications for Gypsy and Travellers sites and pitch requirements up to 2028.

Criterion 8a of Policy H6 states that:

Proposals shall be sited and landscaped to ensure that any impact on the character and landscape of the locality is minimised, including impacts on biodiversity and nature conservation. In areas of nationally, sub-nationally or locally recognised designations planning permission will only be granted where the objectives of designation would not be compromised by the development - examples will include:

a) The Green Belt - where demonstrably harmful impact on the 'openness' of the Green Belt will be resisted'.

Development of the site would cause harm to the openness of the Green Belt although the site is relatively well screened. The proposal has the potential to meet the other policy criteria.

A GTAA was carried out in 2021 as part of the evidence gathering for the Local Plan Review. The Council is unable to meet its full 5-year requirement (72 pitches) for gypsy and traveller pitches the emerging Local

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Plan but identified suitable sites in the Publication Plan consultation to allocate 37 pitches towards the 5 year identified needs of families. The Council cannot currently demonstrate a 5 year supply of traveller sites, however as set out above, unmet need is unlikely to outweigh harm to the Green Belt.

The site

As previously stated, the sites are adjacent to the proposed allocation. It is relatively well screened being sandwiched between the A449 and the West Coast Main Line. The new pitches would be adjacent to existing pitches.

The pitches would also be within close proximity to Penkridge, a tier 1 settlement, which provides a range of services and facilities.

Very Special Circumstances (VSC)

As previously covered, the PPTS Paragraph 16 under Policy E states that:

“Inappropriate development is harmful to the green belt and should not be approved, except in very special circumstances”

Paragraph 16 of the PPTS also comments that;

“Subject to the best interests of the child, personal circumstances, and unmet need are unlikely to outweigh harm to the Green Belt and any other harm so as to establish very special circumstances.”

The proposal is located in the Green Belt and therefore Very Special Circumstances (VSC) will need to be demonstrated by the applicant. VSC have been set out by the applicant in their supporting documents, which include gypsy & traveller status, lack of 5-year supply of pitches, lack of available alternative sites, needs of children.

The Planning Statement submitted with the application states *‘Please note in regards to making the decision that there are children living on the site and as such any decision’*. However, no further details have been provided. Further information would be needed in order for this to be fully assessed.

Conclusion

The proposal is contrary to 2012 adopted Core Strategy Policies H6 and GB1 as well as national policy on Green Belt. However, the proposal would result in the benefit of additional traveller pitches being provided within the District against an identified shortfall and lack of 5 year supply.

The pitches would also be located in a sustainable location with good access to services and facilities.

The Applicant has also progressed an argument for VSC which include gypsy & traveller status, lack of 5-year supply of pitches, lack of available alternative sites and best interests of the child (although no details have been provided). The case officer will therefore need to consider the harm to the Green Belt of the pitches against the case for VSC and weigh these in the planning balance.

Network Rail - (Comments received 03.08.2023).

Need to safeguard the Rail Network and ensure safety. Informatives provided related to procedures and necessary consent separate to the planning process.

No works are to commence until agreed with Network Rail. Early engagement with Network Rail is strongly recommended.

Crime Prevention Design Advisor - (Comments received 20.07.2023).

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Policy/Guidance Context

The proposal has been reviewed with particular reference to Police CPI's Secured by Design guidance and in accordance with the recognised principles of Crime Prevention Through Environmental Design.

NPPF Para 92(b) 'Promoting Safe and Healthy Communities' states:

"Planning policies and decisions should aim to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion."

NPPF Para. 130(f) 'Achieving Well-Designed Places' states:

"Planning policies and decisions should ensure that developments create places that are safe ... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."

NPPG Planning Should Address Crime Prevention, Design states "Designing out crime and designing in community safety should be central to the planning and delivery of new development";

South Staffordshire District Council adopted Core Strategy:

Core Policy 13, Community Safety explanatory text states;

"The design of buildings and spaces can make a significant contribution towards reducing the scope for crime, and create more pleasant and reassuring environments in which to live, work and play. The opportunities for crime to occur can be minimised by designing and planning out crime in new development. The Council supports the national guidance 'Secured by Design' and will continue to work with Staffordshire Police architectural liaison officer in relation to the design and layout of development proposals".

Policy CS1: Designing Out Crime states:

In accordance with Core Policy 13, the design of development must include, means of reducing the opportunities for crime and anti-social behaviour, and must also seek to reduce the potential for fear of crime. This will include support for:

- Social facilities to be provided in locations which can be adequately controlled and supervised;
- Development to be designed to increase natural surveillance of public and private spaces, with continuous public surveillance as an alternative;
- Liaison with the Police to design out crime and fear of crime in specific schemes which also meet other design objectives in Policy EQ11.

Core Policy 13 sets out the strategic policy for community safety that supports the aims and objectives of the Sustainable Community Strategy and the Community Safety Partnership Plan. The above Policy provides further detail on the design of development and 'Secured by Design', and in turn supports Policy EQ11 covering wider design considerations. The statutory obligation placed on local authorities to do all they reasonably can to prevent crime and disorder in accordance with Section 17 of the Crime and Disorder Act 1998.

Staffordshire Police recognises the status and rights of Romany Gypsies and Irish Travellers as distinct ethnic groups, their unique and legitimate lifestyle, and its duty under the Race Relations Act 1976 as amended by the Race Relations (Amendment) Act 2000 to positively promote good race relations in our

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work with the Gypsies and Irish Travellers. Consultation in other areas with the Gypsy and Traveller community along with other consultation documents supports the view that the size of sites should be small (five to ten pitches) and, where possible occupied by one extended family group (Menter Briefing Paper, John Day, April 2007). Sites should also provide a safe environment for the residents. Consideration needs to be made as to who currently lives on the site and whether they have any issues or existing conflicts with other families who may be new comers. Staffordshire Police recommend that this application for additional pitches for occupancy by a single extended family.

Consultation with members of the travelling community appears to endorse this recommendation. Research in Hertfordshire with Gypsies and Travellers themselves recommends a limited number of pitches / families per site. Family disputes on sites cause Policing issues and the overall success and peaceful running of a site will clearly be of benefit to both the traveller and settled communities in each locality. We continuously strive to engage in partnership, working with other public sector bodies to improve our shared service delivery to the Gypsy and Traveller community.

County Highways – (Comments received 14.07.2023) No objections subject to conditions:

- 1) No commercial activities shall take place on the site including the storage of materials.
- 2) No vehicle over 3.5 tonnes shall be stationed, parked or stored on the site.
- 3) 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.

Reasons. In the interest of highway safety. To comply with the principles set out in the National Planning Policy Framework.

Natural England (Comments received 10.08.2023). Having considered the assessment, and the noted information regarding the agents refusal to submit a unilateral undertaking both from yourself and within the HRA, it is the advice of Natural England that it is not possible to ascertain that the proposal will not result in adverse effects on the integrity of the sites in question.

NatureSpace Partnership Newt Officer (Comments received 06.07.2023).

Holding Objection

The application has provided Reasonable Avoidance Measures, but no details about habitat on-site, nor quality of nearby ponds in order that the likelihood of impact on great crested newts can be assessed. Further information is required before the potential impact on great crested newt can be properly assessed.

Conclusion and recommendation for conditions

We are not satisfied that the applicant has adequately demonstrated that there will no impact to great crested newts and/or their habitat as a result of the development being approved. Therefore, in line with the guidance from Natural England (Great crested newts: District Level Licensing for development projects, Natural England, March 2021), there is a reasonable likelihood that great crested newts will be impacted by the development proposals and therefore, the applicant must either: - Submit a NatureSpace Report or Certificate to demonstrate that the impacts of the proposed development can be addressed through South Staffordshire Council's District Licence; or - Provide further information (describe the information required), in line with Natural England's Standing Advice, to rule out impacts to great crested newts, or demonstrate how any impacts can be addressed through appropriate

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mitigation/compensation proposals; or - If it is determined that there is no suitable habitat impacted on site and the likelihood of GCN is very low, then a precautionary working statement in the form of Reasonable Avoidance Measures (RAMs)/Non-Licensed Method Statement (NLMS) strategy documents completed by a suitably qualified ecologist may be acceptable for the development.

South Staffordshire Senior Ecologist (Comments received 18.07.2023).

Subject to SAC Unilateral Undertaking. no objection subject to conditions.

Designated Wildlife Sites:

SSDC Cannock Chase SAC Guidance (Updated 1st April 2023) states that the 'in combination' impact of proposals involving a net increase of one or more dwellings within a 15 kilometre radius of the SAC would have an adverse effect on its integrity unless avoidance and mitigation measures are in place.

This proposal qualifies as a net increase of residential dwellings within the 15km zone of influence and a Unilateral Undertaking must be completed to secure the appropriate financial contribution.

Until such a time that a draft Unilateral Undertaking has been provided to enable us as the Competent Authority to complete an Appropriate Assessment which concludes no significant effects are likely, I must lodge a holding objection to the proposed development.

Habitats & Protected Species:

I have reviewed the great crested newt method statement and have also assessed local biological records and aerial imagery. The development site is very small, c.0.14ha in area, and is located on sparsely vegetated land. I acknowledge the presence of a pond c.240m east which appears to be a SUDS pond, and other ponds outside of 250m from the site. There is also one record of GCN within 1km however there are several significant barriers to dispersal of GCN to/from this record.

The submitted GCN method statement is very generic and does not take site-specific conditions into account, nor does it make any credible assessment of the potential risks of the proposed development to GCN.

Taking into consideration likely site conditions, distribution of ponds in the local area, barriers to dispersal and the nature of the proposed development, I do not consider that the proposals would pose a significant risk to GCN such that further ecological survey is warranted. However, it is necessary to secure an amended GCN method statement as part of a planning condition to ensure that any ongoing risks are appropriately managed at the site level during site clearance and construction.

Should GCN be found on site during works, I consider that a low-impact GCN licence would be likely to be granted as presence would have been established at that point, and both the size of the proposed development and distance from ponds is likely to comply with low-impact criteria.

I have no other significant concerns in relation to the impact of the proposed development to protected species or habitats.

Recommendations

Should you be minded to approve the proposed development, I recommend that the following conditions and informative notes be applied to any decision notice:

GCN Method Statement

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1. No development shall take place, including demolition, groundworks or any necessary vegetation clearance until a method statement for great crested newts (GCN) has been submitted to and approved in writing by the Local Planning Authority. The method statement must include (as a minimum): -

- A risk assessment in relation to site activities that may impact GCN and the associated legislative breaches that may occur due to works; - Details of all reasonable avoidance measures to ensure GCN are not adversely affected by works;

- Actions to be progressed should a GCN be found on site during works;

- Identification sheets for native amphibians (to be kept on site).

- Details of the toolbox talk and signed register for attendees

Reason: To prevent harm to protected species in accordance with Policy EQ1 of the adopted Core Strategy.

Planning Enforcement - (No comments received; consultation period expired 03.08.2023).

Parish Council - (No comments received; consultation period expired 03.08.2023).

One neighbour (Representation received on 13.07.2023) objects on the following grounds:

This was a bank holiday incursion and should not be granted permanent approval. The original residents are not in the main still resident and have no special needs. Site Notice - Posted 13.07.2023 (Consultation period expired 03.08.2023).

APPRAISAL

Principle of Development

The proposal represents inappropriate development in principle within the Green Belt and the proposed introduction of 3 additional static caravans and 3 additional touring caravans together with three 6.5m x 3.4m x 3.5m high brick and tiled pitched roof utility/day rooms would add a quantum of development that would have a significant detrimental impact on the openness of the Green Belt.

Assessment of impact on openness is fundamentally based on the presence or absence of development, the quantum of development impact spatially on a designated area. The level of visual impact is relevant to the assessment but secondary in importance, otherwise any indiscriminate/inappropriate development could be justified by landscape screening in the Green Belt, fundamentally undermining the justifying principles of Green Belt Policy. The visual impact element is relatively low in this instance, but the increased quantum of development would have a significant detrimental impact on the openness of the Green Belt.

The original planning permission for traveller pitches at New Acre Stables was granted at appeal by the SoS in 2011 was for 7 pitches. However, this was granted strictly on a temporary basis (3 years expiring at the end of 2014) with the SoS concluding that the adverse impacts on the Green Belt did not warrant permanent planning permission. Planning applications and subsequent appeals for pitches to the north and south of the extant temporary permission site have been refused/dismissed at appeal on negative Green Belt impact grounds, notwithstanding personal circumstances/Very Special Circumstances being provided and a backdrop of shortfall in 5-year supply and a lack of alternative sites at the time of those decisions (planning applications 15/00008/FUL and 13/00191/FUL & related appeal decisions).

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The multiplicity of families that previously occupied the site resulted in conflict between resident families requiring prolonged Police interventions at the time. Subsequent temporary planning permission was granted at appeal in 2015 (15/00001/FUL) for a reduced number of 5 pitches (including 1 double pitch with 2 statics). This was justified on the grounds of need, shortfall in supply and proven Very Special Circumstances, with a reduced number of families. This temporary/personal planning permission expired on 12.04.2020. A variation of conditions related to this consent extended the period of permission until 12th April 2025 and varied the named occupants and number of caravans to a maximum of 14 including 7 static homes, with personal circumstances provided (20/00243/VAR of above Planning History summary).

The proposed 3 additional pitches fall outside the Publication Plan proposed site allocation and would increase the total number of pitches at New Acre Stables to 8/10 with the existing temporary consent for 5 pitches including two double pitches. This is contrary and prejudicial to the Local Plan Review which has yet to be subject to Examination.

No personal family details have been provided to demonstrate Very Special Circumstances other than that children would live at the site.

A shortfall in supply of pitches is acknowledged, as is a lack of alternative available sites and these factors weigh in favour of the application.

Para. 143 of the NPPF states that:

“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”.

Para. 144 of the NPPF continues:

“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations”.

The application site is located within the Green Belt. The principle of gypsy and traveller sites is, by definition, inappropriate development in terms of Green Belt Policy, not falling within an exempted category listed under para’s 145 and 146 of the NPPF, or in Policy GB 1 of the adopted Core Strategy.

The NPPF is based on a presumption in favour of sustainable development but is clear that Green Belt policy cannot be overridden by this presumption, where ‘specific policies in this Framework indicate development should be restricted’ (para 11). Footnote 7 includes ‘land designated as Green Belt’.

The Central Government issued ‘Planning Policy for Traveller Sites’ 2015 states that ‘Traveller sites (temporary or permanent) in the Green Belt are inappropriate development, and that subject to the best interests of the child:

“personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances”.

The inappropriateness of the development in the Green Belt therefore carries significant weight in the balancing exercise required to determine this application.

Assessment of proposal against H6 and 5-year supply:

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Policy H6 of the Core Strategy sets out the gypsy and traveller pitch requirements for South Staffordshire to 2028 and pledges to maintain a 5-year supply of sites.

The GTAA and Pitch Delivery Study 2021 (part of the evidence gathering for the Local Plan Review) is the most up to date objectively assessed evidence of need. It identifies a requirement for the 2021 -2025 period of 72 pitches, adjusted to 74 pitches for the 2023 - 2028 period. This current application would contribute 3 additional pitches towards meeting this requirement, if approved on a permanent basis. The new GTAA has yet to be tested by Public Examination.

Council cannot currently demonstrate a 5-year supply of traveller sites. However, Planning Policy for Traveller Sites states that:

'If a local planning authority cannot demonstrate an up to date 5-year supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission. The exception is where the proposal is on land designated as Green Belt.'

Therefore, as this site is in the Green Belt, the lack of a five-year supply should not carry significant weight in the determination balancing exercise.

Adopted Core Strategy Policy H6 sets out the criteria against which proposals for new/extensions to existing gypsy sites should be assessed. The criteria can be summarised as follows:

1. The applicants must meet the definition of gypsy and travellers;
 2. Essential utility services are available to serve the site;
 3. Site is designed to protect the amenities of proposed occupiers/amenities of neighbouring properties;
 4. Transit sites should have good access to highway network;
 5. Sites for Travelling Showpeople should be large enough to accommodate ancillary yards for business use providing there is no adverse impact on residential amenity;
 6. The site can be adequately and safely be accessed by vehicles towing caravans, is well related to the established local highway network and adequate space within the site to accommodate vehicle parking, turning space and to accommodate the occupants of the site;
 7. The development is of an appropriate scale so as to not put unacceptable strain on infrastructure or dominate the nearest settled communities and avoid problems of community safety arising from poor social cohesion;
 8. Should be suitably landscaped to limit impact on landscape character of the area. In areas of nationally, sub-nationally or locally recognised designations planning permission will only be granted where the objectives of designation would not be comprised by the development - examples include:
 - a) in the Green Belt proposals should not be 'demonstrably harmful to openness'
 - b) where proposals that will harm the setting, function, and integrity of Cannock Chase AONB will be resisted
 - c) where proposals that will harm the setting, function, and integrity of any SSSI, SAC will be resisted
 - d) harm to heritage assets will be resisted.
-

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9. Proposals must not be located in areas at high risk of flooding including functional floodplains (flood zones 3a and 3b).

Proposals that comply with all the above criteria will generally be granted planning permission to meet the existing need in the District.

1 Gypsy Status:

The first criterion of policy H6 requires that applicants meet the definition of gypsy and travellers or travelling showpeople as set out in Annex 1 of the National Planning Policy for Travellers Sites (PPFTS).

The Agent has confirmed that the applicants have gypsy and traveller status under these terms.

2 Servicing:

Details of foul and surface water disposal arising from the development, could be suitably controlled by condition.

3 Design and Landscaping:

The site is partially screened along the existing boundaries by mature trees and hedges.

The existing access would be utilised to serve the site. County Highways raise no objections subject to conditions. The proposal would be in accordance with the sixth criterion of policy H6.

5 Cumulative Impact, domination of settled community and community cohesion:

The application site is located approximately 0.1km to the south of Penkrudge village Development Boundary within an area of dispersed development in a predominantly rural location. It is therefore not considered that the proposal would cause an unacceptable strain on infrastructure or dominate the nearest settled community.

However, given the cumulative number of pitches at New Acre Stables with existing pitches at 8/10 pitches, and in the absence of evidence of family connections/personal circumstances, the proposal is potentially contrary to Core Policy 13 and CS Policy H6 criterion 7 aimed at achieving social cohesion, the NPPF (Paras. 92(b) and 130(f) in respect of community cohesion and resilience. No evidence has been provided with the application to demonstrate that the aims of social cohesion would be met in accordance with relevant local and national policy advice.

Impact on Green Belt:

It is established that the proposal, by definition, represents inappropriate development in the Green Belt. Harm by inappropriateness of development attracts substantial/significant weight in the assessment.

The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of the Green Belt are their openness and their permanence.

The siting of the proposed additional mobile homes, touring caravans and brick-built utility/day rooms together with associated hardstanding for vehicles would consolidate the quantum of development on the site having a significant increased impact on the openness of the Green Belt. The previous appeal decisions in granting temporary consent emphasised that the impact of inappropriate development on the openness of the Green Belt was detrimental to an unacceptable degree and that the development was unacceptable on a permanent basis within the Green Belt.

At para. 63 of the 2017 appeal decision the Inspector determined that:

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“Whilst I have attributed significant weight to the health care needs of one particular child, and the education needs of the children, I do not consider that these matters would amount to the very special circumstances required to justify the development on a permanent basis”.

7 Flooding and Drainage:

The application site is not located within a flood plain or in an area which is particularly susceptible to flooding.

8 Impact on Heritage Asset

There is no impact on Heritage Assets.

9 Summary of Criteria in H6:

The proposed development would further reduce openness by introducing an additional quantum of development on a previously open site and consolidating sporadic, dispersed development in the locality. The proposal is therefore in conflict with criterion 8 a) of Core Policy H6. The harm caused by loss of openness in this context would be significant and additional to the "substantial weight" attributed to the harm caused by reason of development inappropriateness.

The proposal, especially given the lack of evidence provided, is also in potential conflict with the community cohesion aspect of CS H6 criterion 7 and the NPPF.

Other Material Considerations

1 National Policy for Travellers Sites August 2015

The National Planning Policy for Travellers Sites provides a national strategic framework for assessing gypsy and traveller development. The key points for Local Planning Authorities to consider when determining applications for gypsy and traveller development are:

- Gypsy and traveller development in the Green Belt is "inappropriate development"; subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh the harm to the Green Belt and any other harm so as to establish very special circumstances
- Development plan (policy H6 in this case) is the starting point for assessing development proposals unless material considerations indicate otherwise;
- Level of need (including general need);
- Alternative sites;
- Personal circumstances;
- Sites should not dominate settled community or put undue pressure on services.

The document makes clear that 'inappropriate development is harmful to the Green Belt and should not be approved, except in very special circumstances. Traveller sites (temporary or permanent) in the Green Belt are inappropriate development. Subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances.

2 The decision taken must be cognizant of the best interests of children. The needs of children must be treated as a primary consideration in planning determination. The Local Authority has a responsibility to safeguard and promote the welfare and well-being of children under the Children's Act 2004. The

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applicant's agent confirms that there would be children living on the site but no details are provided. Therefore, limited weight can be apportioned in the planning balance in this case.

3 The Agent considers that the harm to the Green Belt and any other harm is outweighed by the identified need, and best interests of the child, absence of alternative sites, the lack of a five-year supply, and the failure of the Council to address the identified need through the development plan process.

4 Policy EQ2 'Cannock Chase Special Area of Conservation Development, states that development:

"will only be permitted where it can be demonstrated that it will not be likely to lead directly or indirectly to an adverse effect upon the integrity of the Cannock Chase Special Area of Conservation (SAC)".

Despite requests of the agent during the validation of the application no mitigation measures have been put forward to demonstrate mitigation of the identified potential significant harmful impact of the proposed development on the special character of this designated landscape (English Nature and South Staffordshire Ecology Officer representations).

The proposal is there, contrary to the aims of Policy EQ2 of the adopted Core Strategy.

5 Human Rights:

The National Policy for Traveller Sites makes it clear that Human Rights are a consideration in the determination of gypsy and traveller proposals. When considering this application account has been taken of the applicant's Article 8 rights. However, it is considered that the recommendation accords with the policies of the adopted Local Plan and national planning policy and the applicant has the right of appeal against this decision.

CONCLUSION

The site falls within the West Midlands Green Belt where there is a strong policy presumption against the inappropriate form of development proposed. The weight of harm caused by inappropriate development in Green Belts is automatically classified as substantial in the planning decision making balance.

The proposal would also cause additional loss of openness, the acknowledged most important characteristic of land within the Green Belt. The Very Special Circumstances identified by the agent would not be sufficient to overcome the identified harms to the Green Belt on a permanent or temporary basis. This position is consistent with the previous appeal decisions related to the application site, and recent Green Belt Traveller appeal decisions at Micklewood Lane and Doveleys Farm where the need to safeguard the Green Belt against inappropriate development has been upheld in the planning balance with need for pitches and the Best Interests of Children considered.

There is an acknowledged current shortfall in the supply of pitches to meet identified needs/5-year supply within the District, and a lack of apparent available alternative sites. This shortfall is being actively addressed as part of the on-going Local Plan Review, which will allocate sites throughout the District to strategically best meet need where it exists, and consider the relative impact of all sites put forward in Policy terms including relative Green Belt impact assessment.

The best interests of children, current lack of 5-year supply and availability of a permanent alternative site, are recognised as factors weighing in favour of the development.

Account is taken of the relevant Central Government advice (PPTS - paragraph 16) which provides that;

'Inappropriate development is harmful to the Green Belt and should not be approved, except in very special circumstances. Traveller sites (temporary or permanent) in the Green Belt are inappropriate

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development. Subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances¹.

EXPEDIENCY OF ENFORCEMENT ACTION:

Planning Enforcement action is a discretionary power which may be exercised where there has been a breach of planning control which affects public amenity or otherwise affects land or buildings meriting protection in the public interest.

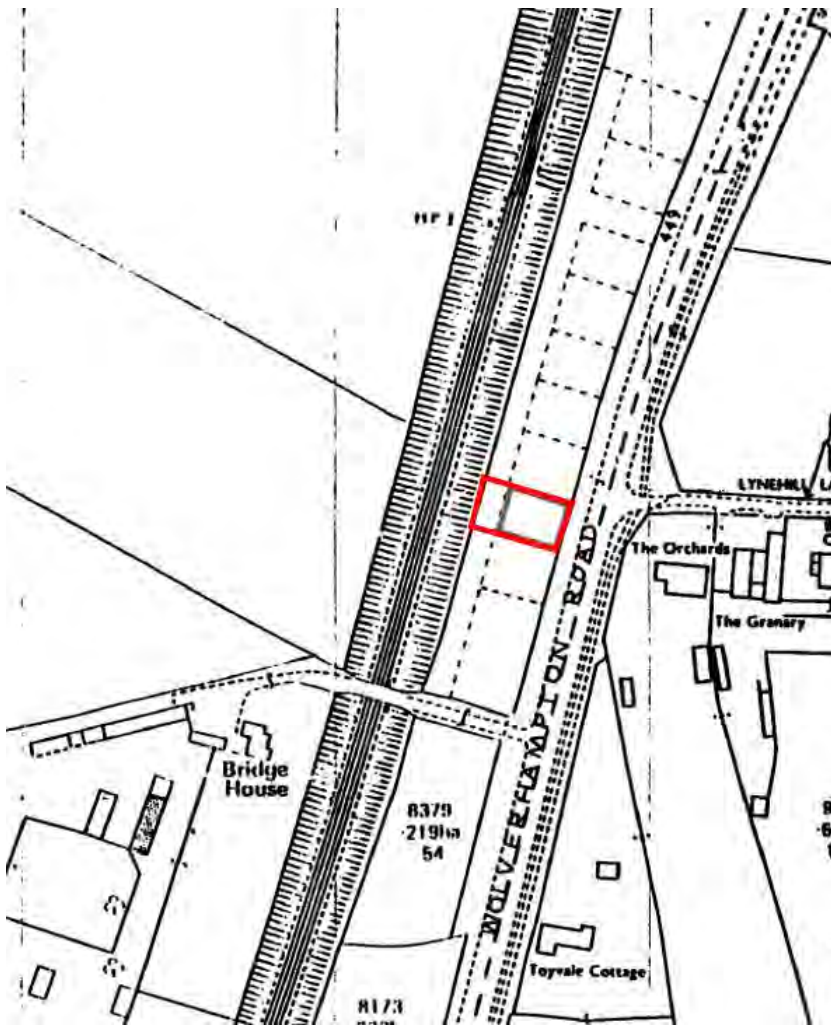
A breach in planning control has taken place involving the material change of use of land for stationing of a caravan for residential purposes on the land. A retrospective planning application has been submitted and subsequently refused by the Council as inappropriate development which is, by definition, harmful to the Green Belt and contrary to the relevant provisions of the NPPF and policies GB1 and EQ2 and H6 the South Staffordshire Core Strategy adopted in December 2012. No appeal has been submitted against the Council's refusal to grant planning permission.

The landowner has been given every opportunity to remove the Caravan and restore the Land but has failed to do so, leaving the Council with little alternative but to take enforcement action for the ongoing protection and restoration of the Green Belt. As such it is now considered both expedient and within the public interest to proceed with formal enforcement action to remedy the harm caused by this development.

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Red Line Plan

Land South Of New Acre Stables, Wolverhampton Road, Penkridge, Staffordshire ST19 5PA



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CASE OFFICER DECLARATION:

I hereby declare that I have adhered to the Council's Planning Enforcement Policy & Procedures, and that based on the evidence gathered during my investigation I recommend the service of the notice attached to this form, including, where relevant, the amendments made by the named Officers below.

I have given consideration to [South Staffordshire Council's Planning Policies](#), the [National Planning Policy Framework](#), and to the Government's [Enforcement and post-permission matters](#) guidance during the course of my investigation and in the construction of the attached notice, ensuring that it is a proportionate and reasonable response to the breach of planning control.

CASE OFFICER: Mark Bray
POSITION: Planning Enforcement Consultant
DATE: 22/9/23

Signed:



LINE MANAGER COMMENTS, INSERTIONS OR REVISIONS:

DECLARATION:

I hereby declare that I have reviewed the case and support the Case Officer declaration above.

Based on my review of the evidence gathered during the investigation, it is both expedient and in the public interest to serve the notice attached to this form, including, where relevant, my amendments detailed above, and those made by the other named Officers.

I have given consideration to [South Staffordshire Council's Planning Policies](#), the [National Planning Policy Framework](#), and to the Government's [Enforcement and post-permission matters](#) guidance during my review of the investigation and my amendments to the attached notice, ensuring that it is a proportionate and reasonable response to the breach of planning control.

NAME: Catherine Gutteridge
POSITION: Planning Enforcement Team Manager
DATE: 26/9/23

Signed:



TO BE READ IN CONJUNCTION WITH THE ATTACHED NOTICE

DEVELOPMENT MANAGEMENT COMMENTS, INSERTIONS OR REVISIONS:

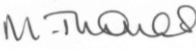
DECLARATION:

I hereby declare that I have reviewed the case and support the Officer declarations above.

Based on my review of the evidence gathered during the investigation, it is both expedient and in the public interest to serve the notice attached to this form, including, where relevant, my amendments detailed above, and those made by the other named Officers.

I have given consideration to [South Staffordshire Council's Planning Policies](#), the [National Planning Policy Framework](#), and to the Government's [Enforcement and post-permission matters](#) guidance during my review of the investigation and my amendments to the attached notice, ensuring that it is a proportionate and reasonable response to the breach of planning control.

NAME: Matthew Thomas
POSITION: Assistant Team Manager
DATE: 24/11/2023

Signed: 

LEGAL SERVICES COMMENTS, INSERTIONS OR REVISIONS:

DECLARATION:

I hereby declare that I have reviewed the case and support the Officer declarations above.

Based on my review of the evidence gathered during the investigation, it is both expedient and in the public interest to serve the notice attached to this form, including, where relevant, my amendments detailed above, and those made by the other named Officers.

I have given consideration to [South Staffordshire Council's Planning Policies](#), the [National Planning Policy Framework](#), and to the Government's [Enforcement and post-permission matters](#) guidance during my review of the investigation and my amendments to the attached notice, ensuring that it is a proportionate and reasonable response to the breach of planning control.

NAME: Pardip Sharma
POSITION: Solicitor
DATE: 1/12/23

Signed: By E-mail 1/12/23

TO BE READ IN CONJUNCTION WITH THE ATTACHED NOTICE

AUTHORISING OFFICER COMMENTS, INSERTIONS OR REVISIONS:

DECLARATION:

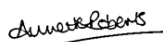
I hereby declare that I have reviewed the case and support the Officer declarations above.

Based on my review of the evidence gathered during the investigation, it is both expedient and in the public interest to serve the notice attached to this form, including, where relevant, my amendments detailed above, and those made by the other named Officers.

I have given consideration to [South Staffordshire Council's Planning Policies](#), the [National Planning Policy Framework](#), and to the Government's [Enforcement and post-permission matters](#) guidance during my review of the investigation and my amendments to the attached notice, ensuring that it is a proportionate and reasonable response to the breach of planning control.

Annette Roberts

Corporate Director Infrastructure and Business Growth



DATE: 1/12/23

Signed:

TO BE READ IN CONJUNCTION WITH THE ATTACHED NOTICE



South Staffordshire Council

Core Strategy

December 2012



Further information can be found at
www.sstaffs.gov.uk



A Local Plan for
South Staffordshire

Core Strategy Development Plan Document

Adopted 11th December 2012

South Staffordshire Council

Core Policy 1 – The Spatial Strategy for South Staffordshire

The rural regeneration of South Staffordshire will be delivered through the implementation of the following Spatial Strategy. The principal aim will be to meet local needs, whilst recognising the constraints that impact upon the District, and support and improve infrastructure and service delivery in the District.

Throughout the District, growth will be located at the most accessible and sustainable locations in accordance with the Settlement Hierarchy set out below and the Council will work with partners to deliver the infrastructure, facilities and services required to support this growth. An integral part of the Strategy will be to protect, maintain and enhance the natural and historic environment and the local distinctiveness of the District and retain and reinforce the current settlement pattern.

In relation to the District's existing communities and settlements, appropriate proposals which contribute to their improved sustainability, cohesion and community wellbeing, will be supported.

Development proposals will be expected to make efficient use of land and prioritise the use of Previously Developed Land (brownfield land) in sustainable locations, provided it is not of high environmental value, whilst safeguarding the character of existing residential areas.

Main Service Villages

Bilbrook, Brewood, Cheslyn Hay, Codsall, Great Wyrley, Kinver, Penkridge, Perton and Wombourne are defined as **Main Service Villages** and will be the main focus for housing growth, employment development and service provision. Village centres will be the focus for new shopping and small scale office development to maintain their vitality and viability.

Local Service Villages

Coven, Essington, Featherstone, Huntington, Pattingham, Swindon and Wheaton Aston are defined as **Local Service Villages** where limited development will be supported where it meets local needs, whilst recognising the constraints that impact upon the District. Employment development will be limited to that which meets local business and community needs and maintains the vitality and viability of these communities. Shopping and office development will be located in the village centres.

Small Service Villages

Bednall, Bobbington, Bishops Wood, Dunston, Shareshill, and Trysull are defined as **Small Service Villages** where very limited development may be acceptable for the provision of rural affordable housing where it clearly supports a local need and contributes to the sustainability of those local communities. Employment development will be limited to rural employment and diversification which meets local business and community needs.

Other Villages and Hamlets

The villages defined as **Other Villages and Hamlets** are not identified for growth, and development will only be permitted in exceptional circumstances for the provision of rural affordable housing to meet identified local needs. New development in these locations will therefore be limited to rural affordable housing schemes provided through rural exception sites and the conversion and re-use of redundant rural buildings to appropriate uses.

Outside the Service Villages

Outside the service villages, the objective of the Spatial Strategy is to protect the attractive rural character of the countryside where new development will be restricted to particular types of development to meet affordable housing needs, support tourism, provide for sport and recreation and support the local rural economy and rural diversification.

As part of the strategy for employment and economic development, support will continue to be given to the four existing freestanding strategic employment sites (i54, Hilton Cross, ROF Featherstone/Brinsford and Four Ashes).

The Green Belt and Open Countryside

The South Staffordshire portion of the West Midlands Green Belt as defined on the Policies Map, will be protected from inappropriate development and proposals will be considered in the light of other local planning policies and the policy restrictions relating to Green Belt in the NPPF, however the Council will consider favourably sustainable development which accords with this Spatial Strategy.

The general extent of the Green Belt and the area defined as Open Countryside will be protected and maintained for the Plan period but some land will need to be released from the Green Belt and Open Countryside in some locations at the Main and Local Service Villages to deliver the proposed development strategy and enable the sustainable growth of these villages. A partial review of Green Belt boundaries and a review of Major Developed Sites in the Green Belt will be carried out through the Site Allocations DPD.

Delivering the Strategy

The Spatial Strategy will be delivered through the Core Policies and Development Policies. In all cases development should not conflict with the local planning policies, particularly the environmental policies. Development should be designed to be sustainable, seek to enhance the environment, and should provide any necessary mitigating or compensatory measures to address harmful implications.

Explanation

- 6.4 South Staffordshire lies on the edge of the West Midlands Conurbation close to the Major Urban Areas of the Black Country and has its own distinctive character. A key aspect of South Staffordshire's local distinctiveness is based around its ethos and philosophy of being a 'community of communities'. The settlement pattern of South Staffordshire is that of a rural area with many villages of different sizes situated within 27 parishes. There is no single dominant settlement and many of our residents rely on the services provided within towns and cities outside the District to meet some of their 'higher order' needs including hospitals, certain types of retail needs, and certain types of leisure and employment opportunities. This is in part because they are not able to meet their needs locally. Similarly, many of the people who work in and use the facilities of the District, actually live outside it.
- 6.5 The Spatial Strategy for South Staffordshire is to spread development geographically around the District based on a Settlement Hierarchy. The principal aim of the Strategy is to meet local needs whilst recognising the constraints that impact upon the District, and support the retention of existing facilities and services in villages in a sustainable way and where possible improve them. The Settlement Hierarchy classifies villages as Main Service Villages, Local Service Villages and Small Service Villages and the very small villages in the District are classified as Other Villages and Hamlets. The Settlement Hierarchy is shown on the following map.

Promoting High Quality Design

Introduction

- 7.53 Planning has a key role to play in achieving better-designed buildings and enhancing the environment of our villages. Good design has an important role in promoting sustainable development and protecting local character and distinctiveness. Good design in the creation of buildings, streets and spaces is an important component of enriching and improving the quality of life for the community.

Core Policy 4: Promoting High Quality Design

The Council will expect all development proposals to achieve a high quality of design of buildings and their landscape setting, in order to achieve the vision of a high quality environment for South Staffordshire. Support will be given to proposals that are consistent with the detailed design policy set out in Policy EQ11 and the guidance in the adopted Village Design Guide Supplementary Planning Document (or subsequent revisions), and be informed by any other local design statements, and meet the following requirements:

- a) to provide an attractive, functional, accessible, safe, healthy and secure environment;
- b) to respect and enhance local character and distinctiveness of the natural and built environment including opportunities to improve the character and quality of the area and the way it functions;
- c) to incorporate measures to reduce the risk of flooding and prepare for the predicted effects of climate change;
- d) to make a positive contribution to the public realm including the incorporation of public art where appropriate;
- e) to adopt sustainable construction principles and use locally sourced and recycled materials wherever possible;
- f) to incorporate accessibility measures to meet the needs of users and facilitate access through sustainable forms of transport;
- g) to facilitate and encourage physical activity through outdoor sport, recreation (informal sport and play) walking and cycling;
- h) to secure improvements to public spaces and the provision of additional public spaces.

Development proposals will be assessed against the design criteria in the Village Design Guide Supplementary Planning Document (or subsequent revisions) and where appropriate should take into account the actions and recommendations contained in the Council's Conservation Area

Management Plans.

Development proposals should be consistent with other local planning policies.

Explanation

- 7.54 The Council has adopted a Village Design Guide Supplementary Planning Document with the aim of promoting the highest standards of design and construction in new development and to encourage buildings that are sustainable in construction and in use. The Council will also promote a high standard of landscape design to secure the best environment. Supported by the strong commitment to protect South Staffordshire's environmental assets, the Council will seek to ensure that the historic character of our villages is maintained and enhanced and that new development respects local character and distinctiveness. Development should be designed to create a safe, healthy and secure environment and make efficient use of resources. This approach reflects Strategic Objectives 5 and 14.
- 7.55 All new buildings and spaces must enhance and respect their surroundings and contribute towards local character and distinctiveness. Developments must be of the appropriate scale, design and materials for their location and conform to the design principles set out in above Policy. Public art may make a contribution in enhancing local character and distinctiveness and will be supported wherever appropriate.
- 7.56 Further detailed guidance on design and the requirements for new development is set out below in Policy EQ11 and reference should be made to the adopted Village Design Guide Supplementary Planning Document (or subsequent revisions). All those proposing development will be advised to refer to the Department for Transport Manual for Streets, the Commission for Architecture and the Built Environment (CABE) Building for Life standards, the CABE document Physical Activity and the Built Environment, Sport England's Active Design and the web-based toolkit the 'West Midlands Sustainability Checklist (Advantage West Midlands). Those proposing new housing development are also advised to consult the Government document 'Code for Sustainable Homes' which provides a national standard for the construction of new homes.
- 7.57 Reference to 'Building for Life', the 'West Midlands Sustainability Checklist' and the Department for Transport Manual for Streets is to ensure that early in the development stage, careful attention is given to high quality and sustainable design principles. Reference to the Council's adopted Village Design Guide (or subsequent revisions) is also essential to ensure that careful attention is given to the requirements and guidance relevant to the distinctiveness of South Staffordshire.

Key Evidence

Sustainable Community Strategy 2008 - 2020

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

8. Housing

Strategic Objectives

Strategic Objective 8:

To ensure the delivery of a minimum of 644 decent homes for members of the community including the provision of affordable homes which match in type, tenure and size the needs of the residents of South Staffordshire and to meet the needs of an ageing population.

Introduction

- 8.1 The provision of more and better homes in South Staffordshire is a key strategic priority for the Council and its housing partners. This is not only to meet basic housing needs, but also because we believe that if people live in a good home it provides a solid foundation for a better quality of life and improved life chances whilst maintaining the sustainability of our settlements.
- 8.2 Housing led initiatives can contribute to improving skills, education and employment opportunities, whilst health and wellbeing can be improved and alleviated by living in homes which are adaptable and located in safe and supportive environments.
- 8.3 The affordability of homes in South Staffordshire for local people who are earning low and moderate incomes is a key challenge to be tackled through the local planning strategy. The need to provide for the future housing needs of our rapidly ageing population is also an important issue to be addressed. The provision of affordable housing to meet local needs, ensuring the long-term affordability of such housing and support for elderly people reflect the views of the residents of South Staffordshire. The availability of decent quality affordable homes and sustainable housing are a prerequisite to creating sustainable communities.

Core Policy 6: Housing Delivery

Housing Land Supply and Distribution

The Council will plan, monitor and manage the delivery of at least 3850 homes in South Staffordshire between 2006 and 2028 and ensure that a sufficient supply of deliverable/developable land is available to deliver 175 new homes each year informed by the District housing trajectory. The Council will seek to maintain a 5 year housing supply of deliverable sites plus an additional buffer of 5% moved forward from later in the plan period (or 20% where there has been a persistent under delivery of

housing) and to provide 60% of housing on previously developed land (brownfield land) during the plan period.

As of 1st April 2010, 2,244 new homes have been completed or are committed and the balance of new housing development (1606 homes rounded to 1610) will be distributed between the existing villages of South Staffordshire, in accordance with the principles of the settlement hierarchy defined in Core Policy 1 and shown on the Key Diagram as follows:

Locality/Village	Minimum Housing Numbers
<u>Locality Area 1 - Northern Area</u> Penkridge Total Northern Area	370 370 dwellings (23%)
<u>Locality Area 2 – North Western Area</u> Brewood Coven Wheaton Aston Total North Western Area	65 32 32 129 dwellings (8%)
<u>Locality Area 3 – North Eastern Area</u> Cheslyn Hay Great Wyrley Essington Featherstone Total North Eastern Area	107 56 23 40 226 dwellings (14%)
<u>Locality Area 4 – Central Area</u> Bilbrook Codsall Perton Pattingham Total Central Area	105 222 166 22 515 dwellings (32%)
<u>Locality Area 5 – Southern Area</u> Kinver Wombourne Swindon Total Southern Area	91 256 23 370 dwellings (23%)
District Total	1610 dwellings *

*In addition to the proposed housing development in the above table, for both development management purposes and the Site Allocations DPD, the following development will also add to the overall housing supply and the level of growth proposed in South Staffordshire in the plan period:

- a. Affordable housing delivered on rural exception sites in accordance with Policy H2/H3;
- b. Exceptionally, housing development that contributes to the delivery of local community infrastructure, where there is a

proven need for community facilities and where such housing proposals are supported by local communities.

Should further housing development be required in the plan period to respond to changing circumstances this will be focused on the Main Service Villages and Local Service Villages that are identified in the table above and apportionment between these settlements shall have regard to the factors set out in para 8.8 of this Core Strategy DPD.

Housing for an Ageing Population

In delivering the level of housing proposed, the Council will encourage the provision of accommodation for the elderly including extra care and residential care homes, dementia care units and retirement villages of an appropriate scale.

Phasing and Site Allocations

Development will be phased to ensure that it does not occur until appropriate infrastructure is available and sites will be released to ensure a consistent delivery of housing. Allocations for new housing development will be identified in the Site Allocations DPD. Housing development at Wheaton Aston should be located away from the Motte Meadows SAC to ensure that there are no significant effects on this international site.

Housing Expectations

Housing development will be expected to:

- a) Contribute to the achievement of sustainable development giving priority to the re-use of previously developed land (brownfield land) in sustainable locations, provided it is not of high environmental value
- b) Be of a character and density appropriate to the surrounding area
- c) Assist in meeting the identified housing needs, including affordable housing and elderly persons accommodation within the locality/ housing market areas
- d) Be adaptable to changing life circumstances
- e) Deliver the required social, physical and green infrastructure requirements necessary to support sustainable communities.

Housing development which has a detrimental impact upon the character and environmental quality of residential areas and the character and local distinctiveness of villages will not be supported.

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

Explanation

- 8.4 South Staffordshire Council will make provision for the delivery of 3850 new dwellings between 2006 and 2028. This equates to a local target of 175 dwellings per year. The target is derived from the evidence base of the West Midlands Regional Spatial Strategy (WMRSS). The WMRSS Phase 2 Revision proposed a housing target of 3,500 dwellings in South Staffordshire over the plan period 2006-2026 which was supported by the Council and was tested at examination by an independent panel. The WMRSS figure of 3,500 was derived by weighing up housing market needs with the constraints in South Staffordshire, including proximity to the Black Country Major Urban Area and environmental protection.
- 8.5 In order to meet the requirements of the NPPF, the local housing target has been increased by a further 350 dwellings (two year's supply) to 3850 dwellings to ensure that there will be a continuous delivery of housing for at least 15 years from the date of adoption of the plan. The Council considers that the level of future housing growth proposed provides the right balance between local housing need and the protection of the Green Belt and the environmental quality of the District.
- 8.6 As of 1st April 2010, we have delivered 1,224 net dwelling completions since the plan period began in 2006 at an average rate of 306 dwellings per year and a further 1,020 net dwellings are already accounted for with those under construction and those with permission. This leaves around 1606 dwellings left to identify sites for. The Strategic Housing Land Availability Assessment (SHLAA) is being refreshed in line with good practice guidance with the involvement of the development industry, local property agents and other interests; and a large number of sites have been suggested for consideration. The SHLAA is not a policy document, but will identify sufficient sites to be considered further through the preparation of the Site Allocations DPD.
- 8.7 The Spatial Strategy is for the geographic spread of growth and development based on a hierarchy of settlements where the majority of the growth is focused on our most sustainable settlements and makes the best use of existing infrastructure. The strategy is considered to be the approach that most closely meets the needs of our local communities and reflects the principles of locality working and service delivery and is a result of extensive consultation.
- 8.8 The Policy sets out the level of housing growth proposed for each of the villages in the settlement hierarchy, defined in Core Policy 1, and within the Locality Areas. The underlying principle will be that the larger Main Service Villages will accommodate a greater scale of development with progressively lower levels of growth in the Local Service Villages in order to safeguard their local character and distinctiveness. In reaching a decision on the proposed level of growth in each of the villages, a number of key factors have been taken into account and these are:
- The levels of housing need in each of the localities/housing market sub areas identified in the Housing Market Assessment (HMA)
 - The level of affordable housing provided in villages
 - Past levels of development and change in villages
 - Villages sensitive to change

- Environmental capacity and sensitivity
 - The availability of development opportunities on non Green Belt land
 - Accessibility of villages
 - Proximity of villages to the Major Urban Area of the Black Country
 - Availability of previously developed land (brownfield land) in sustainable locations, provided it is not of high environmental value
 - Availability of access to sustainable employment opportunities
- 8.9 The Policy will provide some flexibility in the delivery of housing over the plan period, recognising the opportunities for rural affordable housing on exception sites and also circumstances where the provision of housing development will assist in the delivery of local community infrastructure.
- 8.10 In preparing the Core Strategy, the Council has considered the issue of housing growth to the south of Stafford town. The West Midlands Regional Spatial Strategy (WMRSS) Phase 2 Revision identified Stafford as a 'Settlement of Significant Development' and it has since been selected as a New Growth Point (NGP). The WMRSS stated that, depending upon the outcome of local studies, some of the housing requirement for Stafford Borough may need to be provided within South Staffordshire adjacent to the southern boundary of Stafford to meet the needs of Stafford town.
- 8.11 Representations have been made by Stafford Borough Council and local landowners supporting development South of Stafford and suggesting that the Council should make a strategic allocation in the Core Strategy. The Council considers that this location should only be considered for housing development if local studies demonstrate that this is the most sustainable option for the future growth of Stafford town. The Council has yet to see evidence from local studies that it is the most sustainable option and therefore does not consider that it is appropriate to identify the site in the Core Strategy for South Staffordshire.
- 8.12 Managing the release of housing sites through phasing is an important factor in delivering the quality and form of housing development in South Staffordshire. The delivery of the required new infrastructure will determine how quickly certain sites can be developed and the ability of service providers to deliver necessary infrastructure will need to be taken into account.
- 8.13 Regular monitoring and review will take place to ensure that the timing, level and nature of investment in key infrastructure are consistent with that originally expected, and that there is sufficient capacity to accommodate the level of development planned. These regular reviews will ensure that development does not take place without the essential infrastructure required to support it. Monitoring will also review the rate of development on previously developed land (brownfield land).
- 8.14 It is recognised that the Site Allocations DPD is likely to take up to 2 years to achieve adoption status. In the interim, if the Council is unable to demonstrate the existence of a 5 year supply of deliverable housing land, applications for housing will be considered in the context of the presumption in favour of sustainable development, subject to the restrictions of policies

which indicate that development should be restricted (para 14, footnote 9 NPPF).

- 8.15 The 90/10 ratio that has been used to apportion housing growth between Main Service Villages and Local Service Villages will continue to be applied during the plan period for the identification of safeguarded land in the Site Allocations DPD.

Key Evidence

Sustainable Community Strategy 2008-2020
South Staffordshire Council Plan 2012 - 2016
LSP Housing Strategy 2009 - 2012
Older Persons Strategy 2007
Staffordshire Flexi Care Strategy 2010 - 2015
Housing Market Assessment Update 2010
Strategic Housing Market Assessment 2008
Strategic Housing Land Availability Assessment Update 2011
Settlement Study 2010
Affordable Housing Viability Study 2011
WMRSS Evidence Base

Delivery and Monitoring

Through Development Policies H1, H2, H3, H4, and H5
Strategic Housing Land Availability Assessment Update 2011
LSP Housing Strategy Delivery Plan

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

Development Policies

- 8.16 The following Development Policies support Core Policy 6 and reflect the importance attached to the delivery of new homes in Strategic Objective 8.

Policy H1: Achieving a Balanced Housing Market

Housing Choice

The Council will seek to secure a wide choice of high quality new homes in South Staffordshire that meet the needs of all members of the community, widening the range of property sizes available in response to future needs and demand, to support the Council's strategic aim of delivering more affordable housing and contribute to the development of mixed and sustainable communities. Particular attention will be given to creating a more sustainable and better balanced housing market by

- 9.52 The Staffordshire Local Transport Plan (LTP) sets out the transport strategy for the District which seeks to deliver sustainable transport objectives including prioritising the use of public transport and improving the pedestrian and cycle network to encourage journeys by foot or cycle. The LTP also identifies priority measures to improve accessibility, create safer roads, and reduce the impact of traffic.
- 9.53 It is recognised that more investment is needed in public transport in South Staffordshire for the benefit of existing and new communities. Current investment is largely funded through private sector operators with commercial objectives, although there is some support from the County Council through Local Transport Plan (LTP) funding to ensure that rural communities have access to transport services. The support of operators both within and outside the District will be important for future public transport provision. A Rural Transport Partnership has been established which will explore ways in which the public sector can support rural transport in South Staffordshire and a number of initiatives are being developed.
- 9.54 The Council will encourage partnership working and co-operation between private and public sectors and will work with key partners to deliver sustainable transport initiatives. In relation to transport infrastructure, any deficits in provision will be highlighted in the Infrastructure Delivery Plan (IDP).

Core Policy 11: Sustainable Transport

The Council will seek to ensure that accessibility will be improved and transport choice widened, by ensuring that new development is well served by an attractive choice of transport modes, including public transport, footpaths and cycle routes to provide alternatives to the use of the private car and promote healthier lifestyles. The strategic transport network and core public transport network for South Staffordshire are shown on the Key Diagram.

Development proposals will, either individually or collectively, have to make appropriate provisions for:

- Reducing the need to travel;
- Widening travel choices and making travel by sustainable means of transport more attractive than the private car;
- Improving road safety;
- Improving air quality and reducing the impact of travel upon the environment, in particular reducing carbon emissions that contribute to climate change.

The Council will work with its partners to improve accessibility by enhancing sustainable transport opportunities in the District and encouraging development that reduces the need to travel. The Council will also work with its partners outside the District to support and improve cross boundary public transport services. Future growth and development in South

Staffordshire will be focused on the Main Service Villages and in sustainable locations to reduce the need to travel.

The Council will support initiatives related to the improvement of accessibility within the District including proposals for:

- Improving rural transport and rural accessibility in the District particularly for vulnerable people without access to a car and develop projects through the South Staffordshire Rural Transport Partnership;
- The retention and improvement of bus services and the extension of services to serve new development;
- Infrastructure improvements to railway stations including the provision of transport information, parking provision, and secure covered cycle parking;
- Improved walking and cycling facilities within existing villages and by providing safe and secure walking and cycling connections to and from new development and to the surrounding public transport network and access into the countryside. Encouragement will also be given for developing cycle and ride and cycle carriage on public transport.

Improvements to the local road and cycle network will be delivered through the transport strategy set out in the Local Transport Plan (LTP) and these include priority measures to improve accessibility, create safer roads, and reduce the impact of traffic. Support will also be given for the national cycle network. Highway infrastructure improvements will be required in connection with the development of the i54 strategic employment site at Wobaston Road.

The following national and regional transport infrastructure schemes may be delivered in the plan period:

- M54/M6/M6 Toll Link Road
- Brinsford Strategic Park and Ride Site

Travel behaviour change towards sustainable modes will be encouraged through the development of Travel Plans. Major developments, including employers and educational institutions should develop Travel Plans to promote sustainable means of travel.

Explanation

9.55 The Council's objectives in respect of transport and accessibility are set out in Strategic Objective 13. Due to the rural nature of South Staffordshire, the car will continue to be the main form of transport to access jobs, facilities and services in the District until improvements can be made to rural transport.

9.56 However, in shaping a sustainable future for South Staffordshire it will be important to ensure that development is directed to the most accessible and sustainable locations to reduce wherever possible the need to travel, improve the general level of accessibility to facilities and services, and help to reduce disadvantage and inequalities in access to services. The Council is actively

promoting walking and cycling as part of its healthy lifestyle and leisure programmes and these modes of travel should be encouraged as an alternative to the private car, particularly for shorter journeys.

- 9.57 Future transport needs are likely to mean taking a partnership approach to public transport and highway improvements between operators, developers and public sector agencies. The Council has prepared an Infrastructure Delivery Plan (IDP) and the necessary transport improvements required to deliver the strategy are identified within it.

Key Evidence

Sustainable Community Strategy 2008 – 2020
South Staffordshire Council Plan 2012 - 2016
Staffordshire Local Transport Plan 2006 - 2011
Rural Transport Review 2008
Accessibility Report 2009
Infrastructure Delivery Plan (IDP) 2010

Delivery and Monitoring

Through the Development Management process
Working with transport operators and other partners
Local investment through Rural Transport Partnership
Transport Assessments and Travel Plans
Infrastructure Delivery Plan

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

Development Policies

- 9.58 The following Development Policies support Core Policy 11.

Policy EV11: Sustainable Travel

All proposals for development must include provision for sustainable forms of transport to access the site, and within the development.

Measures commensurate with the development proposed must be incorporated as an integral part of the design of all development proposals, and could include where appropriate:

- a) footpaths, cycleways, safe and secure cycle parking, shelters, changing facilities and storage lockers;

10. Community Safety

Strategic Objectives

Strategic Objective 14:

To adopt a design-led approach to all new development to ensure that the distinctive character of the villages of South Staffordshire is maintained and enhanced and that attractive, well designed and safe places are created.

Introduction

- 10.1 The comments received during the preparation of the Core Strategy and expressed through the Sustainable Community Strategy consultations have highlighted that crime, and fear of crime are important issues. Crime and disorder levels in South Staffordshire are relatively low but there is perception amongst some residents that crime levels are high. The reduction of crime and anti-social behaviour, people's fear of crime and improving public confidence are key issues to be addressed. Community safety is more than just crime it is also about how to be safe both in the home and in the community and considering the needs of our ageing population
- 10.2 Feeling safe is important to the wellbeing and quality of life of all communities throughout South Staffordshire. These concerns are recognised as priorities in the Sustainable Community Strategy, Community Safety Partnership Plan and in Strategic Objective 14.
- 10.3 In delivering the local planning strategy, the emphasis will be on ensuring high quality design, reducing opportunities for crime through good design and creating a safe and secure living environment for local communities. Community safety infrastructure needs will be identified in the Infrastructure Delivery Plan (IDP).

Core Policy 13: Community Safety

The Council will work with its partners and support initiatives and activities that promote the safety of people of all ages, particularly the ageing population both in their home and the local community.

The design of all developments must take account of the need to reduce the opportunities for crime and fear of crime, disorder and anti-social behaviour, and promote safe living environments. Encouragement will be given to initiatives to design out crime in public areas, village centres and elsewhere whilst ensuring that the distinctive character of the villages of South Staffordshire is maintained and enhanced and attractive well-designed and safe places are created.

Development proposals should be consistent with other local planning

policies.

Explanation

- 10.4 The design of buildings and spaces can make a significant contribution towards reducing the scope for crime, and create more pleasant and reassuring environments in which to live, work and play. The opportunities for crime to occur can be minimised by designing and planning out crime in new development. The Council supports the national guidance 'Secured By Design' and will continue to work with Staffordshire Police architectural liaison officer in relation to the design and layout of development proposals.
- 10.5 The Council will also continue to support the work of the Staffordshire Fire and Rescue Service in the delivery of services and initiatives that ensure that our residents and businesses are safe and secure including support for the provision of new and enhanced infrastructure. Deficits in the provision of community safety infrastructure such as fire stations will be identified in the Infrastructure Delivery Plan.

Key Evidence

Sustainable Community Strategy 2008 – 2020
South Staffordshire Council Plan 2012 – 2016
Community Safety Partnership Plan 2008 – 2011
Locality Area Profiles
Infrastructure Delivery Plan (IDP) 2010

Delivery and Monitoring

Through the Development Management process
Community Safety Partnership Delivery Plans
Working with the Police, Fire and Rescue and other key partners
LSP Delivery Plans
Infrastructure Delivery Plan

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

Development Policies

- 10.6 The following Development Policy supports Core Policy 13.

Policy CS1: Designing Out Crime

In accordance with Core Policy 13, the design of development must include means of reducing the opportunities for crime and anti-social behaviour,

policies.

Explanation

- 10.4 The design of buildings and spaces can make a significant contribution towards reducing the scope for crime, and create more pleasant and reassuring environments in which to live, work and play. The opportunities for crime to occur can be minimised by designing and planning out crime in new development. The Council supports the national guidance 'Secured By Design' and will continue to work with Staffordshire Police architectural liaison officer in relation to the design and layout of development proposals.
- 10.5 The Council will also continue to support the work of the Staffordshire Fire and Rescue Service in the delivery of services and initiatives that ensure that our residents and businesses are safe and secure including support for the provision of new and enhanced infrastructure. Deficits in the provision of community safety infrastructure such as fire stations will be identified in the Infrastructure Delivery Plan.

Key Evidence

Sustainable Community Strategy 2008 – 2020
South Staffordshire Council Plan 2012 – 2016
Community Safety Partnership Plan 2008 – 2011
Locality Area Profiles
Infrastructure Delivery Plan (IDP) 2010

Delivery and Monitoring

Through the Development Management process
Community Safety Partnership Delivery Plans
Working with the Police, Fire and Rescue and other key partners
LSP Delivery Plans
Infrastructure Delivery Plan

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

Development Policies

- 10.6 The following Development Policy supports Core Policy 13.

Policy CS1: Designing Out Crime

In accordance with Core Policy 13, the design of development must include means of reducing the opportunities for crime and anti-social behaviour,

and must also seek to reduce the potential for fear of crime.

This will include support for:

- a) social facilities to be provided in locations which can be adequately controlled and supervised;
- b) development to be designed to increase natural surveillance of public and private spaces, with continuous public surveillance as an alternative;
- c) liaison with the Police to design out crime and fear of crime in specific schemes which also meet other design objectives in Policy EQ11.

Development proposals should be consistent with other local planning policies.

- 10.7 Core Policy 13 sets out the strategic policy for community safety that supports the aims and objectives of the Sustainable Community Strategy and the Community Safety Partnership Plan. The above Policy provides further detail on the design of development and 'Secured by Design', and in turn supports Policy EQ11 covering wider design considerations.

Key Evidence

Sustainable Community Strategy 2008 – 2020
South Staffordshire Council Plan 2012 – 2016
Community Safety Partnership Plan 2008 - 2011
Locality Area Profiles

Delivery and Monitoring

Through the Development Management process
Community Safety Partnership Delivery Plans
Working with the Police, Fire and Rescue Service and other key partners
LSP Delivery Plans

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

Development Policies

7.9 The following Development Policies support Core Policy 2.

Policy EQ1: Protecting, Enhancing and Expanding Natural Assets

Permission will be granted for development (alone or in combination) which would not cause significant harm to sites and/or habitats of nature conservation, geological or geomorphological value, including ancient woodlands and hedgerows, together with species that are protected or under threat. Support will be given to proposals which enhance and increase the number of sites and habitats of nature conservation value, and to meeting the objectives of the Staffordshire Biodiversity Action Plan (SBAP).

In line with the objectives of the Water Framework Directive (WFD), development proposals must not adversely affect the ecological status of a water body and wherever possible take measures to improve ecological value in order to help meet the required status.

International Sites

Any proposed development that could have an adverse affect on the integrity of an international wildlife, geodiversity or landscape site (e.g. Natura 2000 or Ramsar site, Special Area of Conservation) or on ground water flows to those sites, alone or in combination with other plans or projects, will not be permitted unless it can be demonstrated that the legislative provisions to protect such sites can be fully met.

National Sites

Protected wildlife, geodiversity and landscape sites designated under national legislation are shown on the Policies Map [e.g. Sites of Special Scientific Interest (SSSIs), National Nature Reserves (NNRs)] and will be protected under the terms of that legislation.

Local Sites

Locally important sites are also identified [e.g. Sites of Biological Importance (SBIs), Regionally Important Geological Sites (RIGs), Local Nature Reserves (LNRs)] and will be protected and enhanced. Outside the areas designated, the interests of nature conservation must be taken into account in accordance with national guidance.

The restoration or creation of new habitats and the expansion of habitats in South Staffordshire will be supported where these contribute to priorities in the UK Biodiversity Action Plan and the Staffordshire Biodiversity Action Plan including priority habitats such as native woodland, hedgerows, and lowland heathland. Areas or sites for the restoration or creation of biodiversity priority habitats will be identified through Biodiversity Opportunity Mapping working in partnership with

Natural England, Staffordshire Wildlife Trust and Staffordshire County Council.

Wherever possible, development proposals should build in biodiversity by incorporating ecologically sensitive design and features for biodiversity within the development scheme.

Development proposals should be consistent with the Supplementary Planning Documents on Biodiversity and Landscape Character and other local planning policies.

Explanation

- 7.10 The Policy seeks to protect and enhance the natural environment including the protection of trees, woodlands and hedgerows and is consistent with the NPPF.
- 7.11 Development should be supported on sites where it can be demonstrated that satisfactory mitigation measures for species and habitats can be created. The natural environment such as trees should also be integrated into the built environment for health and wellbeing, amenity and biodiversity benefits and climate change mitigation.
- 7.12 The Policy covers all aspects of biological and geological interest and provides direct support for the Staffordshire Biodiversity Action Plan. Within South Staffordshire, areas of native woodland and lowland heathland and hedgerows are identified as priority habitats and the Council will work with its partners in the restoration and creation of these habitats.

Key Evidence

Sustainable Community Strategy 2008 - 2020
Habitats Regulation Assessment Review of the Core Strategy 2010
Staffordshire Biodiversity Action Plan 2001
Staffordshire Geodiversity Action Plan 2004
Staffordshire Ecological Records
Tree and Woodland Strategy 2010
Open Space Strategy 2009
Cannock Chase AONB Management Plan 2009 - 2014
Evidence Base relating to Cannock Chase SAC and the Appropriate Assessment of Local Authority Core Strategies 2010
Cannock Chase Visitor Impact Mitigation Strategy 2010
Assessment of Physical and Environmental Constraints 2009

Delivery and Monitoring

Through the Development Management process in consultation with Natural England and other partners

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

and the provision of recycling facilities in new development. These need to be well-designed, in terms of efficiency and encouragement of use, and located in sustainable locations (particularly village centres, where use can be associated with the purpose of other trips). Reflecting other Local Plan policies, development proposals should minimise environmental and visual impact, and respect the interests of nature conservation and the historic environment.

Key Evidence

Sustainable Community Strategy 2008 - 2020
South Staffordshire Climate Change Strategy and Action Plan 2008
South Staffordshire Waste Strategy 2009
Staffordshire and Stoke-on-Trent Waste Core Strategy 2010 - 2026

Delivery and Monitoring

Through the Development Management process in consultation with Environment Agency and other partners
LSP Environmental Quality Delivery Plan
Sustainable Development SPD

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

Policy EQ9: Protecting Residential Amenity

All development proposals should take into account the amenity of any nearby residents, particularly with regard to privacy, security, noise and disturbance, pollution (including light pollution), odours and daylight.

Noise sensitive developments such as housing development will not be permitted in the vicinity of established noise generating uses where potential for harmful noise levels is known to exist unless measures to suppress noise sources can be provided through condition or legal agreement.

Development likely to generate harmful noise levels will be directed to appropriate locations away from known noise sensitive locations and noise sensitive habitats unless measures to suppress noise can be provided for the life of the development through legal agreement.

Sensitive developments such as housing will not be permitted in the vicinity of established sources of pollution which may give rise to harm to the amenity of occupants. Proposals involving the reuse and conversion of redundant agricultural buildings to residential use should not take place where agricultural use involving the keeping of animals or associated

waste is to be retained in adjacent buildings.

Development likely to harm the amenity of neighbouring residents will be directed to appropriate locations away from known sensitive locations.

Development must not unacceptably reduce the existing level of amenity space about buildings, particularly dwellings, and not unacceptably affect the amenity of residents or occupants.

Development proposals should be consistent with other local planning policies.

Explanation

- 7.49 The NPPF sets out the key role of the planning system to deliver sustainable development, including the role of planning in relation to the protection of amenity. The above Policy sets out the general principles relating to residential amenity particularly in respect of important issues such as privacy, noise and disturbance and pollution including the amenity of residents living adjacent to buildings in agricultural use. The policy also considers reasonable levels of private amenity space and seeks to safeguard the amenity of neighbours.

Key Evidence

South Staffordshire Contaminated Land Strategy 2001
Air Quality Updating and Screening Assessment 2009

Delivery and Monitoring

Through the Development Management process in consultation with Environment Agency and other partners
Air Quality Management Areas
LSP Environmental Quality Delivery Plan
Village Design Guide SPD (or subsequent revisions)

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

Policy EQ10: Hazardous and Environmentally Sensitive Development

The public, land uses and the natural environment will be protected from the actual or potential effects of hazardous or other activities likely to be detrimental to public health or amenity.

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,

promoting walking and cycling as part of its healthy lifestyle and leisure programmes and these modes of travel should be encouraged as an alternative to the private car, particularly for shorter journeys.

- 9.57 Future transport needs are likely to mean taking a partnership approach to public transport and highway improvements between operators, developers and public sector agencies. The Council has prepared an Infrastructure Delivery Plan (IDP) and the necessary transport improvements required to deliver the strategy are identified within it.

Key Evidence

Sustainable Community Strategy 2008 – 2020
South Staffordshire Council Plan 2012 - 2016
Staffordshire Local Transport Plan 2006 - 2011
Rural Transport Review 2008
Accessibility Report 2009
Infrastructure Delivery Plan (IDP) 2010

Delivery and Monitoring

Through the Development Management process
Working with transport operators and other partners
Local investment through Rural Transport Partnership
Transport Assessments and Travel Plans
Infrastructure Delivery Plan

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

Development Policies

- 9.58 The following Development Policies support Core Policy 11.

Policy EV11: Sustainable Travel

All proposals for development must include provision for sustainable forms of transport to access the site, and within the development.

Measures commensurate with the development proposed must be incorporated as an integral part of the design of all development proposals, and could include where appropriate:

- a) footpaths, cycleways, safe and secure cycle parking, shelters, changing facilities and storage lockers;

- b) bus stops/shelters and transport information;
- c) support for sustainable forms of transport (e.g. community transport schemes, workforce buses, and share-a-lift schemes);
- d) development, adoption, monitoring and promotion of Travel Plans;
- e) levels of car parking, commensurate with road safety, the reduction of congestion, and the availability of alternative means of transport; and
- f) facilities for charging plug-in and other low emission vehicles.

Development proposals should be consistent with other local planning policies.

Explanation

- 9.59 The provision of sustainable transport presents particular challenges in South Staffordshire given the predominately rural nature of the District with dispersed settlements and high car ownership. The strategy seeks to reflect these characteristics and adopt a balanced approach which acknowledges both the high level of car ownership (and the importance of car usage to local communities) whilst also seeking more sustainable patterns of development and more sustainable forms of transport. There is also the need to respond to the needs of people without access to a car particularly young and elderly people.
- 9.60 The Policy sets out specific requirements for accessibility at a site level to deliver the transport objectives in Core Policy 11. The intention to seek appropriate levels of car parking is designed to encourage movements by non-car modes, and is consistent with national planning policy on transport. Policy EV12 below covers the requirements relating to parking provision.

Key Evidence

Staffordshire Local Transport Plan 2006 - 2011
Rural Transport Review 2009

Delivery and Monitoring

Through the Development Management process
Transport Assessments and Travel Plans
Working with transport operators and private sector partners
Infrastructure Delivery Plan

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

Policy EV12: Parking Provision

The Council will require appropriate provision to be made for off street parking in development proposals in accordance with adopted parking standards. In considering the level of provision the Council will have regard to:

- a) the anticipated demand for parking arising from the use proposed, or other uses to which the development may be put without needing planning permission;
- b) the scope for encouraging alternative means of travel to the development that would reduce the need for on-site parking. This will be particularly relevant in areas well-served by public transport;
- c) the impact on highway safety from potential on-street parking and the scope for measures to overcome any problems; and
- d) the need to make adequate and convenient parking provision for disabled people.

The Council will require the provision of sufficient, safe, weatherproof, convenient and secure cycle parking within developments to assist in promoting cycle use.

The Council's parking standards are set out in Appendix 5.

Explanation

- 9.61 It is important that all forms of development provide an appropriate level of off street parking provision including provision for disabled people. Taking into account the Council's transport objectives, particularly encouraging alternative means of transport, provision will also need to be made for cycle parking within developments. The Policy sets out the specific requirements and the Council's parking standards are set out in detail in Appendix 5 and these are consistent with national policy.

Key Evidence

Staffordshire Local Transport Plan 2006 – 2011

Delivery and Monitoring

Core Strategy DPD
Adopted December 2012

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.*

Extra Care bed spaces. The Council will continue to work closely with the County Council for the provision of Extra Care facilities in the District to ensure that we are directing our efforts and resources to where they are most needed. Deficits in provision will be identified in the Infrastructure Delivery Plan (IDP).

- 8.31 In the Site Allocations DPD each site will have an individual development brief to identify the housing mix required, which will be informed by viability assessments to ensure that the requirements are achievable. This will be evidenced through the completion of a refreshed Housing Market Assessment. Local housing market studies will also underpin the consideration of housing mix on planning applications through the Development Management process.

Key Evidence

Sustainable Community Strategy 2008 - 2020
 LSP Housing Strategy 2009 - 2012
 Older Persons Strategy 2007
 Staffordshire Flexi Care Strategy 2010 - 2015

Delivery and Monitoring

Through the Development Management process
 LSP Housing Strategy Delivery Plan
 Working with the County Council and other partners
 Infrastructure Delivery Plan

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

Policy H6: Gypsies, Travellers and Travelling Showpeople

The Council will meet the accommodation needs of Gypsies, Travellers & Travelling Showpeople as set out in the Gypsy and Traveller Accommodation Assessment 2008 GTAA and seek to maintain a 5 year supply of specific deliverable sites identified on an annual basis: -

Accommodation	2007-2012	2012-2016	2016-2021	2021-2026	2026-2028
Residential Pitches	32	15	17	15	6
Transit Pitches	5	NA	NA	NA	NA
Travelling Showpeople plots	13	1	2	2	1
Total	50	16	19	17	7

The Council will grant planning permission in suitable locations for additional pitches and allocate suitable sites in the Site Allocations DPD in accordance with the National Planning Policy for Traveller Sites, the NPPF and the following criteria:

1. The intended occupants must meet the definition of Gypsies & Travellers or Travelling Showpeople as set out in Annex 1 of National Planning Policy for Traveller Sites; and
2. Essential services such as power, water sewerage, drainage and waste disposal are either available or can be provided to service the site; and
3. The site will be well designed and landscaped to give privacy between pitches; for the occupiers of the site and between the site and adjacent users to protect the amenities of the occupiers of the site and the amenities of neighbouring residential properties, including 'boaters'; and
4. Transit sites should have good access to the strategic highway network; and
5. Sites for Travelling Showpeople will be large enough to accommodate ancillary yards for business uses and be located in areas where there is no unacceptable impact on neighbouring residential properties, including 'boaters', by reason of air pollution, noise or risk to the health and safety of local residents arising from the storage of large items of mobile equipment; and
6. The site can adequately and safely be accessed by vehicles towing caravans, is well related to the established local highway network and adequate space within the site to accommodate vehicle parking, turning space and to accommodate the occupants of the site having regard to the provision of adequate amenity space and play space for children; and
7. The proposal, either in itself or cumulatively having regard to existing neighbouring sites, must be of an appropriate size so as to not put unacceptable strain on infrastructure or dominate the nearest settled communities to avoid problems of community safety arising from poor social cohesion with existing families; and
8. Proposals shall be sited and landscaped to ensure that any impact on the character and landscape of the locality is minimised, including impacts on biodiversity and nature conservation. In areas of nationally, sub-nationally or locally recognised designations planning permission will only be granted where the objectives of designation would not be compromised by the development – examples will include:
 - a) The Green Belt - where demonstrably harmful impact on the 'openness' of the Green Belt will be resisted;
 - b) Cannock Chase Area of Outstanding Natural Beauty (AONB) – where proposals that will harm the setting, function and integrity of

Cannock Chase will be resisted;

- c) Sites of Special Scientific Interest (SSSI), including Kinver Edge, Conservation Areas, Special Areas of Conservation (SAC), including Motte Meadows near Wheaton Aston, Local Nature Reserves (LNR), including Shoal Hill Common, or any other protected sites - where proposals that will harm the setting, function and integrity of these areas will be resisted;
- d) Recognised tourism and heritage assets of South Staffordshire, including historic parks and gardens and the environs of the canal network within the District - where proposals that could undermine the economic vibrancy of South Staffordshire, by harming the aims, objectives and planned actions within the Council's Tourism Strategy, will be resisted; and

9. Proposals must not be located in areas at high risk of flooding including functional floodplains (flood zones 3a and 3b).

The Council will monitor and manage the provision of additional pitches within South Staffordshire against the phased provision set out above. Where there is no shortfall against the phased provision within each phased time-frame, in determining planning applications for additional pitches the Council will firmly resist any proposals within the Green Belt or the open countryside within South Staffordshire or proposals in locations that could introduce problems of social cohesion with the settled community or with the occupants of authorised sites for Gypsies, Travellers and Travelling Showpeople.

The Council will not tolerate the occupation by Gypsies and Travellers of unlawful sites and will seek the assistance of the Courts to remove them from such sites and recover the costs of such removal and the cost of restoring the site to its original state.

The Council anticipates that the requirements to meet the needs of Gypsies, Travellers & Travelling Showpeople in South Staffordshire will be met through the provision of private sites. However, the Council will monitor the situation locally and liaise with the local Gypsy & Traveller Communities (including Travelling Showpeople), and seek to secure the provision of a suitably located public site(s) if there is a proven need for such provision having regard to the health, welfare and educational needs of the local travelling communities.

The Council will engage with the occupiers and owners of existing Gypsy & Traveller sites and sites of Travelling Showpeople in order to consider the capacity within existing sites and, where justified and subject to the criteria set out above, will consider the appropriate extension of existing sites.

Explanation

- 8.32 The housing needs of Gypsy and Traveller communities, including Travelling Showpeople is an important issue to be addressed. South Staffordshire Council, in partnership with Cannock Chase District Council, Lichfield District Council, Tamworth Borough Council, Nuneaton and Bedworth Borough Council, Rugby Borough Council and North Warwickshire Borough Council commissioned a Gypsy and Traveller Accommodation Assessment (GTAA) in 2007 and which was completed in February 2008.
- 8.33 The GTAA identified a need for additional permanent residential pitches for Gypsies and Travellers and plots for Travelling Showpeople within the District to 2026. In order to meet the requirements of NPPF, the GTAA pitch requirements have been increased by a further two years' supply to ensure that there will be a continuous delivery of pitches for at least 15 years from the date of the adoption of the Core Strategy DPD.
- 8.34 The Policy sets out the criteria for the delivery of additional residential pitches and transit pitches for Gypsies and Travellers and plots for Travelling Showpeople based on the evidence in the GTAA. It is intended that sites will be identified through the Site Allocations DPD.
- 8.35 Applications for new sites and the refurbishment of existing sites will normally be expected to meet the design guidelines detailed in National Guidance (Designing Gypsy and Traveller Sites, Good Practice Guide).

Key Evidence

LSP Housing Strategy 2009 - 2012
Gypsy and Traveller Accommodation Assessment 2008
Gypsy and Traveller Site Data
WMRSS Evidence Base
WMRSS Interim Policy Statement 2010

Delivery and Monitoring

Through the Development Management process
Working with Gypsy and Traveller communities
Site Allocations DPD

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

5. Strategic Objectives

- 5.1 The following Core Strategy objectives outline what will need to be achieved to deliver the Vision and address the key issues and challenges that have been identified in the District. The Strategic Objectives give direction to the Spatial Strategy which follows.
- 5.2 The Strategic Objectives to achieve the long-term vision, manage change and deliver policies to shape a sustainable future for South Staffordshire are set out below under the Sustainable Community Strategy themes.

The Spatial Strategy

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.

Environmental Quality

Strategic Objective 3

To protect and improve South Staffordshire's environmental assets.

Strategic Objective 4

To protect, conserve and enhance the countryside, character and quality of the landscape and the diversity of wildlife and habitats.

Strategic Objective 5

To protect, conserve and enhance the historic environment and heritage assets and ensure that the character and appearance of the District's Conservation Areas is sustained and enhanced through management plans and high quality design.

Strategic Objective 6

To ensure that all new development is sustainable, enabling people to satisfy their basic needs and enjoy a better quality of life, without compromising the quality of life of future generations.

Strategic Objective 7

To reduce the effect of society on the environment, and adapt to the impacts of climate change.

Housing

Strategic Objective 8

To ensure the delivery of a minimum of 644 decent homes for members of the community including the provision of affordable homes which matches in type, tenure and size the needs of the residents of South Staffordshire and to meet the needs of an ageing population.

Economic Vibrancy

Strategic Objective 9

To meet local housing and employment needs, having regard to the Spatial Strategy for South Staffordshire, in a way that enables the existing villages within South Staffordshire to develop in a sustainable way that secures their future viability and prosperity, and supports the regeneration of rural communities and communities in neighbouring urban areas.

Strategic Objective 10

To support the urban regeneration of the Black Country Major Urban Area by distributing new housing and employment growth within South Staffordshire in a way that supports existing local communities and in particular discourages out-migration from the Black Country Major Urban Area.

Strategic Objective 11

To support the growth of a vibrant, prosperous and sustainable local economy; sustain, improve and enhance the vitality and viability of village centres and promote South Staffordshire as a tourist destination.

Strategic Objective 12

To support thriving and sustainable communities by ensuring that local people enjoy access to jobs and key services such as social, health care, education, open space and recreation, cultural and other facilities.

Strategic Objective 13

To reduce the need to travel, to secure improvements to public transport infrastructure and services and make it safer and easier for the community to

travel to jobs and key services by sustainable forms of transport, such as public transport, walking and cycling.

Community Safety

Strategic Objective 14

To adopt a design-led approach to all new development to ensure that the distinctive character of the villages of South Staffordshire is maintained and enhanced and that attractive, well designed and safe places are created.

Health and Wellbeing

Strategic Objective 15

To improve the quality of outdoor and indoor leisure, sport and recreation facilities in South Staffordshire and ensure that each community has access to sufficient areas of green space and built facilities.

Children and Young People

Strategic Objective 16

To support the needs of children and young people in South Staffordshire, ensure that provision is made for children's play and that teenagers have access to leisure, sport and recreation and learning opportunities.

The Local Planning Strategy

- 5.3 The local planning strategy is expressed through a number of Core Policies and supporting Development Policies and these are set out in individual chapters. The Spatial Strategy, National Policy 1, Core Policy 1 and Development Policies GB1, GB2 and OC1 are the principal focus for the strategy.
- 5.4 The following chapters are all structured in the same way and commence by setting out the 'Strategic Objectives' and then identify a series of 'Core Policies'. These are the higher level or 'strategic' policies to guide the growth and development of the District and they are then followed and supported by more detailed 'Development Policies' which are intended to manage the types of land uses and development that will take place in South Staffordshire over the lifetime of the plan. The following diagram shows how it all links together.



Appeal Ref: APP/C3430/C/24/3337033

Enforcement Ref: 22/00239/UNCOU

Appeal by: Donna Ward

Site at: Land South Of New Acre Stables, Wolverhampton Road, Penkridge, ST19 5PA

Planning Contravention Notices were served but not completed by the recipients.

CERTIFICATE OF SERVICE

LIST OF DOCUMENTS SERVED

- **PNC x 2 & COVER LETTER RE- LAND SOUTH OF NEW ACRE STABLES,
WOLVERHAMPTON ROAD, PENKRIDGE, STAFFORDSHIRE ST19 5PA**

I, Mark Andrew Bray certify that on 29th September 2023, two copies of the above documents were sent to:

1. FRED BLOSSOM SMITH
32, Wolverhampton Road,
Wolverhampton
WV1 4BN

Tracking Reference: DS376247988GB

2. JOHN JOSEPH MCCARTHY
102 Stubby Lane,
Wolverhampton
WV11 3NJ

Tracking Reference: DS376247974GB

POST OFFICE Ltd
CERTIFICATE OF POSTING

Malvern Row
1-2 Malvern Row
Manchester
Greater Manchester
M15 4FD

Posting date: 29/09/2023 14:45
Session ID: 1-80211 N
After last acceptance time? N

Destination Country UK (EU)
Address Validated? N
Special D by 1 £6.85
Large Letter
Weight 0.084 kg

Reference number
DS376247991GB

Building Name or Number Postcode
32 WV14BN

Next day guaranteed delivery service.
Tracking and signature at royalmail.com.

Destination Country UK (EU)
Address Validated? N
Special D by 1 £6.85
Large Letter
Weight 0.100 kg

Reference number
DS376247988GB

Building Name or Number Postcode
102 WV113NJ

Next day guaranteed delivery service.
Tracking and signature at royalmail.com.

Destination Country UK (EU)
Address Validated? N
Special D by 1 £6.85
Large Letter
Weight 0.085 kg

Reference number
DS376247974GB

Building Name or Number Postcode
9 WV107JT

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PLEASE REFER TO SEPARATE TERMS AND
CONDITIONS

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* * * * *

Please retain for future reference

I believe that the facts stated in this certificate of service are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Dated: 29th September 2023

Signed:

A handwritten signature in black ink, appearing to read 'Mark Bray', written in a cursive style.

Printed: Mark Bray

Job Title: Planning Enforcement Consultant



South Staffordshire Council

PLANNING ENFORCEMENT

FRED BLOSSOM SMITH
32, Wolverhampton Road,
Wolverhampton
WV1 4BN

Case Officer: Mark Bray

Telephone: 01902 696000

Email: m.bray@sstaffs.gov.uk

Date: 29th September 2023

CASE REFERENCE	22/00239/UNCOU
DESCRIPTION	Without planning permission, the material change of use of land to a use for the stationing of a caravan for residential purposes on the land outlined in red for identification purposes on the site plan attached to this notice.
LOCATION	Land South of New Acre Stables, Wolverhampton Road, Penkridge, Staffordshire ST19 5PA outlined in red on the plan attached to this notice.

Dear Mr Smith,

I write in relation to the subject detailed breach in planning control.

In accordance with Sections 172C(2) and (3), I enclose a Planning Contravention Notice which entitles the Council to request information about the land and its uses.

Please provide the information requested in the Notice within 21 days (23rd October 2023) beginning on the day on which this notice is served on you (23rd October 2023).

This information can be submitted in three different ways listed below.

- By emailing the completed notice to m.bray@sstaffs.gov.uk
- By post, please address to Mark Bray the postal address can be found at the bottom of the letter
- By hand delivering the completed notice to the reception desk and the Council Offices

You will note from the information provided in the Notice that it is an offence if you fail to provide the required information within of the prescribed period of time.

If you have any queries please contact me on 01902 696000 or via email.

Yours sincerely,

Mark Bray AssocRTPI
Planning Enforcement Consultant

South Staffordshire District Council
Planning Department
Council Offices
Wolverhampton Road
Codsall,
South Staffordshire,
WV8 1PX

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990
(AS AMENDED BY THE PLANNING AND COMPENSATION ACT 1991)

PLANNING CONTRAVENTION NOTICE

ISSUED BY: SOUTH STAFFORDSHIRE DISTRICT COUNCIL

TO: FRED BLOSSOM SMITH 32, Wolverhampton Road, Wolverhampton WV1 4BN

1. **THIS NOTICE** is served by the Council because it appears to it that there may have been a breach of planning control within section 171A(1) of the above Act, at the land described below. It is served on you as a person who appears to be the owner or occupier of the land or has another interest in it, or who is carrying out operations in, on, over or under the land or is using it for any purpose. The Council requires you, in exercise of its powers under Section 171C(2) and (3), so far as you are able, to provide certain information about interests in, and activities, on the land.

2. **THE LAND TO WHICH THE NOTICE RELATES**

Land South of New Acre Stables, Wolverhampton Road, Penkridge, Staffordshire ST19 5PA outlined in red on the plan attached to this notice (“the Land”).

3. **THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL**

Without planning permission, the material change of use of land to a use for the stationing of a caravan for residential purposes on the land outlined in red for identification purposes on the site plan attached to this notice.

4. **WHAT YOU ARE REQUIRED TO DO**

Provide in writing the following information:

- a) Your full name (including any middle names), date of birth, and full address of the property at which you currently reside.

b) The names, dates of birth and addresses of any other persons having an interest in the Land (include all owners, mortgagees, charges, lessees, licensees and any other person(s) with a right to the use of the Land for any purpose).

c) What is your interest in the land known as Land North of New Acre Stables, Wolverhampton Road, Penkridge, Staffordshire ST19 5PA

d) For what purpose is the land used for and when did that use, or uses commence?

e) When was the static mobile home stationed on the Land.

f) Who currently resides in the static mobile home.

g) Please provide any further information that you consider relevant.

Time within which the information must be provided: 23rd October 2023

5. OPPORTUNITY TO MAKE REPRESENTATIONS IN RESPONSE TO THE NOTICE

If you wish to make an offer to apply for planning permission, or to stop carrying out any operations or activities, or to undertake remedial works; or to make any representations about this notice, the Council will consider them 23rd October 2023. If you wish to make representation you will need to contact the officer dealing with the case (contact details of the officer can be found on the cover letter).

6. WARNING

It is an offence to fail, without reasonable excuse, to comply with any requirement of this notice by 23rd October 2023. The maximum penalty on conviction of this offence is a fine of £1,000. Continuing failure to comply following a conviction will constitute a further offence.

It is also an offence knowingly or recklessly to give information, in response to this notice, which is false or misleading in a material particular when purporting to comply with the notice. The maximum penalty on conviction of this offence is a fine of £5,000.

Please sign below to confirm you have read and understood the warning of Section 6.

SIGNATURE DATE

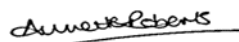
7. ADDITIONAL INFORMATION

If you fail to respond to this notice, the Council may take further action in respect of the suspected breach of planning control. In particular, they may issue an enforcement notice, under section 172 of the 1990 Act, requiring the breach, or any injury to amenity caused by it, to be remedied.

If the Council serves a stop notice, and or one or more temporary stop notices under sections 183 and 171E respectively of the 1990 Act, section 186(5)(b) of the 1990 Act provides that you should otherwise become entitled (under Section 186) to compensation for loss or damage attributable to that notice, no such compensation will be payable in respect of any loss or damage which could have

been avoided had you given the Council the information required by this notice, or had you otherwise co-operated with the Council when responding to it.

Date: 29th September 2023

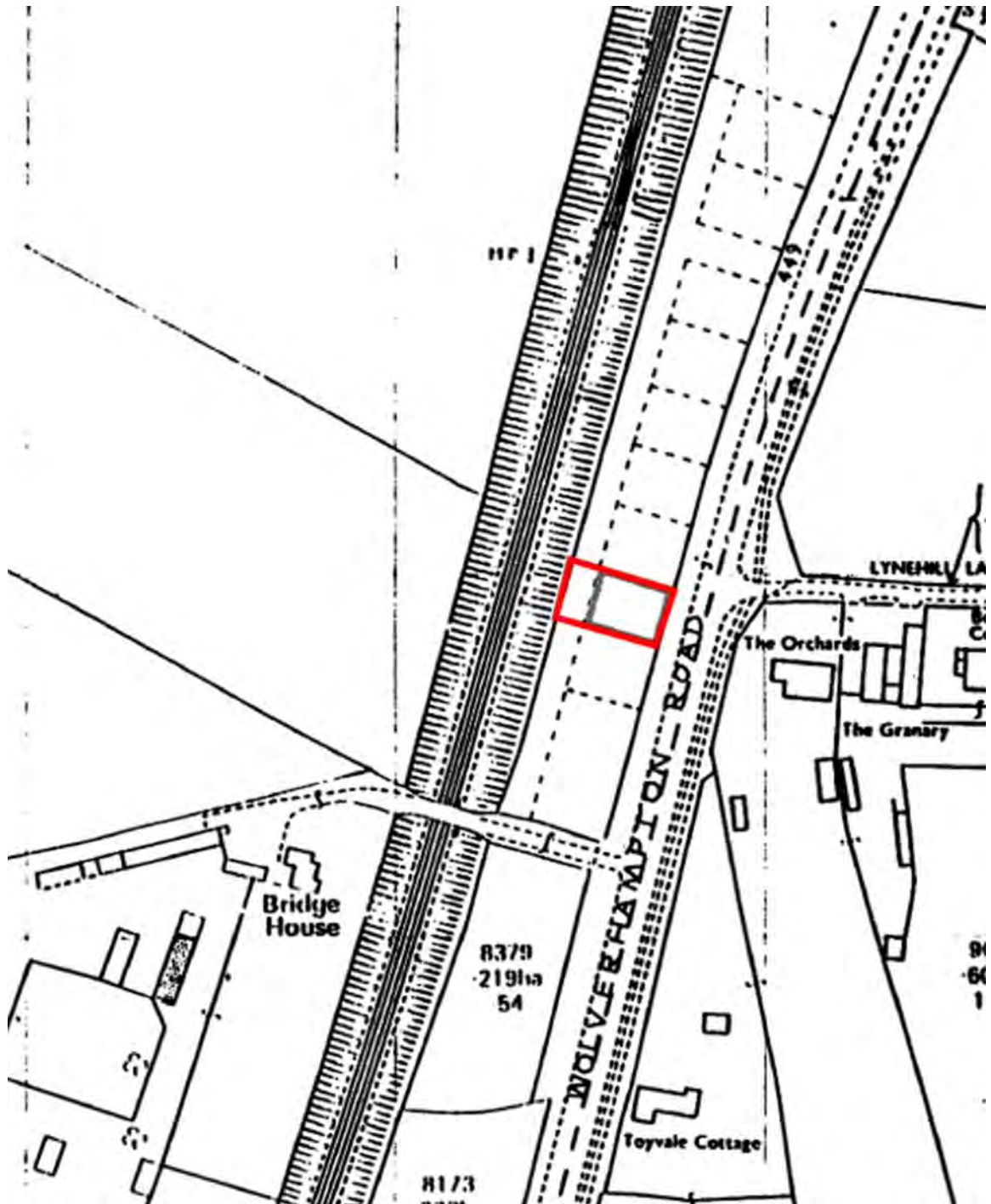
Aimee Roberts

Signed:

Corporate Director of Place and Communities, South Staffordshire District Council,
Council Offices, Wolverhampton Road, Codsall, South Staffordshire WV8 1PX

RED LINE PLAN TO ACCOMPANY PLANNING CONTRAVENTION NOTICE

Land South Of New Acre Stables, Wolverhampton Road, Penkridge,
Staffordshire ST19 5PA





South Staffordshire Council

PLANNING ENFORCEMENT

JOHN JOSEPH MCCARTHY
102, Stubby Lane,
Wolverhampton
WV11 3NJ

Case Officer: Mark Bray

Telephone: 01902 696000

Email: m.bray@sstaffs.gov.uk

Date: 29th September 2023

CASE REFERENCE	22/00239/UNCOU
DESCRIPTION	Without planning permission, the material change of use of land to a use for the stationing of a caravan for residential purposes on the land outlined in red for identification purposes on the site plan attached to this notice.
LOCATION	Land South of New Acre Stables, Wolverhampton Road, Penkridge, Staffordshire ST19 5PA outlined in red on the plan attached to this notice.

Dear Mr McCarthy,

I write in relation to the subject detailed breach in planning control.

In accordance with Sections 172C(2) and (3), I enclose a Planning Contravention Notice which entitles the Council to request information about the land and its uses.

Please provide the information requested in the Notice within 21 days (23rd October 2023) beginning on the day on which this notice is served on you (23rd October 2023).

This information can be submitted in three different ways listed below.

- By emailing the completed notice to m.bray@sstaffs.gov.uk
- By post, please address to Mark Bray the postal address can be found at the bottom of the letter
- By hand delivering the completed notice to the reception desk and the Council Offices

You will note from the information provided in the Notice that it is an offence if you fail to provide the required information within of the prescribed period of time.

If you have any queries please contact me on 01902 696000 or via email.

Yours sincerely,

Mark Bray AssocRTPI
Planning Enforcement Consultant

South Staffordshire District Council
Planning Department
Council Offices
Wolverhampton Road
Codsall,
South Staffordshire,
WV8 1PX

**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR
PROPERTY**

TOWN AND COUNTRY PLANNING ACT 1990
(AS AMENDED BY THE PLANNING AND COMPENSATION ACT 1991)

PLANNING CONTRAVENTION NOTICE

ISSUED BY: SOUTH STAFFORDSHIRE DISTRICT COUNCIL

TO: JOHN JOSEPH MCCARTHY 102 Stubby Lane, Wolverhampton WV11 3NJ

1. **THIS NOTICE** is served by the Council because it appears to it that there may have been a breach of planning control within section 171A(1) of the above Act, at the land described below. It is served on you as a person who appears to be the owner or occupier of the land or has another interest in it, or who is carrying out operations in, on, over or under the land or is using it for any purpose. The Council requires you, in exercise of its powers under Section 171C(2) and (3), so far as you are able, to provide certain information about interests in, and activities, on the land.

2. **THE LAND TO WHICH THE NOTICE RELATES**

Land South of New Acre Stables, Wolverhampton Road, Penkridge, Staffordshire ST19 5PA outlined in red on the plan attached to this notice (“the Land”).

3. **THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL**

Without planning permission, the material change of use of land to a use for the stationing of a caravan for residential purposes on the land outlined in red for identification purposes on the site plan attached to this notice.

4. **WHAT YOU ARE REQUIRED TO DO**

Provide in writing the following information:

- a) Your full name (including any middle names), date of birth, and full address of the property at which you currently reside.

b) The names, dates of birth and addresses of any other persons having an interest in the Land (include all owners, mortgagees, charges, lessees, licensees and any other person(s) with a right to the use of the Land for any purpose).

c) What is your interest in the land known as Land North of New Acre Stables, Wolverhampton Road, Penkridge, Staffordshire ST19 5PA

d) For what purpose is the land used for and when did that use, or uses commence?

e) When was the static mobile home stationed on the Land.

f) Who currently resides in the static mobile home.

g) Please provide any further information that you consider relevant.

Time within which the information must be provided: 23rd October 2023

5. OPPORTUNITY TO MAKE REPRESENTATIONS IN RESPONSE TO THE NOTICE

If you wish to make an offer to apply for planning permission, or to stop carrying out any operations or activities, or to undertake remedial works; or to make any representations about this notice, the Council will consider them 23rd October 2023. If you wish to make representation you will need to contact the officer dealing with the case (contact details of the officer can be found on the cover letter).

6. WARNING

It is an offence to fail, without reasonable excuse, to comply with any requirement of this notice by 23rd October 2023. The maximum penalty on conviction of this offence is a fine of £1,000. Continuing failure to comply following a conviction will constitute a further offence.

It is also an offence knowingly or recklessly to give information, in response to this notice, which is false or misleading in a material particular when purporting to comply with the notice. The maximum penalty on conviction of this offence is a fine of £5,000.

Please sign below to confirm you have read and understood the warning of Section 6.

SIGNATURE DATE

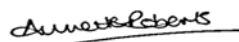
7. ADDITIONAL INFORMATION

If you fail to respond to this notice, the Council may take further action in respect of the suspected breach of planning control. In particular, they may issue an enforcement notice, under section 172 of the 1990 Act, requiring the breach, or any injury to amenity caused by it, to be remedied.

If the Council serves a stop notice, and or one or more temporary stop notices under sections 183 and 171E respectively of the 1990 Act, section 186(5)(b) of the 1990 Act provides that you should otherwise become entitled (under Section 186) to compensation for loss or damage attributable to that notice, no such compensation will be payable in respect of any loss or damage which could have

been avoided had you given the Council the information required by this notice, or had you otherwise co-operated with the Council when responding to it.

Date: 29th September 2023

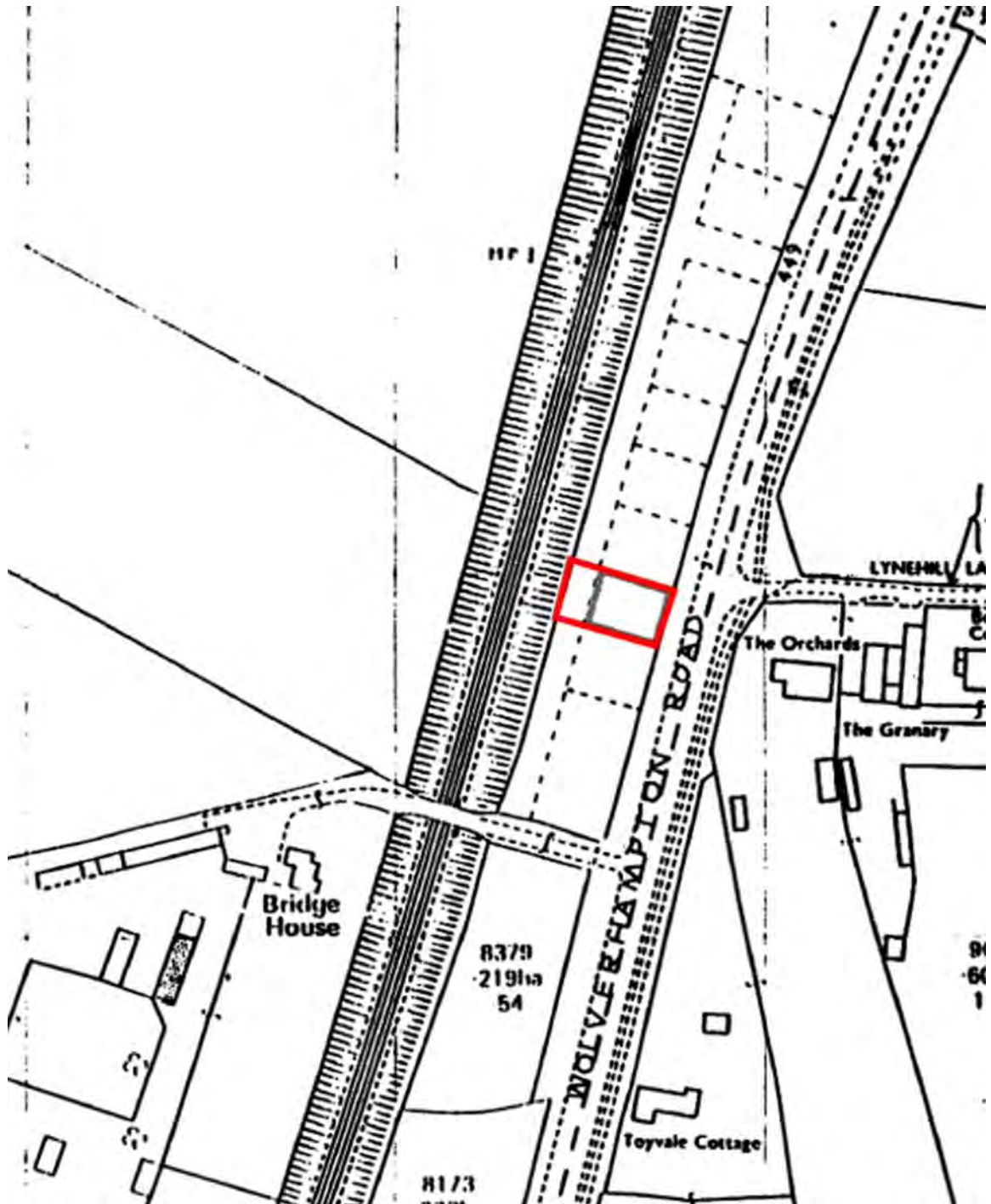
Aimee Roberts

Signed:

Corporate Director of Place and Communities, South Staffordshire District Council,
Council Offices, Wolverhampton Road, Codsall, South Staffordshire WV8 1PX

RED LINE PLAN TO ACCOMPANY PLANNING CONTRAVENTION NOTICE

Land South Of New Acre Stables, Wolverhampton Road, Penkridge,
Staffordshire ST19 5PA



CERTIFICATE OF SERVICE

LIST OF DOCUMENTS SERVED

- **PNC x 2 & COVER LETTER RE- LAND SOUTH OF NEW ACRE STABLES,
WOLVERHAMPTON ROAD, PENKRIDGE, STAFFORDSHIRE ST19 5PA**

I, Mark Andrew Bray certify that on 27th October 2023, two copies of the above documents were sent to:

1. FRED BLOSSOM SMITH
New Acre Stables,
Wolverhampton Road,
Penkridge,
Staffordshire
ST19 5PA

Tracking Reference: DS376249520GB

2. JOHN JOSEPH MCCARTHY
New Acre Stables,
Wolverhampton Road,
Penkridge,
Staffordshire
ST19 5PA

Tracking Reference: DS376249516GB



I believe that the facts stated in this certificate of service are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Dated: 27th October 2023

Signed:

Printed: Mark Bray

Job Title: Planning Enforcement Consultant



FRED BLOSSOM SMITH
New Acre Stables,
Wolverhampton Road,
Penkridge,
Staffordshire
ST19 5PA

Case Officer: Mark Bray

Telephone: 01902 696000

Email: m.bray@sstaffs.gov.uk

Date: 26th October 2023

CASE REFERENCE	22/00239/UNCOU
DESCRIPTION	Without planning permission, the material change of use of land to a use for the stationing of a caravan for residential purposes on the land outlined in red for identification purposes on the site plan attached to this notice.
LOCATION	Land South of New Acre Stables, Wolverhampton Road, Penkridge, Staffordshire ST19 5PA outlined in red on the plan attached to this notice.

Dear Mr Smith,

I write in relation to the subject detailed breach in planning control.

In accordance with Sections 172C(2) and (3), I enclose a Planning Contravention Notice which entitles the Council to request information about the land and its uses.

Please provide the information requested in the Notice within 21 days (21st November 2023) beginning on the day on which this notice is served on you (21st November 2023).

This information can be submitted in three different ways listed below.

- By emailing the completed notice to m.bray@sstaffs.gov.uk
- By post, please address to Mark Bray the postal address can be found at the bottom of the letter
- By hand delivering the completed notice to the reception desk and the Council Offices

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If you have any queries please contact me on 01902 696000 or via email.

Yours sincerely,

Mark Bray AssocRTPI
Planning Enforcement Consultant

South Staffordshire District Council
Planning Department
Council Offices
Wolverhampton Road
Codsall,
South Staffordshire,
WV8 1PX

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990
(AS AMENDED BY THE PLANNING AND COMPENSATION ACT 1991)

PLANNING CONTRAVENTION NOTICE

ISSUED BY: SOUTH STAFFORDSHIRE DISTRICT COUNCIL

**TO: FRED BLOSSOM SMITH New Acre Stables, Wolverhampton Road,
Penkridge, Staffordshire ST19 5PA**

1. **THIS NOTICE** is served by the Council because it appears to it that there may have been a breach of planning control within section 171A(1) of the above Act, at the land described below. It is served on you as a person who appears to be the owner or occupier of the land or has another interest in it, or who is carrying out operations in, on, over or under the land or is using it for any purpose. The Council requires you, in exercise of its powers under Section 171C(2) and (3), so far as you are able, to provide certain information about interests in, and activities, on the land.

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b) The names, dates of birth and addresses of any other persons having an interest in the Land (include all owners, mortgagees, charges, lessees, licensees and any other person(s) with a right to the use of the Land for any purpose).

c) What is your interest in the land known as Land North of New Acre Stables, Wolverhampton Road, Penkridge, Staffordshire ST19 5PA

d) For what purpose is the land used for and when did that use, or uses commence?

e) When was the static mobile home stationed on the Land.

f) Who currently resides in the static mobile home.

g) Please provide any further information that you consider relevant.

Time within which the information must be provided: 21st November 2023

5. OPPORTUNITY TO MAKE REPRESENTATIONS IN RESPONSE TO THE NOTICE

If you wish to make an offer to apply for planning permission, or to stop carrying out any operations or activities, or to undertake remedial works; or to make any representations about this notice, the Council will consider them 21st November 2023. If you wish to make representation you will need to contact the officer dealing with the case (contact details of the officer can be found on the cover letter).

6. WARNING

It is an offence to fail, without reasonable excuse, to comply with any requirement of this notice by 21st November 2023. The maximum penalty on conviction of this offence is a fine of £1,000. Continuing failure to comply following a conviction will constitute a further offence.

It is also an offence knowingly or recklessly to give information, in response to this notice, which is false or misleading in a material particular when purporting to comply with the notice. The maximum penalty on conviction of this offence is a fine of £5,000.

Please sign below to confirm you have read and understood the warning of Section 6.

SIGNATURE DATE

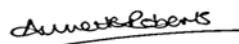
7. ADDITIONAL INFORMATION

If you fail to respond to this notice, the Council may take further action in respect of the suspected breach of planning control. In particular, they may issue an enforcement notice, under section 172 of the 1990 Act, requiring the breach, or any injury to amenity caused by it, to be remedied.

If the Council serves a stop notice, and or one or more temporary stop notices under sections 183 and 171E respectively of the 1990 Act, section 186(5)(b) of the

1990 Act provides that you should otherwise become entitled (under Section 186) to compensation for loss or damage attributable to that notice, no such compensation will be payable in respect of any loss or damage which could have been avoided had you given the Council the information required by this notice, or had you otherwise co-operated with the Council when responding to it.

Date: 26th October 2023

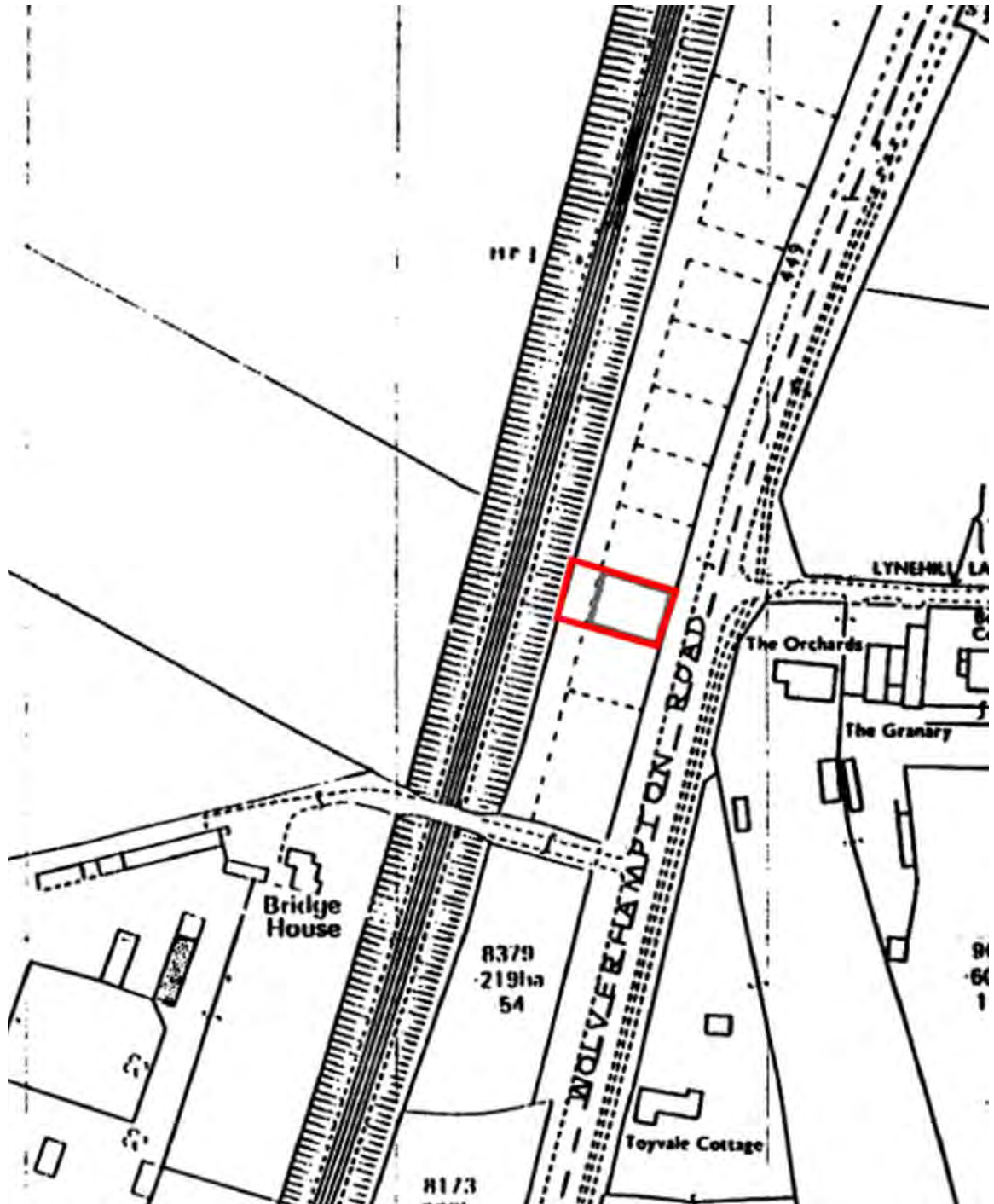
Aimee Roberts

Signed:

Corporate Director of Place and Communities, South Staffordshire District Council,
Council Offices, Wolverhampton Road, Codsall, South Staffordshire WV8 1PX

RED LINE PLAN TO ACCOMPANY PLANNING CONTRAVENTION NOTICE

Land South Of New Acre Stables, Wolverhampton Road, Penkridge,
Staffordshire ST19 5PA





South Staffordshire Council

PLANNING ENFORCEMENT

JOHN JOSEPH MCCARTHY
New Acre Stables,
Wolverhampton Road,
Penkridge,
Staffordshire
ST19 5PA

Case Officer: Mark Bray

Telephone: 01902 696000

Email: m.bray@sstaffs.gov.uk

Date: 26th October 2023

CASE REFERENCE	22/00239/UNCOU
DESCRIPTION	Without planning permission, the material change of use of land to a use for the stationing of a caravan for residential purposes on the land outlined in red for identification purposes on the site plan attached to this notice.
LOCATION	Land South of New Acre Stables, Wolverhampton Road, Penkridge, Staffordshire ST19 5PA outlined in red on the plan attached to this notice.

Dear Mr McCarthy,

I write in relation to the subject detailed breach in planning control.

In accordance with Sections 172C(2) and (3), I enclose a Planning Contravention Notice which entitles the Council to request information about the land and its uses.

Please provide the information requested in the Notice within 21 days (21st November 2023) beginning on the day on which this notice is served on you (21st November 2023).

This information can be submitted in three different ways listed below.

- By emailing the completed notice to m.bray@sstaffs.gov.uk
- By post, please address to Mark Bray the postal address can be found at the bottom of the letter
- By hand delivering the completed notice to the reception desk and the Council Offices

You will note from the information provided in the Notice that it is an offence if you fail to provide the required information within of the prescribed period of time.

If you have any queries please contact me on 01902 696000 or via email.

Yours sincerely,

Mark Bray AssocRTPI
Planning Enforcement Consultant

South Staffordshire District Council
Planning Department
Council Offices
Wolverhampton Road
Codsall,
South Staffordshire,
WV8 1PX

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990
(AS AMENDED BY THE PLANNING AND COMPENSATION ACT 1991)

PLANNING CONTRAVENTION NOTICE

ISSUED BY: SOUTH STAFFORDSHIRE DISTRICT COUNCIL

TO: JOHN JOSEPH MCCARTHY New Acre Stables, Wolverhampton Road, Penkridge, Staffordshire ST19 5PA

1. **THIS NOTICE** is served by the Council because it appears to it that there may have been a breach of planning control within section 171A(1) of the above Act, at the land described below. It is served on you as a person who appears to be the owner or occupier of the land or has another interest in it, or who is carrying out operations in, on, over or under the land or is using it for any purpose. The Council requires you, in exercise of its powers under Section 171C(2) and (3), so far as you are able, to provide certain information about interests in, and activities, on the land.

2. **THE LAND TO WHICH THE NOTICE RELATES**

Land South of New Acre Stables, Wolverhampton Road, Penkridge, Staffordshire ST19 5PA outlined in red on the plan attached to this notice (“the Land”).

3. **THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL**

Without planning permission, the material change of use of land to a use for the stationing of a caravan for residential purposes on the land outlined in red for identification purposes on the site plan attached to this notice.

4. **WHAT YOU ARE REQUIRED TO DO**

Provide in writing the following information:

- a) Your full name (including any middle names), date of birth, and full address of the property at which you currently reside.

b) The names, dates of birth and addresses of any other persons having an interest in the Land (include all owners, mortgagees, charges, lessees, licensees and any other person(s) with a right to the use of the Land for any purpose).

c) What is your interest in the land known as Land North of New Acre Stables, Wolverhampton Road, Penkridge, Staffordshire ST19 5PA

d) For what purpose is the land used for and when did that use, or uses commence?

e) When was the static mobile home stationed on the Land.

f) Who currently resides in the static mobile home.

g) Please provide any further information that you consider relevant.

Time within which the information must be provided: 21st November 2023

5. OPPORTUNITY TO MAKE REPRESENTATIONS IN RESPONSE TO THE NOTICE

If you wish to make an offer to apply for planning permission, or to stop carrying out any operations or activities, or to undertake remedial works; or to make any representations about this notice, the Council will consider them 21st November 2023. If you wish to make representation you will need to contact the officer dealing with the case (contact details of the officer can be found on the cover letter).

6. WARNING

It is an offence to fail, without reasonable excuse, to comply with any requirement of this notice by 21st November 2023. The maximum penalty on conviction of this offence is a fine of £1,000. Continuing failure to comply following a conviction will constitute a further offence.

It is also an offence knowingly or recklessly to give information, in response to this notice, which is false or misleading in a material particular when purporting to comply with the notice. The maximum penalty on conviction of this offence is a fine of £5,000.

Please sign below to confirm you have read and understood the warning of Section 6.

SIGNATURE DATE

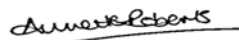
7. ADDITIONAL INFORMATION

If you fail to respond to this notice, the Council may take further action in respect of the suspected breach of planning control. In particular, they may issue an enforcement notice, under section 172 of the 1990 Act, requiring the breach, or any injury to amenity caused by it, to be remedied.

If the Council serves a stop notice, and or one or more temporary stop notices under sections 183 and 171E respectively of the 1990 Act, section 186(5)(b) of the

1990 Act provides that you should otherwise become entitled (under Section 186) to compensation for loss or damage attributable to that notice, no such compensation will be payable in respect of any loss or damage which could have been avoided had you given the Council the information required by this notice, or had you otherwise co-operated with the Council when responding to it.

Date: 26th October 2023

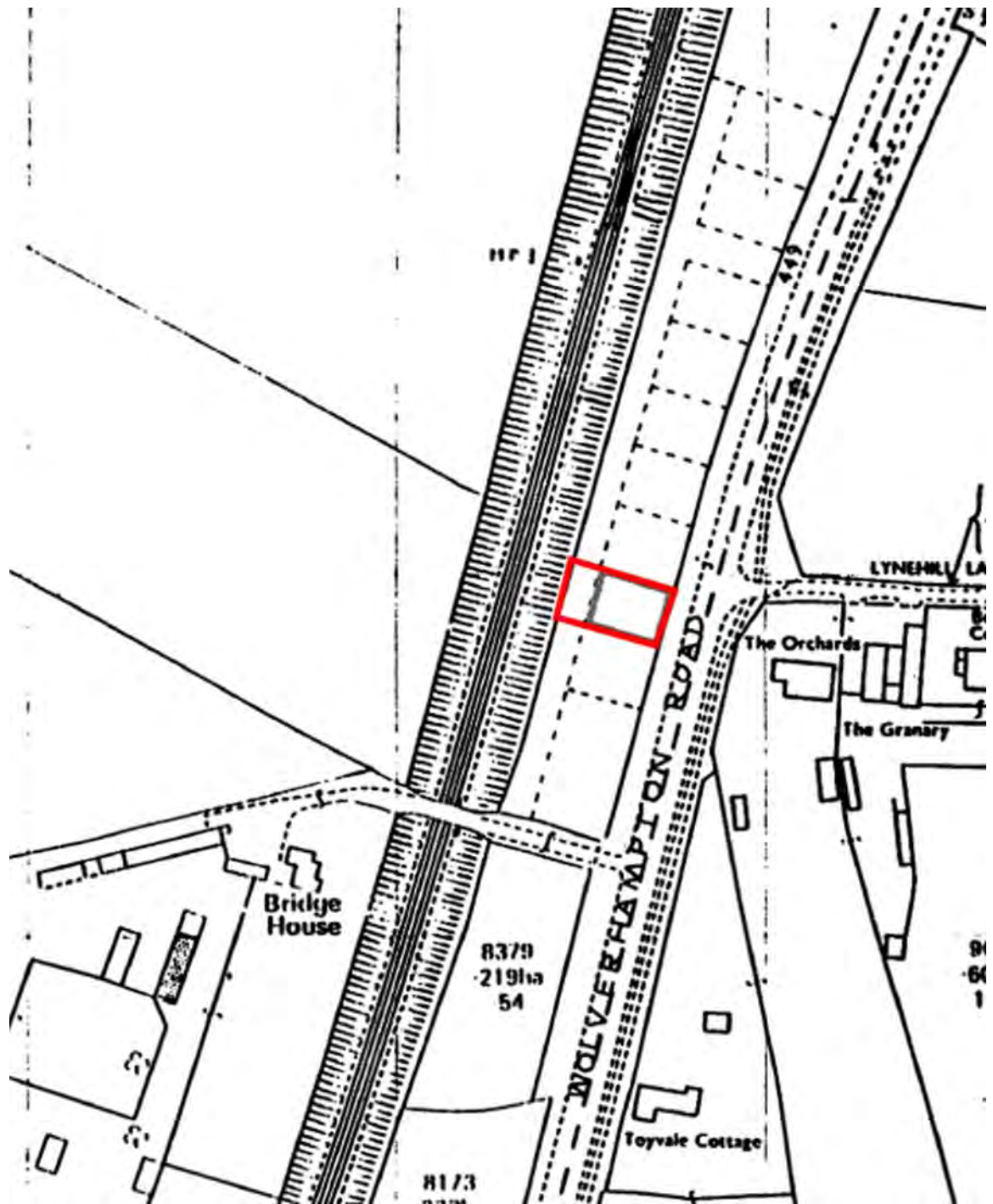
Aunor Roberts

Signed:

Corporate Director of Place and Communities, South Staffordshire District Council,
Council Offices, Wolverhampton Road, Codsall, South Staffordshire WV8 1PX

RED LINE PLAN TO ACCOMPANY PLANNING CONTRAVENTION NOTICE

Land South Of New Acre Stables, Wolverhampton Road, Penkridge,
Staffordshire ST19 5PA



List of Persons and Interested Parties

Appeal Ref: APP/C3430/C/24/3337033

Enforcement Ref: 22/00239/UNCOU

Appeal by: Donna Ward

Site at: Land South Of New Acre Stables, Wolverhampton Road, Penkridge, ST19 5PA

1 copy to the Occupier(s)

Bridge House Farm Wolverhampton Road Rodbaston Stafford ST19 5PG

The Orchards Lyne Hill Lane Penkridge Stafford ST19 5NT

Toyvale Cottage Wolverhampton Road Rodbaston Stafford ST19 5PG

12 New Acre Stables Wolverhampton Road Penkridge Stafford ST19 5PA

1 copy to the Clerk to Penkridge Parish Council

Lesley Hough, Haling Dene Centre, Cannock Road, Penkridge, Stafford, ST19 5DT

Email: clerk@penkridgeparishcouncil.gov.uk

1 copy to the Chairman/Vice-Chairman of the Council

Councillor Meg Barrow

Email: m.barrow@sstaffs.gov.uk

Councillor, Dan Kinsey

Email: d.kinsey@sstaffs.gov.uk

1 copy to the Chairman/Vice-Chairman of the Planning Committee

Councillor Mark Evans

Email: m.evans@sstaffs.gov.uk

Councillor Bob Cope

Email: r.cope@sstaffs.gov.uk

1 copy to the following local member(s)

Councillor Helen Adams

Email: h.adams@sstaffs.gov.uk

Councillor Victor J Kelly

Email: v.kelly@sstaffs.gov.uk



The Occupier/Others

Phone: (01902) 696274

Email: appeals@sstaffs.gov.uk

Date: 16 February 2024

TOWN AND COUNTRY PLANNING ACT 1990 APPEAL UNDER SECTION 174

Appellant's name: Donna Ward
Site Address: Land South Of New Acre Stables,
Wolverhampton Road, Penkridge, ST19 5PA
Alleged breach: Without planning permission, the material
change of use of land to a use for the
stationing of a caravan for residential
purposes on the Land.
Enforcement reference: 22/00239/UNCOU
Appeal reference: APP/C3430/C/24/3337033
Appeal start date: 9 February 2024

I refer to the above details. An appeal has been made to the Secretary of State against an enforcement notice issued by South Staffordshire District Council on **15 December 2023**.

The enforcement notice was issued for the following reasons:

It appears to the Council that the breach of planning control on the Land has occurred within the last ten years, and therefore is not immune from enforcement action.

The Land is located to the south of an existing gypsy traveller site and forms an extension to the existing site.

In June 2022 the Council received a complaint relating to an unauthorised use of the Land taking place for the stationing of a caravan for residential purposes.

On 14th October 2022, Council officers visited the Land and found a large static mobile home ("the Caravan") stationed upon it. The Caravan had been erected upon a concrete base surrounded by brick infill and a brick wall entrance.

On 26th January 2023, a retrospective planning application was received for a change of use of the Land for the stationing of caravans for residential purposes, (application reference 23/00066/FUL), including the caravan subject of this notice.

On 25th August 2023 the retrospective planning application was refused for the following reasons:

1. The proposal represents inappropriate development in the Green Belt, contrary to Policies GB1 and H6 (criterion 7 and 8) of the adopted South Staffordshire Core Strategy and Central Government Policy and Guidance given in the National Planning Policy Framework (Protecting Green Belt Land) and Planning Policy for Traveller Sites. The circumstances put forward do not justify overriding the presumption against inappropriate development in the Green Belt in this case.

2. The proposal would cause demonstrable harm to the openness and permanence of the Green Belt, detrimentally impacting upon its essential characteristic; and would also introduce increased built form which would cause additional encroachment; contrary to policies GB1 and H6 of the adopted Core Strategy, Planning Policy for Traveller Sites and the National Planning Policy Framework.

3. The proposal, in the absence of necessary mitigation measures, is contrary to Policy EQ2 'Cannock Chase Special Area of Conservation' of the adopted Core Strategy being within a 15 kilometre radius of the SAC and having potentially adverse effects on its integrity.

This notice relates to the use of one caravan on the Land the residential use of which is continuing and the Caravan remains in situ. For the reasons outlined within the decision notice shown at 1-3 above, the development is contrary to Guidance given in the National Planning Policy Framework (Protecting Green Belt Land), and Policies GB1 H6 and EQ2 of the South Staffordshire Core Strategy adopted 2012.

The enforcement notice requires the following steps to be taken:

- i) Permanently cease the use of the Land for the stationing and residential occupation of caravans.
- ii) Permanently remove the Caravan, concrete base, brick infill and a brick wall entrance to the Caravan from the Land.
- ii) Restore the Land back to its former condition before the change of use commenced.

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

Ground (a) – that planning permission should be granted for what is alleged in the notice.

Ground (e) – the notice was not properly served on everyone with an interest in the land.

Ground (g) – that the time given to comply with the notice is too short.

The appeal will be determined on the basis of an **inquiry**. The procedure to be followed is set out in the Town and Country Planning (Enforcement) (Determination by Inspectors) (Inquiries Procedure) (England) Rules 2002.

If you wish to make comments, you can do so online at [Planning Inspectorate - GOV.UK \(www.gov.uk\)](https://www.gov.uk) **(Please note that from the 1 April 2024 the Planning Inspectorate will not be accepting emailed comments.)** If you do not have access to the internet, you can send **three** copies to:

Elaine Simpson
The Planning Inspectorate

Third Floor 3B
Temple Quay House
2 The Square
Bristol
BS1 6PN

All representations must be received by 22 March 2024. Any representations submitted after the deadline will not usually be considered and will be returned. The Planning Inspectorate does not acknowledge representations. **All representations must quote the appeal reference.**

Please note that any representations you submit to the Planning Inspectorate will be copied to the appellant and this local planning authority and will be considered by the Inspector when determining the appeal.

If you submit comments and then subsequently wish to withdraw them, you should make this request to the Planning Inspectorate by the date above.

The appeal documents (including the decision when made) can be viewed online at [Enforcement Appeal Cases \(sstaffs.gov.uk\)](https://sstaffs.gov.uk) by clicking on the relevant Enforcement appeal case.

You can get a copy of one of the Planning Inspectorate's "Guide to taking part in enforcement appeals" booklets free of charge from the Planning Portal at: www.planningportal.gov.uk/pcs or from us.

When made, the decision will be published online at <https://acp.planninginspectorate.gov.uk> and the Council website. Paper copies of the appeal decision can be obtained from the Council. Please be aware that there may be a copying fee.

Helen Benbow
Development Management Manager
Council Offices
Codsall
Wolverhampton
WV8 1PX

Telephone Enquiries: (01902) 696274 (Salindra Shakespeare)

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990

(As amended by the Planning and Compensation Act 1991)

ENFORCEMENT NOTICE

Change of Use

ISSUED BY: South Staffordshire District Council

1. **THIS NOTICE** is issued by the Council because it appears to them that there has been a breach of planning control, within paragraph (a) of section 171A(1) of the above Act, at the Land described below. They consider that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations. The Annex at the end of the notice and the enclosures to which it refers contain important additional information.

2. **THE LAND TO WHICH THIS NOTICE RELATES**

Land South of New Acre Stables, Wolverhampton Road, Penkridge, Staffordshire ST19 5PA ("the Land") outlined in red on the plan attached to this notice ("the Plan").

3. **THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL**

Without planning permission, the material change of use of land to a use for the stationing of a caravan for residential purposes on the Land.

4. **REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the breach of planning control on the Land has occurred within the last ten years, and therefore is not immune from enforcement action.

The Land is located to the south of an existing gypsy traveller site and forms an extension to the existing site.

In June 2022 the Council received a complaint relating to an unauthorised use of the Land taking place for the stationing of a caravan for residential purposes.

On 14th October 2022, Council officers visited the Land and found a large static mobile home ("the Caravan") stationed upon it. The Caravan had been erected upon a concrete base surrounded by brick infill and a brick wall entrance.

On 26th January 2023, a retrospective planning application was received for a change of use of the Land for the stationing of caravans for residential purposes, (application reference 23/00066/FUL), including the caravan subject of this notice.

On 25th August 2023 the retrospective planning application was refused for the following reasons:

1. The proposal represents inappropriate development in the Green Belt, contrary to Policies GB1 and H6 (criterion 7 and 8) of the adopted South Staffordshire Core Strategy and Central Government Policy and Guidance given in the National Planning Policy Framework (Protecting Green Belt Land) and Planning Policy for Traveller Sites. The circumstances put forward do not justify overriding the presumption against inappropriate development in the Green Belt in this case.

2. The proposal would cause demonstrable harm to the openness and permanence of the Green Belt, detrimentally impacting upon its essential characteristic; and would also introduce increased built form which would cause additional encroachment; contrary to policies GB1 and H6 of the adopted Core Strategy, Planning Policy for Traveller Sites and the National Planning Policy Framework.

3. The proposal, in the absence of necessary mitigation measures, is contrary to Policy EQ2 'Cannock Chase Special Area of Conservation' of the adopted Core Strategy being within a 15 kilometre radius of the SAC and having potentially adverse effects on its integrity.

This notice relates to the use of one caravan on the Land the residential use of which is continuing and the Caravan remains in situ. For the reasons outlined within the decision notice shown at 1-3 above, the development is contrary to Guidance given in the National Planning Policy Framework (Protecting Green Belt Land), and Policies GB1 H6 and EQ2 of the South Staffordshire Core Strategy adopted 2012.

5. **WHAT YOU ARE REQUIRED TO DO**

You Must

- i) Permanently cease the use of the Land for the stationing and residential occupation of caravans.
- ii) Permanently remove the Caravan, concrete base, brick infill and a brick wall entrance to the Caravan from the Land.
- iii) Restore the Land back to its former condition before the change of use commenced.

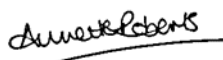
6. **TIME FOR COMPLIANCE**

Six months from the date the notice takes effect.

7. **WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 18th January 2024 unless an appeal is made against it beforehand.

Dated: 15th December 2023



Signed:

Annette Roberts

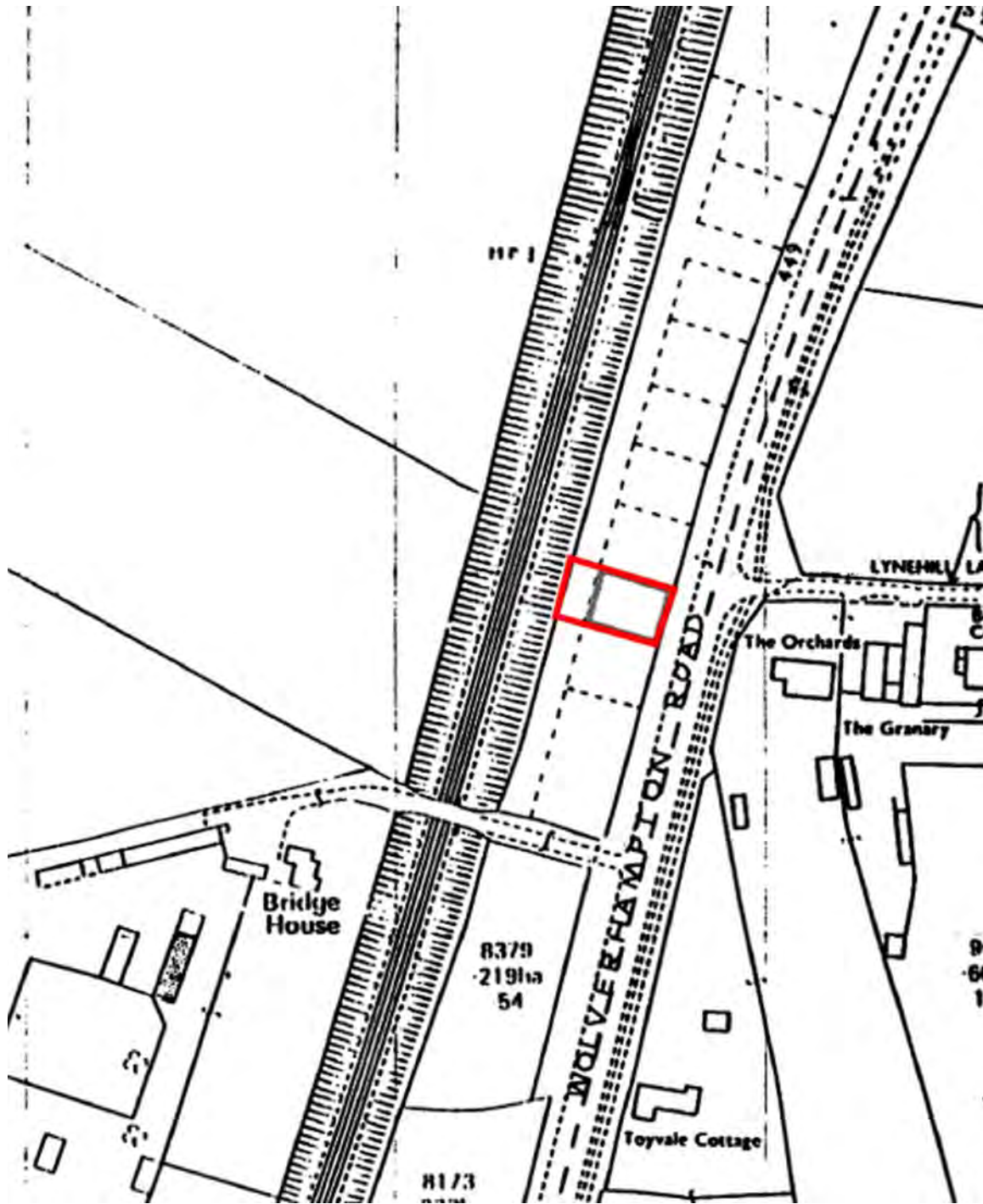
Corporate Director Infrastructure & Business Growth, South Staffordshire District Council, Council Offices,
Wolverhampton Road, Codsall, South Staffordshire WV8 1PX

Nominated Officer:

Mark Bray, Planning Enforcement Team, South Staffordshire District Council, Council Offices, Wolverhampton
Road, Codsall, South Staffordshire WV8 1PX

RED LINE PLAN TO ACCOMPANY ENFORCEMENT NOTICE

Land South Of New Acre Stables, Wolverhampton Road, Penkridge, Staffordshire ST19 5PA



IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

Town and Country Planning Act 1990 (as amended)

Enforcement Notice relating to land and premises Land South Of New Acre Stables, Wolverhampton Road, Penkridge, Staffordshire ST19 5PA.

This local planning authority, South Staffordshire Council, has issued an enforcement notice relating to the above land and you are served with a copy of that notice as you have an interest in the Land. Copies of the notice are also being served on the parties listed on the Notice who, it is understood, also have an interest in the Land.

There is a right of appeal to the Secretary of State (at The Planning Inspectorate) against the notice. Unless an appeal is made, as described below, the notice will take effect on 18th January 2024 and you must ensure that the required steps, are taken within the period(s) specified in the notice.

Please see the enclosed information sheet from The Planning Inspectorate which tells you how to make an appeal.

If you decide that you want to appeal against the enforcement notice you must ensure that you send your appeal soon enough so that normally it will be delivered by post/electronic transmission to the Secretary of State (at The Planning Inspectorate) before 18th January 2024.

Under section 174 of the Town and Country Planning Act 1990 (as amended) you may appeal on one or more of the following grounds: -

- (a) that, in respect of any breach of planning control which may be constituted by the matters stated in the notice, planning permission ought to be granted or, as the case may be, the condition or limitation concerned ought to be discharged;
- (b) that those matters have not occurred;
- (c) that those matters (if they occurred) do not constitute a breach of planning control;
- (d) that, at the date when the notice was issued, no enforcement action could be taken in respect of any breach of planning control which may be constituted by those matters;
- (e) that copies of the enforcement notice were not served as required by Section 172;
- (f) that the steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by any such breach;
- (g) that any period specified in the notice in accordance with section 173(9) falls short of what should reasonably be allowed.

Not all of these grounds may be relevant to you.

If you appeal under Ground (a) of Section 174(2) of the Town and Country Planning Act 1990 this is the equivalent of applying for planning permission for the development alleged in the notice and you will have to pay a fee of £924.00. This amount is double the usual Planning Application fee. You should pay this fee to South Staffordshire Council (made payable to South Staffordshire Council). Joint appellants need only pay one set of fees. If you do not wish to proceed under Ground (a) then no fee is payable.

If you decide to appeal, when you submit your appeal, you should state in writing the ground(s) on which you are appealing against the enforcement notice and you should state briefly the facts on which you intend to rely in support of each of those grounds. If you do not do this when you make your appeal the Secretary of State will send you a notice requiring you to do so within 14 days.

A copy of the appeal form and a copy of the Enforcement Notice together with a cheque for £924.00 if appealing Ground a) made payable to South Staffordshire Council should be sent to the Council addressed to:-

Corporate Director Planning & Infrastructure
South Staffordshire District Council
Planning Department
Council Offices
Wolverhampton Road,
Codsall,
WV8 1PX

If you do not appeal against this enforcement notice, it will take effect on the 18th January 2024 and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the periods specified in paragraph 6 of the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.

Planning Enforcement Contact Officer:

Mark Bray
Planning Enforcement Consultant

South Staffordshire District Council
Planning Department
Council Offices
Wolverhampton Road
Codsall,
South Staffordshire,
WV8 1PX
Tel: 01902 696900

E-mail: m.bray@sstaffs.gov.uk

PERSONS SERVED WITH A COPY OF THIS ENFORCEMENT NOTICE

1. JOHN WARD
New Acre Stables,
Wolverhampton Road,
Penkridge,
Staffordshire
ST19 5PA

2. JOHN JOSEPH MCCARTY
New Acre Stables,
Wolverhampton Road,
Penkridge,
Staffordshire
ST19 5PA

3. JOHN MCCARTHY
102 Stubby Lane,
Wolverhampton
WV11 3NJ

And

C/O Green Planning Studio Ltd
Unit D – Lunesdale
Upton Magna Business Park
Upton Magna
Shrewsbury
SY4 4TT

4. BARNEY MCCARTHY
102 Stubby Lane,
Wolverhampton
WV11 3NJ

And

C/O Green Planning Studio Ltd
Unit D – Lunesdale
Upton Magna Business Park
Upton Magna
Shrewsbury
SY4 4TT

ANNEX

YOUR RIGHT OF APPEAL.

You can appeal against this notice, but any appeal must be received, or posted in time to be received, by the Planning Inspectorate acting on behalf of the Secretary of State before the date specified in paragraph 7 of the notice. The enclosed information sheet published by the Planning Inspectorate gives details of how to make an appeal.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on the date specified in paragraph 7 of the notice and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period[s] specified in paragraph 6 of the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.

Relevant Extracts from the Town & Country Planning Act 1990

[171A. — Expressions used in connection with enforcement.

- (1) For the purposes of this Act—
 - (a) Carrying out development without the required planning permission;
 - or,
 - (b) Failing to comply with any condition or limitation subject to which planning permission has been granted, constitutes a breach of planning control.
- (2) For the purposes of this Act—
 - (a) The issue of an enforcement notice (defined in section 172); or
 - (b) The service of a breach of condition notice (defined in section 187A), constitutes taking enforcement action.
- (3) In this Part “planning permission” includes permission under Part III of the 1947 Act, of the 1962 Act or of the 1971 Act.]¹

Notes

¹ Added by Planning and Compensation Act 1991 c. 34 Pt I s.4(1) (January 2, 1992 except as it relates to breach of condition notices and subject to transitional provision specified in SI 1991/2905; July 27, 1992 otherwise subject to transitional provisions in SI 1992/1630 art.3)

Extent

Pt VII s. 171A(1)-(3): England, Wales

[171B. — Time limits.

- (1) Where there has been a breach of planning control consisting in the carrying out without planning permission of building, engineering, mining or other operations in, on, over or under land, no enforcement action may be taken after the end of the period of four years beginning with the date on which the operations were substantially completed.
- (2) Where there has been a breach of planning control consisting in the change of use of any building to use as a single dwelling house, no enforcement action may be taken after the end of the period of four years beginning with the date of the breach.
- (3) In the case of any other breach of planning control, no enforcement action may be taken after the end of the period of ten years beginning with the date of the breach.
- (4) The preceding subsections do not prevent—

- (a) The service of a breach of condition notice in respect of any breach of planning control if an enforcement notice in respect of the breach is in effect; or
- (b) Taking further enforcement action in respect of any breach of planning control, if, during the period of four years ending with that action being taken, the local planning authority have taken or purported to take enforcement action in respect of that breach.”] ¹

Notes

¹ Added by Planning and Compensation Act 1991 c. 34 Pt I s.4(1) (January 2, 1992 except as it relates to breach of condition notices and subject to transitional provision specified in SI 1991/2905; July 27, 1992 otherwise subject to transitional provisions in SI 1992/1630 art.3)

Extent

Pt VII s. 171B: England, Wales

[171BA Time limits in cases involving concealment

- (1) Where it appears to the local planning authority that there may have been a breach of planning control in respect of any land in England, the authority may apply to a magistrates' court for an order under this subsection (a “planning enforcement order”) in relation to that apparent breach of planning control.
- (2) If a magistrates' court makes a planning enforcement order in relation to an apparent breach of planning control, the local planning authority may take enforcement action in respect of—
 - (a) The apparent breach, or
 - (b) Any of the matters constituting the apparent breach, at any time in the enforcement year.
- (3) “The enforcement year” for a planning enforcement order is the year that begins at the end of 22 days beginning with the day on which the court's decision to make the order is given, but this is subject to subsection (4).
- (4) If an application under section 111(1) of the Magistrates' Courts Act 1980 (statement of case for opinion of High Court) is made in respect of a planning enforcement order, the enforcement year for the order is the year beginning with the day on which the proceedings arising from that application are finally determined or withdrawn.
- (5) Subsection (2)—
 - (a) Applies whether or not the time limits under section 171B have expired, and
 - (b) Does not prevent the taking of enforcement action after the end of the enforcement year but within those time limits.] ¹

Notes

¹ Added by Localism Act 2011 c. 20 Pt 6 c.5 s.124(1) (April 6, 2012 subject to SI 2012/628 arts 9, 12, 13, 16 and 18 -20)

Extent

Pt VII s. 171BA(1)-(5)(b): England, Wales

[171BB Planning enforcement orders: procedure

- (1) An application for a planning enforcement order in relation to an apparent breach of planning control may be made within the 6 months beginning with the date on which evidence of the apparent breach of planning control sufficient in the opinion of the local planning authority to justify the application came to the authority's knowledge.
- (2) For the purposes of subsection (1), a certificate—
 - (a) Signed on behalf of the local planning authority, and

- (b) Stating the date on which evidence, sufficient in the authority's opinion to justify the application came to the authority's knowledge, is conclusive evidence of that fact.
- (3) A certificate stating that matter and purporting to be so signed is to be deemed to be so signed unless the contrary is proved.
- (4) Where the local planning authority apply to a magistrates' court for a planning enforcement order in relation to an apparent breach of planning control in respect of any land, the authority must serve a copy of the application—
 - (a) On the owner and on the occupier of the land, and
 - (b) On any other person having an interest in the land that is an interest which, in the opinion of the authority, would be materially affected by the taking of enforcement action in respect of the apparent breach.
- (5) The persons entitled to appear before, and be heard by, the court hearing an application for a planning enforcement order in relation to an apparent breach of planning control in respect of any land include—
 - (a) The applicant,
 - (b) Any person on whom a copy of the application was served under subsection (4), and
 - (c) Any other person having an interest in the land that is an interest which, in the opinion of the court, would be materially affected by the taking of enforcement action in respect of the apparent breach.
- (6) In this section "planning enforcement order" means an order under section 171BA(1).] ¹

Notes

¹ Added by Localism Act 2011 c. 20 Pt 6 c.5 s.124(1) (April 6, 2012 subject to SI 2012/628 arts 9, 12, 13, 16 and 18 -20)

Extent

Pt VII s. 171BB(1)-(6): England, Wales

[171BC Making a planning enforcement order

- (1) A magistrates' court may make a planning enforcement order in relation to an apparent breach of planning control only if—

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- (a) The court is satisfied, on the balance of probabilities, that the apparent breach, or any of the matters constituting the apparent breach, has (to any extent) been deliberately concealed by any person or persons, and
- (b) The court considers it just to make the order having regard to all the circumstances.
- (2) A planning enforcement order must—
 - (a) Identify the apparent breach of planning control to which it relates, and
 - (b) State the date on which the court's decision to make the order was given.
- (3) In this section "planning enforcement order" means an order under section 171BA(1).] ¹

Notes

¹ Added by Localism Act 2011 c. 20 Pt 6 c.5 s.124(1) (April 6, 2012 subject to SI 2012/628 arts 9, 12, 13, 16 and 18 -20)

Extent

Pt VII s. 171BC(1)-(3): England, Wales

[Planning contravention notices] 1

[172. — Issue of enforcement notice.

- (1) The local planning authority may issue a notice (in this Act referred to as an “enforcement notice”) where it appears to them—
 - (a) That there has been a breach of planning control; and
 - (b) That it is expedient to issue the notice, having regard to the provisions of the development plan and to any other material considerations.
- (2) A copy of an enforcement notice shall be served—

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- (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.
- (3) The service of the notice shall take place—
 - (a) Not more than twenty-eight days after its date of issue; and
 - (b) Not less than twenty-eight days before the date specified in it as the date on which it is to take effect.]¹

Notes

¹ Substituted by Planning and Compensation Act 1991 c. 34 Pt I s.5(1) (November 25, 1991 for certain purposes specified in SI 1991/2728 art.2; January 2, 1992 otherwise subject to transitional provisions specified in SI 1991/2905)

Commencement

Pt VII s. 172: August 24, 1990 (1990 c. 8 Pt XV s. 337(2))

Extent

Pt VII s. 172(1)-(8): England, Wales

[172A Assurance as regards prosecution for person served with notice

- (1) When, or at any time after, an enforcement notice is served on a person, the local planning authority may give the person a letter—
 - (a) Explaining that, once the enforcement notice had been issued, the authority was required to serve the notice on the person,
 - (b) Giving the person one of the following assurances—
 - i. That, in the circumstances as they appear to the authority, the person is not at risk of being prosecuted under section 179 in connection with the enforcement notice, or
 - ii. That, in the circumstances as they appear to the authority, the person is not at risk of being prosecuted under section 179 in connection with the matters relating to the enforcement notice that are specified in the letter,
 - (c) Explaining, where the person is given the assurance under paragraph (b)(ii), the respects in which the person is at risk of being prosecuted under section 179 in connection with the enforcement notice, and
 - (d) stating that, if the authority subsequently wishes to withdraw the assurance in full or part, the authority will first give the person a letter specifying a future time for the withdrawal that will allow

the person a reasonable opportunity to take any steps necessary to avoid any risk of prosecution that is to cease to be covered by the assurance.

- (2) At any time after a person has under subsection (1) been given a letter containing an assurance, the local planning authority may give the person a letter withdrawing the assurance (so far as not previously withdrawn) in full or part from a time specified in the letter.

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- (3) The time specified in a letter given under subsection (2) to a person must be such as will give the person a reasonable opportunity to take any steps necessary to avoid any risk of prosecution that is to cease to be covered by the assurance.
- (4) Withdrawal under subsection (2) of an assurance given under subsection (1) does not withdraw the assurance so far as relating to prosecution on account of there being a time before the withdrawal when steps had not been taken or an activity had not ceased.
- (5) An assurance given under subsection (1) (so far as not withdrawn under subsection (2)) is binding on any person with power to prosecute an offence under section 179.¹

Notes

¹ Added by Localism Act 2011 c. 20 Pt 6 c.5 s.125 (April 6, 2012 subject to SI 2012/628 arts 9, 12, 13, 16 and 18-20)

Extent

Pt VII s. 172A(1)-(5): England, Wales

[173. — Contents and effect of notice.

- (1) An enforcement notice shall state—
- (a) The matters which appear to the local planning authority to constitute the breach of planning control; and
 - (b) the paragraph of section 171A(1) within which, in the opinion of the authority, the breach falls.
- (2) A notice complies with subsection (1) (a) if it enables any person on whom a copy of it is served to know what those matters are.
- (3) An enforcement notice shall specify the steps which the authority require to be taken, or the activities which the authority require to cease, in order to achieve, wholly or partly, any of the following purposes.
- (4) Those purposes are—
- (a) Remedying the breach by making any development comply with the terms (including conditions and limitations) of any planning permission which has been granted in respect of the land, by discontinuing any use of the land or by restoring the land to its condition before the breach took place; or
 - (b) Remedying any injury to amenity which has been caused by the breach.
- (5) An enforcement notice may, for example, require—
- (a) The alteration or removal of any buildings or works;
 - (b) The carrying out of any building or other operations;
 - (c) Any activity on the land not to be carried on except to the extent specified in the notice;

Or

- (d) The contour of a deposit of refuse or waste materials on land to be modified by altering the gradient or gradients of its sides.

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- (6) Where an enforcement notice is issued in respect of a breach of planning control consisting of demolition of a building, the notice may require the construction of a building (in this section referred to as a "replacement building") which, subject to subsection (7), is as similar as possible to the demolished building.
- (7) A replacement building—
 - (a) Must comply with any requirement imposed by any enactment applicable to the construction of buildings;
 - (b) May differ from the demolished building in any respect which, if the demolished building had been altered in that respect, would not have constituted a breach of planning control;
 - (c) Must comply with any regulations made for the purposes of this subsection (including regulations modifying paragraphs (a) and (b)).
- (8) An enforcement notice shall specify the date on which it is to take effect and, subject to sections 175(4) and 289(4A), shall take effect on that date.
- (9) An enforcement notice shall specify the period at the end of which any steps are required to have been taken or any activities are required to have ceased and may specify different periods for different steps or activities; and, where different periods apply to different steps or activities, references in this Part to the period for compliance with an enforcement notice, in relation to any step or activity, are to the period at the end of which the step is required to have been taken or the activity is required to have ceased.
- (10) An enforcement notice shall specify such additional matters as may be prescribed, and regulations may require every copy of an enforcement notice served under section 172 to be accompanied by an explanatory note giving prescribed information as to the right of appeal under section 174.
- (11) Where—
 - (a) An enforcement notice in respect of any breach of planning control could have required any buildings or works to be removed or any activity to cease, but does not do so; and
 - (b) All the requirements of the notice have been complied with, then, so far as the notice did not so require, planning permission shall be treated as having been granted by virtue of section 73A in respect of development consisting of the construction of the buildings or works or, as the case may be, the carrying out of the activities.
- (12) Where—
 - (a) An enforcement notice requires the construction of a replacement building; and
 - (b) All the requirements of the notice with respect to that construction have been complied with, planning permission shall be treated as having been granted by virtue of section 73A in respect of development consisting of that construction.]¹

Notes

¹ Substituted by Planning and Compensation Act 1991 c. 34 Pt I s.5(1) (November 25, 1991 for certain purposes specified in SI 1991/2728 part.2; January 2, 1992 otherwise subject to transitional provisions specified in SI 1991/2905)

Commencement

Pt VII s. 173: August 24, 1990 (1990 c. 8 Pt XV s. 337(2))

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Extent

Pt VII s. 173(1)-(12)(b): England, Wales

[173A. — Variation and withdrawal of enforcement notices.

- (1) The local planning authority may—
 - (a) Withdraw an enforcement notice issued by them; or
 - (b) Waive or relax any requirement of such a notice and, in particular, may extend any period specified in accordance with section 173(9).
- (2) The powers conferred by subsection (1) may be exercised whether or not the notice has taken effect.
- (3) The local planning authority shall, immediately after exercising the powers conferred by subsection (1), give notice of the exercise to every person who has been served with a copy of the enforcement notice or would, if the notice were re-issued, be served with a copy of it.
- (4) The withdrawal of an enforcement notice does not affect the power of the local planning authority to issue a further enforcement notice.¹

Notes

¹ Added by Planning and Compensation Act 1991 c. 34 Pt I s.5(1) (November 25, 1991 for certain purposes specified in SI 1991/2728 art.2; January 2, 1992 otherwise subject to transitional provisions specified in SI 1991/2905)

Extent

Pt VII s. 173A(2)-(4): England, Wales

174. — Appeal against enforcement notice.

- (1) A person having an interest in the land to which an enforcement notice relates or a relevant occupier may appeal to the Secretary of State against the notice, whether or not a copy of it has been served on him.
- (2) [An appeal may be brought on any of the following grounds—
 - (a) That, in respect of any breach of planning control which may be constituted by the matters stated in the notice, planning permission ought to be granted or, as the case may be, the condition or limitation concerned ought to be discharged;
 - (b) That those matters have not occurred;
 - (c) That those matters (if they occurred) do not constitute a breach of planning control;
 - (d) That, at the date when the notice was issued, no enforcement action could be taken in respect of any breach of planning control which may be constituted by those matters;
 - (e) That copies of the enforcement notice were not served as required by section 172;

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- (f) That the steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by

those matters or, as the case may be, to remedy any injury to amenity which has been caused by any such breach;

(g) That any period specified in the notice in accordance with section 173(9) falls short of what should reasonably be allowed.

(2A) An appeal may not be brought on the ground specified in subsection (2)(a) if—

(a) The land to which the enforcement notice relates is in England, and

(b) the enforcement notice was issued at a time—

i. After the making of a related application for planning permission, but

ii. Before the end of the period applicable under section 78(2) in the case of that application.

(2B) An application for planning permission for the development of any land is, for the purposes of subsection (2A), related to an enforcement notice if granting planning permission for the development would involve granting planning permission in respect of the matters specified in the enforcement notice as constituting a breach of planning control.]²

(3) An appeal under this section shall be made [...] ³ —

(a) By giving written notice of the appeal to the Secretary of State before the date specified in the enforcement notice as the date on which it is to take effect; or

(b) By sending such notice to him in a property addressed and pre-paid letter posted to him at such time that, in the ordinary course of post, it would be delivered to him before that date [; or]³

(c) [By sending such notice to him using electronic communications at such time that, in the ordinary course of transmission, it would be delivered to him before that date.]³¹

(4) A person who gives notice under subsection (3) shall submit to the Secretary of State, either when giving the notice or within the prescribed time, a statement in writing—

(a) Specifying the grounds on which he is appealing against the enforcement notice; and

(b) Giving such further information as may be prescribed.

(5) If, where more than one ground is specified in that statement, the appellant does not give information required under subsection (4)(b) in relation to each of those grounds within the prescribed time, the Secretary of State may determine the appeal without considering any ground as to which the appellant has failed to give such information within that time.

(6) In this section “relevant occupier” means a person who—

(a) On the date on which the enforcement notice is issued occupies the land to which the notice relates by virtue of a licence [...] ⁴ ; and

(b) Continues so to occupy the land when the appeal is brought.

Notes

¹ Substituted by Planning and Compensation Act 1991 c. 34 Pt I s.6(1) (January 2, 1992 subject to transitional provisions specified in SI 1991/2905)

² Added by Localism Act 2011 c. 20 Pt 6 c.5 s.123(4) (April 6, 2012 subject to SI 2012/628 arts 9, 12, 13, 16 and 18-20)

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³ S.174(3)(c) inserted in relation to Wales by Town and Country Planning (Electronic Communications) (Wales) (No. 1) Order 2004/3156 art.3 (January 1, 2005)

⁴ Words omitted by Planning and Compensation Act 1991 c. 34 Sch.7 para.22 (January 2, 1992)

Commencement

Pt VII s. 174: August 24, 1990 (1990 c. 8 Pt XV s. 337(2))

Extent

Pt VII s. 174(1)-(6)(b): England, Wales

P Partially In Force

175. — Appeals: supplementary provisions.

- (1) The Secretary of State may by regulations prescribe the procedure which is to be followed on appeals under section 174 and, in particular, but without prejudice to the generality of this subsection, may—
 - (a) Require the local planning authority to submit, within such time as may be prescribed, a statement indicating the submissions which they propose to put forward on the appeal;
 - (b) Specify the matters to be included in such a statement;
 - (c) Require the authority or the appellant to give such notice of such an appeal as may be prescribed;
 - (d) Require the authority to send to the Secretary of State, within such period from the date of the bringing of the appeal as may be prescribed, a copy of the enforcement notice and a list of the persons served with copies of it.
- (2) The notice to be prescribed under subsection (1)(c) shall be such notice as in the opinion of the Secretary of State is likely to bring the appeal to the attention of persons in the locality in which the land to which the enforcement notice relates is situated.
- (3) Subject to section 176(4), the Secretary of State shall, if either the appellant or the local planning authority so desire, give each of them an opportunity of appearing before and being heard by a person appointed by the Secretary of State for the purpose.

[(3A) Subsection (3) does not apply to an appeal against an enforcement notice issued by a local planning authority in England.]¹

- (4) Where an appeal is brought under section 174 the enforcement notice shall [subject to any order under section 289(4A)]² be of no effect pending the final determination or the withdrawal of the appeal.
- (5) Where any person has appealed to the Secretary of State against an enforcement notice, no person shall be entitled, in any other proceedings instituted after the making of the appeal, to claim that the notice was not duly served on the person who appealed.
- (6) Schedule 6 applies to appeals under section 174, including appeals under that section as applied by regulations under any other provisions of this Act.

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(7) [...] ³

Notes

¹ Added by Planning Act 2008 c. 29 Sch.10 para.5 (April 6, 2009 in relation to England and Wales for purposes specified in SI 2009/400 art.3(j)); not yet in force otherwise)

² Words added by Planning and Compensation Act 1991 c. 34 Pt I s.6(2) (January 2, 1992 subject to transitional provisions specified in SI 1991/2905)

³ Repealed by Planning (Consequential Provisions) Act 1990 c. 11 Sch.4 para.3 (January 2, 1992: repeal has effect on January 2, 1992 for purposes specified in SI 1991/2698 art.3 subject to transitional provisions specified in SI 1991/2698 art.4 and on April 6, 2009 in relation to England only, for purposes specified in SI 2009/849 art.2(2)-(3) subject to transitional provisions specified in SI 2009/849 art.3; not yet in force otherwise)

Commencement

Extent

Pt VII s. 175(1)-(7): England, Wales

P Partially In Force

176. — General provisions relating to determination of appeals.

- (1) [On an appeal under section 174 the Secretary of State may—
 - (a) Correct any defect, error or misdescription in the enforcement notice; or
 - (b) Vary the terms of the enforcement notice, if he is satisfied that the correction or variation will not cause injustice to the appellant or the local planning authority.
- (2) Where the Secretary of State determines to allow the appeal, he may quash the notice.
- (2A) The Secretary of State shall give any directions necessary to give effect to his determination on the appeal.]¹
- (3) The Secretary of State—
 - (a) May dismiss an appeal if the appellant fails to comply with section 174(4) within the prescribed time; and
 - (b) May allow an appeal and quash the enforcement notice if the local planning authority fail to comply with any requirement of regulations made by virtue of paragraph (a), (b), or
 - (c) Of section 175(1) within the prescribed period.
- (4) If [section 175(3) would otherwise apply and] **2** the Secretary of State proposes to dismiss an appeal under paragraph (a) of subsection (3) [of this section] **3** or to allow an appeal and quash the enforcement notice under paragraph (b) of that subsection, he need not comply with section 175(3).
- (5) Where it would otherwise be a ground for determining an appeal under section 174 in favour of the appellant that a person required to be served with a copy of the enforcement notice was not served, the Secretary of State may disregard that fact if neither the appellant nor that person has been substantially prejudiced by the failure to serve him.

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Notes

1 S.176(1)-(2A) substituted for s.176(1)-(2) by Planning and Compensation Act 1991 c. 34 Sch.7 para.23 (January 2, 1992)

2 Words inserted by Planning Act 2008 c. 29 Sch.10 para.6(a) (April 6, 2009 in relation to England and Wales for purposes specified in SI 2009/400 art.3(j); not yet in force otherwise)

3 Words inserted by Planning Act 2008 c. 29 Sch.10 para.6(b) (April 6, 2009 in relation to England and Wales for purposes specified in SI 2009/400 art.3(j); not yet in force otherwise)

Commencement

Pt VII s. 176: August 24, 1990 (1990 c. 8 Pt XV s. 337(2))

Extent

Pt VII s. 176(1)-(5): England, Wales

177. — Grant or modification of planning permission on appeals against enforcement notices.

- (1) On the determination of an appeal under section 174, the Secretary of State may—

- (a) [Grant planning permission in respect of the matters stated in the enforcement notice as constituting a breach of planning control, whether in relation to the whole or any part of those matters or in relation to the whole or any part of the land to which the notice relates;]¹
- (b) Discharge any condition or limitation subject to which planning permission was granted;
- (c) [Determine whether, on the date on which the appeal was made, any existing use of the land was lawful, any operations which had been carried out in, on, over or under the land were lawful or any matter constituting a failure to comply with any condition or limitation subject to which planning permission was granted was lawful and, if so, issue a certificate under section 19.]²

[(1A) The provisions of sections 191 to 194 mentioned in subsection (1B) shall apply for the purposes of subsection (1)(c) as they apply for the purposes of section 191, but as if—

- (a) Any reference to an application for a certificate were a reference to the appeal and any reference to the date of such an application were a reference to the date on which the appeal is made; and
- (b) References to the local planning authority were references to the Secretary of State.

(1B) Those provisions are: sections 191(5) to (7), 193(4) (so far as it relates to the form of the certificate), (6) and (7) and 194.]²

[(1C) If the land to which the enforcement notice relates is in England, subsection (1)(a) applies only if the statement under section 174(4) specifies the ground mentioned in section 174(2)(a).]³

- (2) In considering whether to grant planning permission under subsection (1), the Secretary of State shall have regard to the provisions of the development plan, so far as material to the subject matter of the enforcement notice, and to any other material considerations.
- (3) [The planning permission that may be granted under subsection (1) is any planning permission that might be granted on an application under Part III.]⁴

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- (4) Where under subsection (1) the Secretary of State discharges a condition or limitation, he may substitute another condition or limitation for it, whether more or less onerous.
- (5) [Where an appeal against an enforcement notice is brought under section 174 and—
 - (a) The land to which the enforcement notice relates is in Wales, or
 - (b) That land is in England and the statement under section 174(4) specifies the ground mentioned in section 174(2)(a), the appellant shall be deemed to have made an application for planning permission in respect of the matters stated in the enforcement notice as constituting a breach of planning control.]⁵

[(5A) Where—

- (a) The statement under subsection (4) of section 174 specifies the ground mentioned in subsection (2)(a) of that section;
- (b) Any fee is payable under regulations made by virtue of section 303 in respect of the application deemed to be made by virtue of the appeal; and
- (c) The Secretary of State gives notice in writing to the appellant specifying the period within which the fee must be paid, then, if that fee is not paid within that period, the appeal, so far as brought on that ground, and the application shall lapse at the end of that period.]⁶

- (6) Any planning permission granted under subsection (1) on an appeal shall be treated as granted on the application deemed to have been made by the appellant.
- (7) In relation to a grant of planning permission or a determination under subsection (1) the Secretary of State's decision shall be final.
- (8) For the purposes of section 69 the Secretary of State's decision shall be treated as having been given by him in dealing with an application for planning permission made to the local planning authority.

Notes

- 1 Substituted by Planning and Compensation Act 1991 c. 34 Sch.7 para.24(1)(a) (January 2, 1992)
- 2 S.77(1)(c), (1A) and (1B) substituted for s.77(1)(c) by Planning and Compensation Act 1991 c. 34 Sch.7 para.24(1)(b) (July 27, 1992 subject to transitional provisions specified in SI 1992/1630 art.3)
- 3 Added by Localism Act 2011 c. 20 Pt 6 c.5 s.123(5) (April 6, 2012 subject to SI 2012/628 arts 9, 12, 13, 16 and 18-20)
- 4 Substituted by Planning and Compensation Act 1991 c. 34 Sch.7 para.24(2) (January 2, 1992)
- 5 Words and s.177(5)(a)-(b) substituted for words by Localism Act 2011 c. 20 Pt 6 c.5 s.123(6) (April 6, 2012 subject to SI 2012/628 arts 9, 12, 13, 16 and 18-20)
- 6 Added by Planning and Compensation Act 1991 c. 34 Pt I s.6(3) (January 2, 1992 subject to transitional provisions specified in SI 1991/2905)

Commencement

Pt VII s. 177: August 24, 1990 (1990 c. 8 Pt XV s. 337(2))

Extent

Pt VII s. 177(1)-(8): England, Wales

Customer Support Team
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Direct Line: 0303 444 5000

Email: enquiries@planninginspectorate.gov.uk

1. THIS IS IMPORTANT

If you want to appeal against this enforcement notice you can do it:-

- online at the [Appeals Casework Portal](https://acp.planninginspectorate.gov.uk/) (<https://acp.planninginspectorate.gov.uk/>); or
- sending us enforcement appeal forms, which can be obtained by contacting us on the details above.

You MUST make sure that we RECEIVE your appeal BEFORE the effective date on the enforcement notice.

Please read the appeal guidance documents at <https://www.gov.uk/appeal-enforcement-notice/how-to-appeal> (<https://www.gov.uk/appeal-enforcement-notice/how-to-appeal>).

In exceptional circumstances you may give written notice of appeal by letter or email. You should include the name and contact details of the appellant(s) and either attach a copy of the Enforcement notice that you wish to appeal or state the following:

- the name of the local planning authority;
- the site address; and
- the effective date of the enforcement notice.

We MUST receive this BEFORE the effective date on the enforcement notice. This should immediately be followed by your completed appeal forms.

PERSONS SERVED WITH A COPY OF THIS ENFORCEMENT NOTICE

1. JOHN WARD
New Acre Stables,
Wolverhampton Road,
Penkridge,
Staffordshire
ST19 5PA

2. JOHN JOSEPH MCCARTY
New Acre Stables,
Wolverhampton Road,
Penkridge,
Staffordshire
ST19 5PA

3. JOHN MCCARTHY
102 Stubby Lane,
Wolverhampton
WV11 3NJ

And

C/O Green Planning Studio Ltd
Unit D – Lunesdale
Upton Magna Business Park
Upton Magna
Shrewsbury
SY4 4TT

4. BARNEY MCCARTHY
102 Stubby Lane,
Wolverhampton
WV11 3NJ

And

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Unit D – Lunesdale
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Shrewsbury
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