



Working together

Mr Terence John Davie
Park House
Park Lane
Brocton
Stafford
ST17 0TS

OUR REF: 016936

YOUR REF:

DATE: 12 May 2023

RECORDED DELIVERY

IMPORTANT THIS COMMUNICATION AFFECTS YOUR PROPERTY

Dear Dr Albert-Davie

**Re: Town and Country Planning Act 1990 – Section 172
Enforcement Notice – Land at Park House, Park Lane, Brocton, Stafford ST17 0TS**

The Council has issued an Enforcement Notice relating to the above land and I now serve on you a copy of that Notice, in view of your interest in the land.

Unless an appeal is made to the Secretary of State, as described below, the Notice will take effect on the date stated on the Notice and you must ensure that the required steps for which you may be held responsible are taken within the period specified in the Notice.

If you wish to appeal against the Notice you should first read carefully the enclosed, then you or your agent should complete an appeal form and send it to the address shown on the appeal form or an internet based service is available so that you can submit your appeal at www.planningportal.gov.uk/pcs.

Your appeal must be received by the Planning Inspectorate before the date given in paragraph 2 above as the date as the date when the Notice takes effect. **Please note that a separate form must be completed for each individual person or organisation.**

Yours faithfully

Rebecca Hurst
Principle Solicitor



The Planning Inspectorate

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

Direct Line 0303-444 5000
Email enquiries@planninginspectorate.gov.uk

THIS IS IMPORTANT

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

- on-line at the Appeals Casework Portal (<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>.

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.

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Town and Country Planning Act 1990 as amended.

**Enforcement Notice relating to land at Park House, Park Lane, Brocton
Stafford ST17 0TS**

This local planning authority, Stafford Borough Council, has issued an enforcement notice relating to the above land and I now serve on you 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 at the end of this letter 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 **20th June 2023**, and you must then ensure that the required steps, for which you may be held responsible, are taken within the periods 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 **20th June 2023**.

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 £412, which is double the amount of a normal planning application. You should pay the fee to Stafford Borough Council. Joint appellants need only pay one set of fees.

If you decide to appeal, when you submit it, 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.

Parties on whom the enforcement notice has been served:

1. Mr Terence John Davie
Park House
Park Lane
Brocton
Stafford
ST17 0TS
2. Dr Mary Anne Remoulder Albert-Davie
Park House
Park Lane
Brocton
Stafford
ST17 0TS
3. Legal & General Home Finance Limited
(Co.Reg.No. 4896447)
P.O.Box 17225
Solihull
B91 9US

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**TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the Planning and Compensation Act 1991)**

ENFORCEMENT NOTICE

(Operational Development)

ISSUED BY STAFFORD BOROUGH COUNCIL

1 THIS IS A FORMAL NOTICE which is issued by the Council because it appears to them that there has been a breach of planning control, under Section 171A(1)(a) 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 THE NOTICE RELATES

The land and buildings at Park House, Park Lane, Brocton, Stafford ST17 0TS shown edged red on the attached plan.

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

Without planning permission, the erection of a car port forward of the principal elevation of the dwellinghouse on the Land, in the approximate position marked with a blue rectangle on the attached plan.

4 REASONS FOR ISSUING THIS NOTICE

It appears to the Council that the above breach of planning control has occurred within the last four years. The building in question was substantially completed less than four years ago.

This conflicts with Policies N1 (Design) and N9 (Historic Environment) of the Stafford Borough Local Plan. The Council does not consider that planning permission should be given, because planning conditions could not overcome these objections to the development, specifically, by way of its contemporary design and shiny reflective finish, combined with its proximity to the Grade II Listed Building 'The Cottage', the car port structure is considered to result in a discordant and incongruous feature which fails to preserve the traditional rural character of the surrounding area, and is considered to harm the setting of a Listed Building.

5 WHAT YOU ARE REQUIRED TO DO

- (i) Remove the car port

Time for compliance one month after this notice takes effect.

- (ii) Remove from the Land all building materials and rubble arising from compliance with the first requirement above and restore the Land to its condition before the breach took place by levelling the ground and reseeding it with grass.

Time for compliance two months after this notice takes effect.

6 WHEN THIS NOTICE TAKES EFFECT

This notice shall take effect on **20th June 2023**, unless an appeal is made against it beforehand.

DATED 12 May 2023

SIGNED 

ON BEHALF OF Stafford Borough Council, Civic Centre, Riverside, Stafford.
ST16 3AQ

NOMINATED OFFICER: Jackie Allen

(Ref WKS3/00255/EN21(1))

TELEPHONE NUMBER: 01785-619527

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 6 of the notice.

The enclosed <http://www.planningportal.gov.uk/uploads/pins/enfinfosheet.pdf> 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 6 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 periods specified in the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.

THIS NOTICE HAS BEEN SERVED ON THE FOLLOWING:

1. Mr Terence John Davie
Park House
Park Lane
Brocton
Stafford
ST17 0TS

2. Dr Mary Anne Remoulder Albert-Davie
Park House
Park Lane
Brocton
Stafford
ST17 0TS

3. Legal & General Home Finance Limited
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