

WALSALL METROPOLITAN BOROUGH COUNCIL

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

ENFORCEMENT NOTICE

OPERATIONAL DEVELOPMENT

E20/0385

ISSUED BY WALSALL METROPOLITAN BOROUGH COUNCIL (“the Council”)

TO: Jasbinder Singh, 26 The Bantocks, West Bromwich, B70 0PA (2 others also)

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, within paragraph (a) of Section 171A(1) of the above Act, at the land described below. The Council considers 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**
Land at 36 Upper Lichfield Street, Willenhall, WV13 1PF shown edged red on the attached plan (“the Land”).
3. **THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL**
Without planning permission on the Land,
3.1 The application of a render finish on the front elevation of the building where it faces Upper Lichfield Street.
4. **REASONS FOR ISSUING THIS NOTICE**
4.1 It appears to the Council that the above breach of planning control has occurred within the last four years.

4.4 The render finish to the building is considered contrary to the guidelines of the NPPF and the requirements of ENV2 and ENV3 of the Black Country Core Strategy (2011) and saved policies 3.6, GP2 and ENV32 of the Walsall Unitary Development Plan (2005), Policy EN5 of the Site Allocation Document and is also not consistent with DW3 and DW9 of the Designing Walsall Supplementary Planning Document.
5. **WHAT YOU ARE REQUIRED TO DO**
5.1 Completely remove the render finish by hand from the front elevation of 36 Upper Lichfield Street, where it faces Upper Lichfield Street in accordance with a scheme of works to be submitted to and approved by the LPA prior to

removal. The scheme of works shall include the appointment of a competent person who shall supervise the removal of the render finish.

5.2 Upon completion of 5.1 above, carry out restoration and repairs to the brick and mortar finish in order to return the front elevation to the condition and appearance as it was, immediately prior to application of the render finish. Restoration and repairs shall be carried out in accordance with a scheme of works which shall:

- (a) Be submitted to and approved by the LPA prior to restoration and repairs being carried out.
- (b) Include reinstatement of the corbelled brick feature underneath the eaves of the front elevation.
- (c) Include details of and the appointment of a competent person who shall supervise restoration and repairs.

6. TIME FOR COMPLIANCE

In relation to requirements at paragraph 5 above,

- 5 months in the case of 5.1
- 7 months in the case of 5.2

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on **XXXXXXXX** unless an appeal is made against it beforehand.

Dated:	XXXXXXXX
Signed:	
On behalf of:	Walsall Metropolitan Borough Council Civic Centre Walsall West Midlands WS1 1TP
Nominated Officer:	Frank Whitley Senior Planning Enforcement Officer
Telephone Number:	01922 658356
Reference:	E20/0385

THE PERSONS WHO HAVE BEEN SERVED WITH THE ENFORCEMENT NOTICE:

1.	Jasbinder Singh, 26 The Bantocks, West Bromwich, B70 0PA	Owner
2.	Sandeep Kaur, 26 The Bantocks, West Bromwich, B70 0PA	Owner
3.	Palveer Singh Cheema, 26 The Bantocks, West	Owner

	Bromwich, B70 0PA	
	Palveer Singh Cheema, 76 Church Lane, West Bromwich, B71 1AS.	
4.	The Occupier	Occupier

ANNEX

THE RIGHT TO 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 Planning Inspectorate has published details of how to make an appeal:

The information sheet published by the Planning Inspectorate gives details of how to make an appeal:

<http://www.planningportal.gov.uk/uploads/pins/eninfosheet.pdf>

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.

NOTE:

Not everyone who is served with a notice has the right of appeal; the right of appeal is only granted to those with a legal or equitable interest in the land or who are a relevant occupier at both the time the notice is served and the time of appeal. There may be people who are served as they are affected but they do not meet the legal requirements to grant a right of appeal (e.g. squatters, managing agents etc). Please see page 4 of the document '*Enforcement Notice Appeals: How to complete your appeal form*' <https://www.gov.uk/government/publications/enforcement-notice-appeals-how-to-complete-your-appeal-form>.