



Appeal Decision

Site visit made on 17 March 2026

by **Peter Willows BA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 15 April 2026

Appeal Ref: APP/C3430/C/25/3376723

Land situated at Long Lane, Walsall Road, Great Wyrley, Walsall WS6 6AT

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr William Price against an enforcement notice issued by South Staffordshire District Council.
 - The notice was issued on 12 November 2025.
 - The breach of planning control as alleged in the notice is described as:
Without planning permission, substantial alterations to the building ("the Building") located in the position coloured blue on the Plan, and comprising of
 - *Unauthorised alterations which have significantly increased the height of the original Building.*
 - *The unauthorised insertion of two dormer windows on the northern roof elevation.**These works constitute operational development for which planning permission has not been granted.*
 - The requirements of the notice are:
EITHER
 - (i) *Carry out the necessary alterations/part demolition to revert the Building to its original size prior to the breach of planning control taking place. This will include removal of the dormer windows and reduction of the height of the Building to its original level before the breach of control took place. OR:*
 - (ii) *Demolish the Building in its entirety, including all footings and fill in the resulting excavations with compacted topsoil and resurface to match the adjacent land. AND*
 - (iii) *Remove all materials and debris resulting from compliance with step i) or ii) above from the Land*
 - The period for compliance with the requirements is 4 months.
 - The appeal is proceeding on the grounds set out in section 174(2)(a) and (g) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
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Decision

1. The appeal is dismissed, the enforcement notice is upheld and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Preliminary Matters

2. The Council has provided an amended location plan to replace the one attached to the enforcement notice, which was cropped and is missing the northern extremity of the caravan site. However, this has no bearing on the southern part of the site, where the building targeted by the notice is located, and I see no need to change the plan.
3. The Council has invited me to correct a reference in the notice to the development having taken place within the last 4 years, to refer instead to 10 years, on the basis that 10 years is the relevant immunity period for the breach. However, since it is

clear that the development took place less than 4 years ago, there is nothing inaccurate in the statement and no need to correct the notice.

Ground (a)

Main Issues

4. The site falls within the Green Belt. The main issues are:
- Whether the development is inappropriate within the Green Belt, having regard to the National Planning Policy Framework ('the Framework') and any relevant development plan policies;
 - The effect of the development on the openness of the Green Belt;
 - The effect of the development on the character and appearance of the area; and
 - If the development is inappropriate, whether the harm arising from this, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

The appeal building

5. The appeal concerns what was originally a modest single storey building. The works targeted by the notice include the addition of a pitched roof and dormers to create loft space. The depth of the building was also increased so that, overall, it is significantly larger than the original structure. I am told the works were carried out following the collapse of the original roof and that the building is used for storage and as a laundry facility. When I inspected the site it appeared to be in use for those purposes, although the interior was unfinished, with unplastered walls and no stairway to the loft space.

Whether inappropriate development in the Green Belt

6. The Framework advises at Paragraph 154 that development in the Green Belt is inappropriate unless one of a number of specified exceptions applies. Exception (c) relates to 'the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building'. However, there is no claim that the development here complies with that provision. Rather, the appellant's claim is that exception (b) applies. This is:

'the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it'.

7. The appeal building is within a Gypsy/Traveller caravan site and is used in connection with it. The primary use of the land is not for any of the purposes listed in paragraph 154(b). Moreover, as discussed below, there is some loss of openness arising from the development. Accordingly, the development does not benefit from the exception at 154(b). There is no claim that the development benefits from any of the other exceptions set out at paragraphs 154 and 155.

8. Policy GB1 of the South Staffordshire Local Plan Core Strategy also makes provision for certain 'appropriate small-scale facilities' within the Green Belt which preserve the openness of the Green Belt and which do not conflict with its purposes. The policy is now out of step with current national Green Belt policy and I attach little weight to it as a consequence. But in any event, given my finding of some harm to openness, the development cannot be 'not inappropriate' on the basis of that provision within the policy. Moreover, the policy requires compliance with national policy.
9. For these reasons I conclude that this is inappropriate development in the Green Belt. The appellant argues that none of the 5 purposes of Green Belt, as set out in the Framework, would be compromised. I have no reason to take a different view, but that does not alter my finding on inappropriateness.

Openness of the Green Belt

10. The development has markedly increased the height and bulk of the building and, consequently, has had a negative effect on the openness of the Green Belt. The extent of the harm is very limited, given that it remains a relatively modest building, within an established caravan site and largely screened by a boundary wall, fencing and vegetation. Nevertheless, the Framework advises that openness is one of the essential characteristics of Green Belts, and there is a small degree of additional harm to the Green Belt due to the minor loss of openness that has occurred.

Character and appearance

11. The roof of the building can be seen above the boundary wall and, to that extent, gives the site a more built-up appearance. However, the site already has a developed character arising from its use as a caravan site and its substantial boundary wall and fencing. The building does not look out of place in that context. I do not agree with the Council's characterisation of the building as stark or dominant, given its scale and setting. While the wider setting may be rural, the building is actually experienced in the much more developed character of its immediate setting. The building is constructed of appropriate materials and the existing boundary treatment limits views of it to a significant extent.
12. I conclude that the development does not harm the character or appearance of the area, and find no conflict with policies EQ4, EQ11 and EQ12 of the adopted Core Strategy, which seek to protect local character and landscape and ensure good design and landscaping.

Other considerations

13. The building is used for housing laundry facilities and for storage. While such facilities may be necessary, there is no evidence to show that the requirements of this modest caravan site could not be met by the building in its previous, unextended form, subject to any necessary repair.
14. I have been referred to Local Plan Policy H6, but that is concerned with meeting the accommodation needs of Gypsies and Travellers and is of little relevance to this development concerning a laundry building within an established site. Given the contained nature of the site, I find no conflict with Strategic Objective 2, which

seeks to retain and reinforce the current pattern of villages in the area and retain important strategic gaps.

Planning balance

15. This is inappropriate development within the Green Belt. There is also a small loss of openness arising from the development. The Framework advises at Paragraph 153 that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. '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. I attach substantial weight to the harm to the Green Belt.
16. I have not found harm to the character or appearance of the area.
17. I have not found any specific need for the development or other considerations that weigh in favour of it. It follows from this that there are not considerations that clearly outweigh the harm to the Green Belt. Accordingly, the very special circumstances required to justify the development do not exist and there is conflict with the policy on Green Belts set out in the Framework. There is conflict too with Local Plan Policy GB1 and with Strategic Objective 1, which seeks to protect and maintain the Green Belt. This leads me to conclude that there is conflict with the development plan as a whole.

Conclusion

18. For the reasons set out above I conclude that planning permission should not be granted. Accordingly, the appeal on ground (a) fails.

Ground (g)

19. The appellant says that 12 months is needed in order to secure planning permission for alternative facilities, construct those facilities and carry out the necessary alterations to return the building to its original form. However, there is no evidence before me to show a need for any building larger than this building in its original form to meet any need for laundry and storage facilities. Accordingly, since the notice allows the building to be returned to its original form, there is no need to secure planning permission for any further facility. There is no evidence before me to show that the requirements of the notice cannot be carried out within 4 months and, in my judgement, it is a sufficient period in which to carry out the specified works. Accordingly, there is no need to extend the time for compliance and the appeal on ground (g) fails.

Conclusion

20. For the reasons given above, I conclude that the appeal should not succeed. I shall uphold the enforcement notice and refuse to grant planning permission on the application deemed to have been made under section 177(5) of the 1990 Act (as amended).

Peter Willows

INSPECTOR