

IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

BREACH OF CONDITION NOTICE

Served by: East Staffordshire Borough Council, Town Hall, King Edward Place, Burton upon Trent, Staffordshire, DE14 2EB

1. **This is a formal notice** which is served by the Council, under Section 187A of the above Act, because it considers that a condition imposed on a grant of planning permission, relating to the land described in paragraph 2 below, has not been complied with. The Council considers that you should be required to comply with the condition specified in this notice. The Annex at the end of this notice contains important additional information.

2. The land to which this notice relates

The land known Poppyfields, Lichfield Road, Wychnor DE13 8FH shown edged in red on the attached plan ("the Land").

3. The relevant planning permission

The relevant planning permission to which this Notice relates is the permission granted by the Council on 08/01/2015 for the,
"Permanent retention of a timber shed for the storage of tools and machinery Poppyfields, adjacent Willowbrook Farm, Lichfield Road, Wychnor, Staffordshire, DE13 7BA"
under Planning Permission Number P/2014/01503.

4. The breach of condition

Condition 1 states;

"The building hereby approved shall only be used for the purposes described within section 14 of the planning application form by the applicant Mr L Shackles and his resident dependants. The building shall be removed from the site and the land restored to its former condition within 3 months of it ceasing to be used for the prescribed purposes or by the individuals above.

Reason: To avoid an unwarranted intrusion of built form into the countryside

following the completion of operations, or the sale of the land contrary to East Staffordshire Local Plan Saved Policies NE1 and BE1”

Section 14 of the planning application states;

“Poppyfields wet woodland and wildlife project agricultural afforestation and wildlife enhancement”

5. What you are required to do

As the person responsible for the breach of condition specified in paragraph 4 of this Notice, you are required to secure compliance with the stated condition by taking the following steps:

(1) Ensure that Condition 1 of P/2014/01503 is complied with by

 Ceasing the following activities:

(i) the residential use of the timber shed, on the land, subject to P/2014/01503.

6. Time for compliance

30 days beginning with the day on which this notice is served on you.

7. When this notice takes effect

This notice takes effect immediately it is served on you or you receive it by postal delivery.

Dated: 11 November 2020

Signed:

Senior Solicitor and Deputy Monitoring Officer
(the Council's authorised officer)

on behalf of: East Staffordshire Borough Council, Town Hall, King Edward Place,
Burton upon Trent, Staffordshire, DE14 2EB

Annex

This notice takes effect IMMEDIATELY it is served on you in person or on the day you received it by post.

There is no right of appeal to the First Secretary of State against this notice.

It is an offence to contravene the requirements stated in paragraph 5 of this notice after the end of the compliance period. You will then be at risk of **immediate prosecution** in the Magistrates' Court, for which the maximum penalty is £2,500 for a first offence and for any subsequent offence. If you are in any doubt about what this notice requires you to do, you should get in touch immediately with:

East Staffordshire Borough Council,
Town Hall,
King Edward Place,
Burton upon Trent,
Staffordshire,
DE14 2EB

If you do need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review. Your professional adviser will advise you on what this procedure involves.

Do not leave your response until the last minute.

