

**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**

**To:** Company Secretary, Hi Range Limited, Lichfield Road, Wychnor, Staffordshire  
DE13 8BZ

**Served by:** East Staffordshire Borough Council, The Maltsters, Wetmore Road, Burton  
upon Trent, Staffordshire, DE14 1LS

**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 secure compliance 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 as Hi Range, Lichfield Road, Wychnor, Staffordshire 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 23<sup>rd</sup> May 2012 for the retention of a building and continued use of land as a heliport, including helicopter hire and training under Planning Permission Number P/2012/00261/JPM.

**4. The breach of condition**

The following condition has not been complied with:

- (3) No helicopter movements required in connection with the use hereby permitted shall be undertaken outside the hours of 09:00hrs -17:00hrs daily and the number of helicopter movements within that time period shall be limited to a maximum of eight (a movement equates to one take-off or landing).

in that more than eight helicopter movements are taking place between the hours of 09:00hrs – 17:00hrs and that helicopter movements are also operating outside of the specified time period.

## **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) Cease the following activities:
  - a. from operating helicopter movements outside the hours of 09:00hrs – 17:00 hrs
  - b. operating more than eight helicopter movements between the hours of 09:00 – 17:00hrs on a daily basis

## **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: 17<sup>th</sup> September 2012

Signed:

\_\_\_\_\_  
Legal Services Manager (Solicitor)  
(the Council's authorised officer)

on behalf of: East Staffordshire Borough Council, The Maltsters, Wetmore Road,  
Burton upon Trent, Staffordshire, DE14 1LS

# NORTHGATE SE GIS Print Template



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## ***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:

Planning Delivery  
The Maltsters  
Wetmore Road  
Burton upon Trent  
Staffordshire  
DE14 1LS

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.**