

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY
TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the Planning and Compensation Act 1991)

ENFORCEMENT NOTICE

COPY

ISSUED BY: OLDHAM BOROUGH COUNCIL ("the 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.

2. THE LAND AFFECTED

The land and premises situate at 8 Lime Grove, Royton, Oldham shown edged red on the attached plan ("the land").

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission, the erection of a detached double garage in the position hatched red 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. By reason of its size, scale and proximity to the rear gardens and habitable windows of Nos 6 and 10 Lime Grove, the garage with roof terrace above, has an overbearing and oppressive impact and results in an unacceptable degree of overlooking and loss of privacy, which has a seriously detrimental effect on the amenity of the occupiers of these properties. The development is, therefore, contrary to Policy BE1.2 of the Oldham Unitary Development Plan. In addition, by reason of its size and scale, the garage results in a jarring and incongruous feature when viewed along the rear access road that serves the properties at Lime Grove and Fir Bank Road, and as such is harmful to the character and appearance of the street scene. The proposal is, therefore, also contrary to Policy BE 1.2 of the Oldham Unitary Development Plan. On the 27th October 2004, the Council's Planning Committee, acting under delegated powers, refused a retrospective planning application for these reasons, and the Council does not consider that planning permission should be given for the unauthorised garage, because planning conditions could not overcome these problems.

5. WHAT YOU ARE REQUIRED TO DO

Remove the unauthorised detached garage and all building materials and rubble arising therefrom from the land.

Time for Compliance: 3 months after this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 21st January 2005 unless an appeal is made against it beforehand.

Dated: 10th December 2004

Signed :

AILEEN M JOHNSON
SOLICITOR TO THE COUNCIL
Council's authorised officer

on behalf of OLDHAM BOROUGH COUNCIL
CIVIC CENTRE
WEST STREET
OLDHAM OL1 1UL

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 Secretary of State before the 21st January 2005. The enclosed booklet "Making your enforcement appeal" sets out your rights, the grounds of appeal and the procedure to be followed. Read it carefully. You may use the enclosed appeal forms. One is for you to send to the Secretary of State if you decide to appeal, one is for you to keep as a duplicate for your own records, and one is to be forwarded to the Local Authority. You should also send the Secretary of State the spare copy of this enforcement notice which is enclosed.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on the 21st January 2005 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 the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.

IMPORTANT ADDITIONAL INFORMATION

The fee for the deemed planning application is £220 half of which is payable to the Council and half to the Office of the Deputy Prime Minister. There is no fee for the appeal itself.

A copy of this Enforcement Notice has been served on the following persons:-

Mr Kevin Alan Smith
8 Lime Grove
Royton
Oldham

The Residential Organisation Ltd
Holborn Hall
100 Gray's Inn Road
London WC1X 8BY

Mr Richard Hesmondhalgh
Hawthorne Dene
School Lane
West Hill
Ottery St Mary
Devon EX11 1UP



Plan referred to in an Enforcement Notice under
my hand dated: 10th December 2004

Signed: [Redacted Signature]

ENFORCEMENT NOTICE

8 Lime Grove, Royton

Unauthorised Erection of Double Garage (hatched red)

OLDHAM
Metropolitan Borough

Environmental Services

Executive Director: Tom Flanagan Phd B.Eng (Hons) C.Eng MICE MIHT
Civic Centre PO Box 30 West Street Oldham OL1 1UQ

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