

05/234

**Internal
Memorandum**

Your reference: RG/EC/05/0234
Our reference: LJM/PE474
Ask for: Linda Mills
Extension No: 4836
Date: ~~14th May 2007~~
5th June 2007

FROM: CHIEF EXECUTIVE'S DIRECTORATE (LEGAL, DEMOCRATIC & PERSONNEL SERVICES) - ENVIRONMENT GROUP

TO: EXECUTIVE DIRECTOR, ENVIRONMENTAL SERVICES
FAO David McArtney & Barbara Hodgson
LAND CHARGES - FAO Wendy Lonsdale

TOWN AND COUNTRY PLANNING ACT 1990
ENFORCEMENT NOTICE – 198 FREDERICK STREET, OLDHAM

I enclose a copy of the Enforcement Notice which has been served on:-

Mohammad Sadiq of 198 Frederick Street, Oldham

Enc.

COPY

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

ENFORCEMENT NOTICE

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

198 Frederick Street, Oldham shown edged red on the attached plan ("the land").

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission, the erection of a rear extension on the land.

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, the garage with roof terrace above will have an overbearing and oppressive impact and result in an unacceptable degree of overlooking and loss of privacy, which will have a seriously detrimental effect on the amenity of the occupiers of these properties. The proposal will, therefore, be contrary to Policy BE1.2 of the Adopted Oldham Unitary Development Plan.

5. WHAT YOU ARE REQUIRED TO DO

Permanently remove the unauthorised rear extension from the land.

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

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 13th July 2007 unless an appeal is made against it beforehand.

Dated: 31st May 2007

Signed : 

FOR 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 13th July 2007. 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.

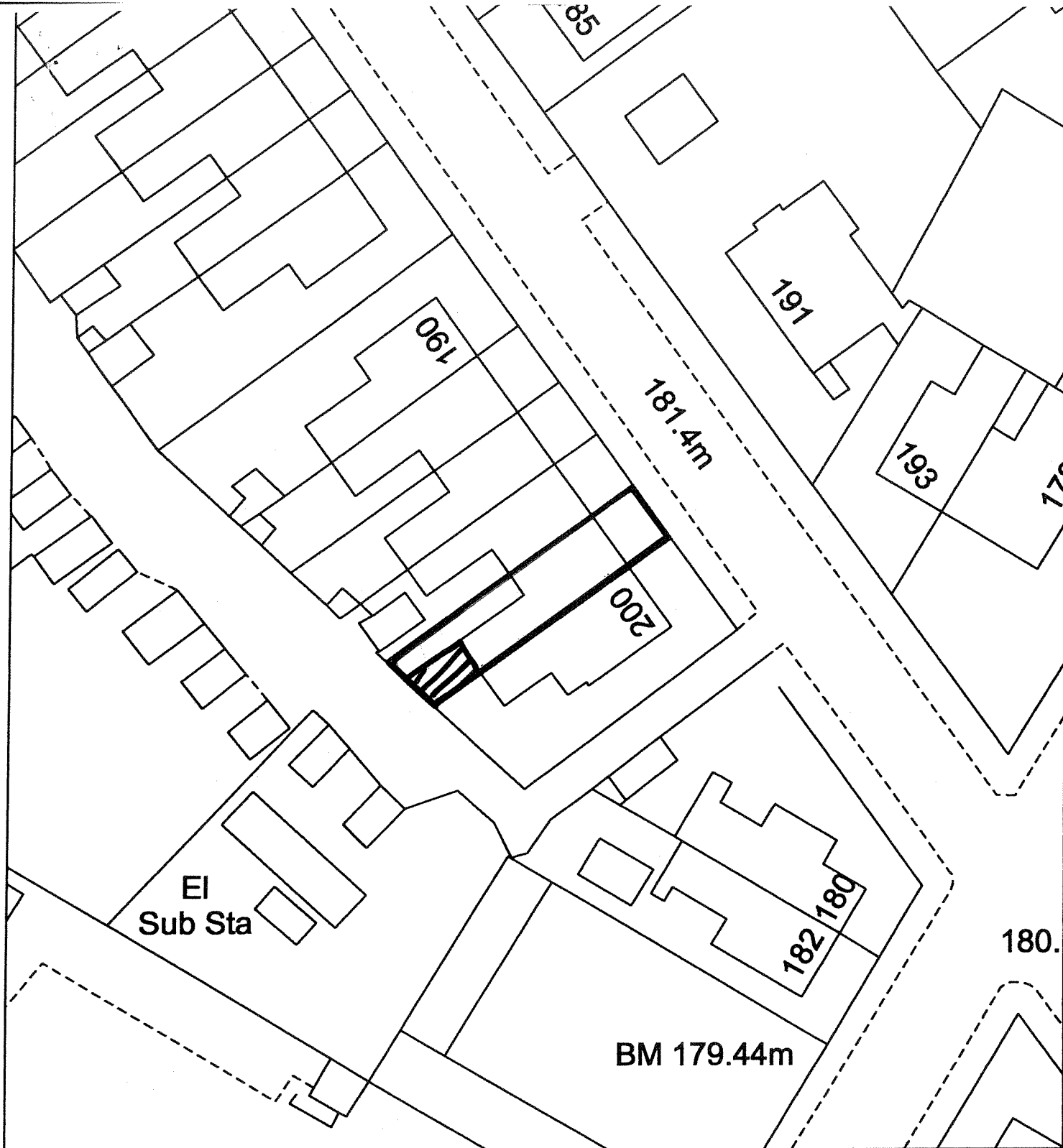
WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on the 13th July 2007 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 £270.00 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:-



ENFORCEMENT NOTICE

Unauthorised Rear Extension (hatched red)

198 Frederick Street,
Oldham

Plan referred to in an
Enforcement Notice under
my hand dated 31st May
2007

OLDHAM 
Metropolitan Borough

Environmental Services

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

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Scale: 1:500
Date: 28/10/2005
OS Ref: SD9103NE

