

**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 Metropolitan Borough Council ("the Council")**FILE COPY**

**To:** Mr. Walter Merriman                      Company Secretary  
Boodle Fold Farm                              Acorn Bespoke Roofing  
Woodhouses                                      69 Windsor Road  
Failsworth                                        Prestwich  
Oldham M35 9WJ                                Manchester M25 0DB

1. **THIS NOTICE** 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. The Annex at the end of the notice and the enclosures to which it refers contain important additional information.

2. **THE LAND TO WHICH THE NOTICE RELATES**

Land to east of Boodle Fold Farm, Woodhouses, Failsworth, Oldham M35 9WJ, as shown edged red on the attached plan.

3. **THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL**

Without planning permission, the following breaches have been identified on the site: -

- a) The importation of hardcore to form a hardstanding.
- b) The operation of a roofing business including the storage of roofing materials, steel containers, plant and machinery within the Green Belt.
- c) The importation, storage and sorting of waste and other materials
- d) The development and activities referred to in 3(a) and (b) above are contrary to Policy OE 1.1 of the Oldham Unitary Development Plan 2006 and Planning Policy Guidance 2 (Green Belt).

4. **REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the above breach of planning control has occurred within the last ten years.

5. **WHAT YOU ARE REQUIRED TO DO**

- a) Remove the hardstanding erected on site and return the area to grass using suitable grass seed or turf
- b) Cease all roofing business operations and activities, together with the importation, storage and sorting of waste on the site.
- c) Remove all building materials from the site.
- d) Remove all storage equipment and tipped hardcore materials from the site

- e) Remove all plant and machinery from the site.

**6. TIME FOR COMPLIANCE**

With regard to paragraph 5a, 5d and 5e above you must take the steps specified within one month of the date on which the notice takes effect.

With regard to paragraphs 5b and 5c you must take the steps specified immediately after the date on which the notice takes effect.

**7. WHEN THIS NOTICE TAKES EFFECT**

The Notice takes effect on 23<sup>rd</sup> October 2008, unless an appeal is made against it beforehand.

Dated: 11<sup>th</sup> September 2008

Signed: .....

**For Director of Legal and Democratic Services  
Council's authorised Officer**

On behalf of: Oldham Metropolitan 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 date specified in paragraph 7 of the notice. 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 Council. 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 date specified in paragraph 7 of the notice 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 specified in paragraph 6 of this 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 permission application is £335, half of which is payable to the Council and half to the Department for Communities and Local Government. There is no fee for the appeal itself.

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

Mr Walter Merriman, Boodle Fold Farm, Woodhouses, Failsworth Oldham M35 9WJ  
Company Secretary, Acorn Bespoke Roofing, 69 Windsor Road, Prestwich, Manchester M25 0DB

**FILE COPY**

08/010

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

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

**STOP NOTICE**

**FILE COPY**

**SERVED BY:** Oldham Metropolitan Borough Council

To: Mr W Merriman  
Boodle Fold Farm  
Woodhouses  
Failsworth  
OLDHAM  
M35 9WJ

Company Secretary  
Acorn Bespoke Roofing  
69 Windsor Road  
Prestwich  
Manchester  
M25 0DB

1. On 11<sup>th</sup> September 2008, the Council issued an enforcement notice (of which a copy is attached to this notice) alleging that there has been a breach of planning control namely, that without planning permission, there has been importation of hardcore to form hardstanding and additionally use of land within the Green Belt for the operation of a roofing business including storage of roofing materials, steel containers and plant and machinery, such that the development and activities is contrary to policy OE1.1 of the Oldham Unitary Development Plan 2006 and Planning Policy Guidance 2 (Green Belt).
2. **THIS NOTICE** is issued by the Council, in exercise of their powers in section 183 of the 1990 Town and Country Planning Act 1990, because they consider that it is expedient that the activity specified in this notice should cease before the expiry of the period allowed for compliance with the requirements of the enforcement notice on the land described in paragraph 3 below. The Council now prohibit the carrying out of the activity specified in this notice. Important additional information is given in the Annex to this notice.

**3. THE LAND TO WHICH THIS NOTICE RELATES**

Land to east of Boodle Fold Farm, Woodhouses, Failsworth, Oldham M35 9WJ, as shown edged in red on the attached plan

**4. ACTIVITY TO WHICH THIS NOTICE RELATES**

Cease all the importation and storage of roofing and building materials onto the land edged red in the attached plan.

**5. WHAT YOU ARE REQUIRED TO DO**

- a) Cease all roofing business operations and activities.
- b) Cease the importation, storage and sorting of waste on the site.

**6. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect from 16<sup>th</sup> September 2008.

Dated: 11/09/2008

Signed:

Alan Evans  
Solicitor

FILE COPY

Annex A: Enforcement Notice dated

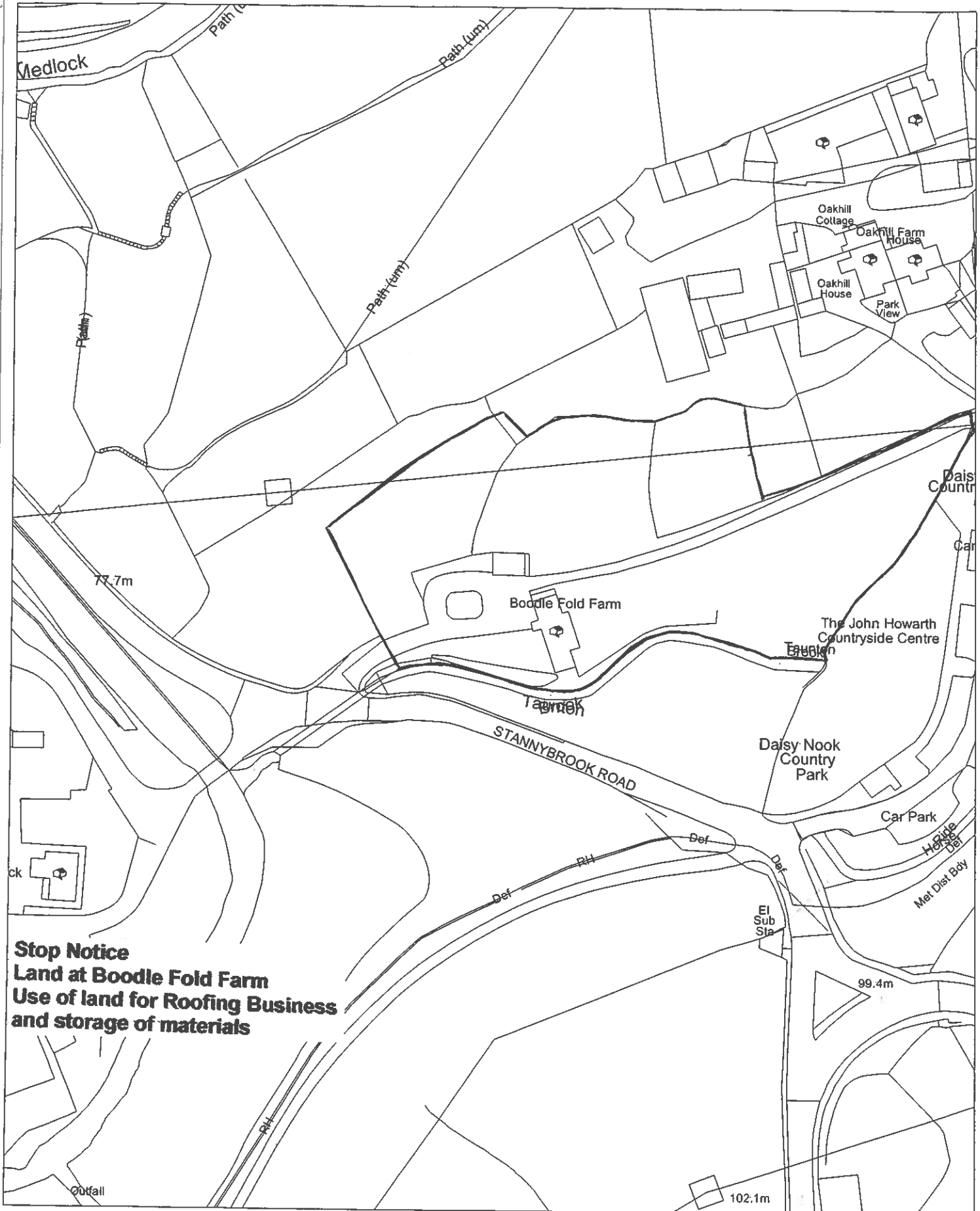
**WARNING**

**THIS NOTICE TAKES EFFECT ON THE DATE SPECIFIED IN PARAGRAPH 6.**

**THERE IS NO RIGHT OF APPEAL TO THE SECRETARY OF STATE FOR THE ENVIRONMENT AGAINST THIS NOTICE.**

It is an offence to contravene a stop notice after a site notice has been displayed or the stop notice has been served on you. (Section 187(1) of the 1990 Act). If you then fail to comply with the stop notice you will be at risk of **immediate prosecution** in the Magistrates' Court, for which the maximum penalty is £20,000 on summary conviction for a first offence and for any subsequent offence. The fine on conviction on indictment is unlimited. If you are in any doubt about what this notice requires you to do, you should get in touch **immediately** with David Winterbottom, Oldham Metropolitan Borough Council, Civic Centre, Level 12, West Street, Oldham, OL1 1UQ; telephone **0161 770 4105**.

If you 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.



**Stop Notice**  
**Land at Boodle Fold Farm**  
**Use of land for Roofing Business**  
**and storage of materials**

**OLDHAM**   
 Metropolitan Borough 

Planning Services  
 Oldham MBC  
 PO Box 30  
 Civic Centre  
 West Street  
 Oldham  
 OL1 1UQ

Contact Us -  
 Phone: 0161 911 4105  
 Fax: 0161 911 3104  
 Email: [planning@oldham.gov.uk](mailto:planning@oldham.gov.uk)  
 Web: [www.oldham.gov.uk](http://www.oldham.gov.uk)



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Date: 10:09:08

Scale 1:1250



**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 Metropolitan Borough Council ("the Council")

**To:** Mr. Walter Merriman  
Boodle Fold Farm  
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- c) Remove all building materials from the site

- d) Remove all storage equipment, plant and machinery and tipped hardcore materials from the site

**6. TIME FOR COMPLIANCE**

You must take the steps specified in paragraph 5 within two months of the date on which the notice takes effect.

**7. WHEN THIS NOTICE TAKES EFFECT**

The Notice takes effect on 20<sup>th</sup> January 2009, unless an appeal is made against it beforehand.

Dated: 18<sup>th</sup> December 2008

Signed:  .....

**For Director of Legal and Democratic Services  
Council's authorised Officer**

On behalf of: Oldham Metropolitan Borough Council  
Civic Centre  
West Street  
Oldham  
OL1 1UL

**ANNEX**

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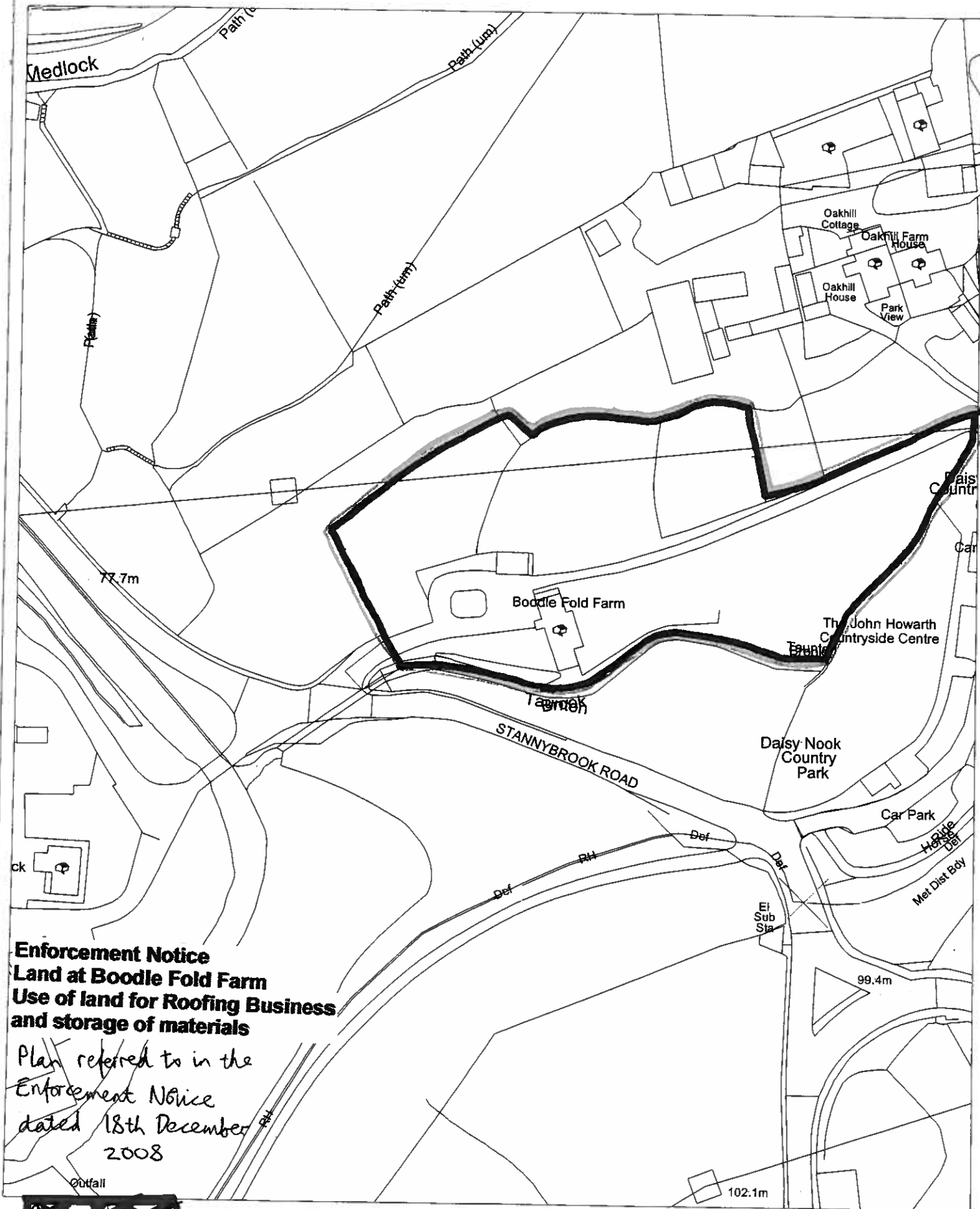
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**Mr Walter Merriman, Boodle Fold Farm, Woodhouses, Failsworth Oldham M35 9WJ**



**Enforcement Notice**  
**Land at Boodle Fold Farm**  
**Use of land for Roofing Business**  
**and storage of materials**

Plan referred to in the  
 Enforcement Notice  
 dated 18th December  
 2008

for Director of Legal & Democratic  
**OLDHAM**     Service  
 Metropolitan Borough

Planning Services  
 Oldham MBC  
 PO Box 30  
 Civic Centre  
 West Street  
 Oldham  
 OL1 1UQ

Contact Us -  
 Phone: 0161 911 4105  
 Fax: 0161 911 3104  
 Email: [planning@oldham.gov.uk](mailto:planning@oldham.gov.uk)  
 Web: [www.oldham.gov.uk](http://www.oldham.gov.uk)

Date: 10:09:08  
 Scale 1:1250 