

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

69 Cooper Street, Springhead, Oldham, OL4 4RD shown edged black on the attached plan ("the land").

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission, the unauthorised development of raised decking to the rear of the dwelling and construction of a supporting wall exceeding two metres in height above the original ground level.

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. The raised decked area by reason of its elevated position and proximity to the common boundary, results in a serious degree of overlooking of the private garden area of 67 Cooper Street which is detrimental to the levels of privacy that the occupiers of that property could reasonably expect to enjoy. As such, the development which has taken place is contrary to policy D1.1 of the Oldham Metropolitan Borough Unitary Development Plan.

The supporting wall which forms part of the raised deck, by reason of its poor design and visual appearance when viewed from the garden of 67 Cooper Street is detrimental to the visual amenities that the occupiers of that property could reasonably expect to enjoy. As such, the development which has taken place is contrary to policy D1.1 of the Oldham Metropolitan Borough Unitary Development Plan.

5. WHAT YOU ARE REQUIRED TO DO


Remove the unauthorised decking and that part of the wall which exceeds two metres in height above the original ground level.

Time for Compliance: within 6 months of the date on which the notice take effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 25th December 2009 unless an appeal is made against it beforehand.

Dated: 13th November 2009

Signed : ... 
for PAUL ENTWISTLE
ACTING BOROUGH SOLICITOR
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 date insert at paragraph 6. The enclosed factsheet sets out the methods by which you can submit your appeal. Read it carefully.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on the date inserted in paragraph 6 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 £335.00 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 A McEwan
69 Cooper Street
Springhead
Oldham
OL4 4RD



Plan attached to Enforcement Notice
dated 13 November 2009


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
Web: www.oldham.gov.uk



Date: 22:05:09

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