

**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

147 Pitt Street, Oldham, OL4 1AN shown edged red on the attached plan ("the land").

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission, use of a former retail (Class A1) of the Town and County Planning Act (Use Classes) Order 1987 (as amended) for the purpose of a takeaway hot food shop (Class A5) of the Use Classes Order 1987 (as amended)

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. The level of activity likely to be generated by the use, especially during the evenings, would create significant levels of noise, odours and disturbance which would adversely affect the amenities of the occupiers of nearby residential properties. The proposal is therefore contrary to policy S1.4 of the Adopted Unitary Development Plan for Oldham 2006.

5. WHAT YOU ARE REQUIRED TO DO

Cease the use of the site as a Hot Food Takeaway (Class A5) and remove all equipment and materials brought onto the land for this purpose from the site as shown edged red on the plan attached.

Time for Compliance: within 3 months from the date that this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 17th August 2009 unless an appeal is made against it beforehand.

Dated:

Signed: *Alan Evans*

PAUL ENTWISTLE
ACTING BOROUGH SOLICITOR
Council's authorised officer

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

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 6 of this 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 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 date specified in paragraph 6 of this 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(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

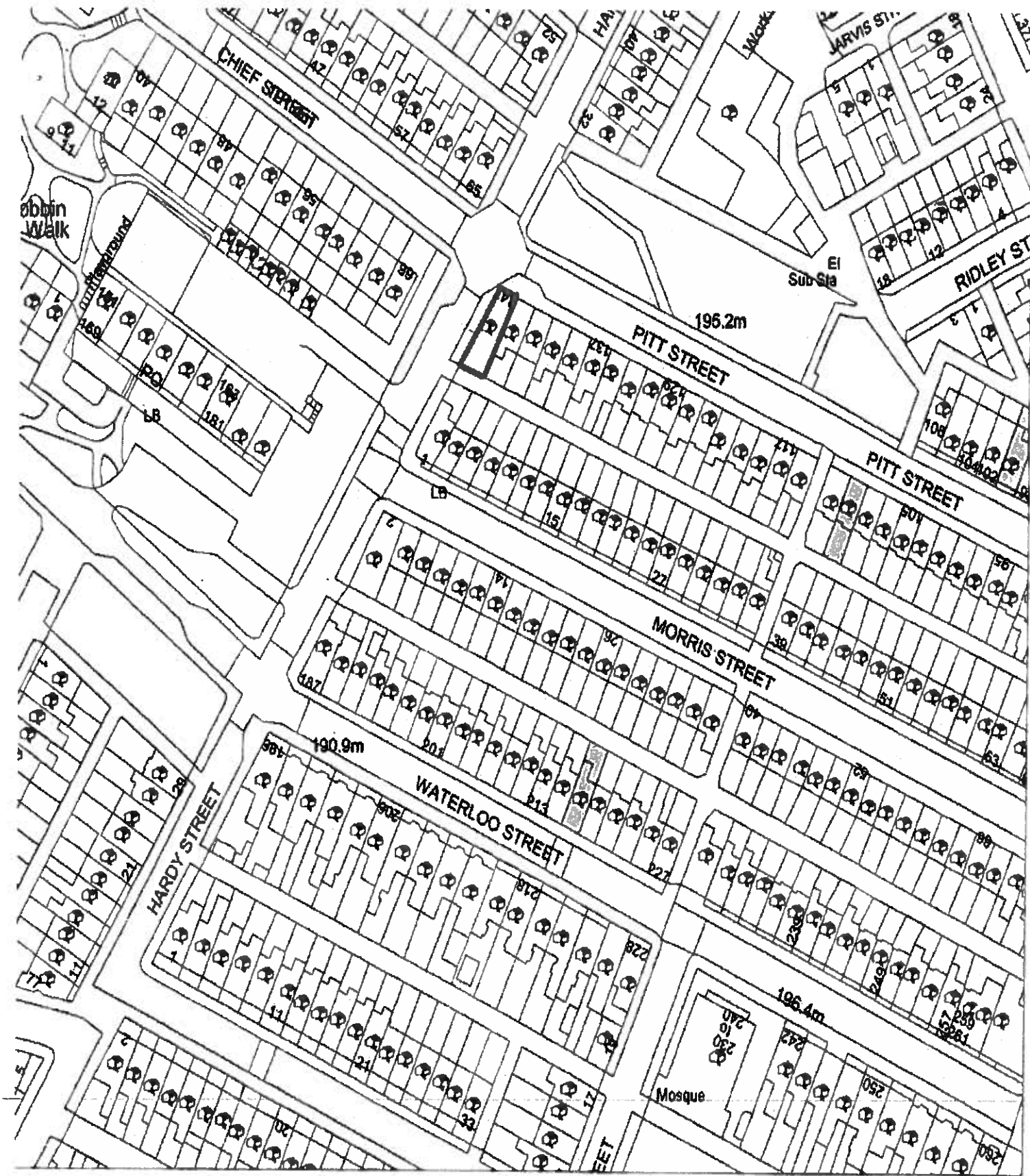
The fee for the deemed planning application is £335.00 half of which is payable to the Council and half to the Department for Communities and Local Government. There is no fee for the appeal itself.

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

Mr Gazanfar Ali
227 Lees Road
Oldham
OL4 1LS

Ms Nhila Gazanfar
227 Lees Road
Oldham
OL4 1LS

Mr Amir Ali
147 Pitt Street
Oldham
OL4 1AN



TOWN AND COUNTRY PLANNING ACT 1990

Enforcement Notice

Planning Application Reference: 09/225

Location: 147 Pitt Street, Oldham, OL1 1AN

Alan Evans



1:1250

OLDHAM Metropolitan Borough

Environmental Services

Acting Executive Director John Hirst MBE
 Civic Centre PO Box 33 West Street Oldham OL1 1UD

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