

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")

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 at 55 and 57 Manley Road, Oldham, OL8 1AS as shown edged red on the accompanying plan ("the land")

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

Without planning permission, erection of a two storey extension on land at 55 and 57 Manley Road, Oldham, OL8 1AS, as shown edged 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. The two storey extension by reason of its size, scale and design and its proximity to the boundary of 57 Manley Road will result, in a loss of daylight and be an oppressive and overbearing form of development in relation to the rear ground floor habitable window of 57 Manley Road to the detriment of residential amenity. The proposal would therefore be contrary to Policy D1.11 of Oldham Metropolitan Borough Unitary Development Plan.

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

- i. Demolish the two storey flat roof extension as cross hatched in black on the attached plan (Dwg.No.MN1110) and remove all building material from the demolition of the extension from the land; and
- ii. Brick up the side elevation of the two storey extension as coloured in green on the attached plan (Dwg.No.MN1110) facing 57 Manley Road, Oldham in brickwork to match the materials used on the house extension of 55 Manley Road, Oldham.
- iii. Brick up the rear elevation of the original dwelling house as coloured in green on the attached plan (Dwg.No.MN1110) facing 2 Lorne Street, Oldham in brickwork to match the materials used on the house extension of 55 Manley Road, Oldham.

6. TIME FOR COMPLIANCE

Three months (3) after this notice takes notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

The Notice takes effect on 7th July, unless an appeal is made against it beforehand.

Dated: 24 May 2010

Signed: Alan Evans

**For Paul Entwistle
Borough Solicitor
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.

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 £150, 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: -

**Mohammed Nasir 55 Manley Road Oldham OL8 1AS
Shahnaz Saddique, 57 Manley Road, Oldham, OL8 1AS**