

Date: 11th January 2011
Our ref: ND/PE515
Your ref:

Bibi Shaheen
2/2a Oxford Street
Werneth
Oldham
OL9 7SN

Legal & Democratic Services
Environment Group
Level 4, Civic Centre, West Street
Oldham, OL1 1UL
Tel: 0161 770 4812
Fax: 0161 770 3701

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

Dear Sir

TOWN & COUNTRY PLANNING ACT 1990
ENFORCEMENT NOTICE – LAND AT 2/2a Oxford Street, Werneth, Oldham, OL9 7SN

This local planning authority, Oldham Metropolitan Borough Council, has issued an enforcement notice relating to the above land and I now serve on you a copy of that notice as you have an interest in the land.

There is a right of appeal to the Secretary of State (at The Planning Inspectorate) against the notice. Unless an appeal is made, as described below, the notice will take effect on the 14th February 2011 and you must then ensure that the required steps, for which you may be held responsible, are taken within the period specified in the notice.

If you decide that you want to appeal against the enforcement notice you must ensure that you send your appeal soon enough so that normally it will be delivered by post/electronic transmission to the Secretary of State (at The Planning Inspectorate) before the 14th February 2011.

Under section 174 of the Town and Country Planning Act 1990 (as amended) you may appeal on one or more of the following grounds:-

- (a) that, in respect of any breach of planning control which may be constituted by the matters stated in the notice, planning permission ought to be granted or, as the case may be, the condition or limitation concerned ought to be discharged;
- (b) that those matters have not occurred;
- (c) that those matters (if they occurred) do not constitute a breach of planning control;
- (d) that, at the date when the notice was issued, no enforcement action

could be taken in respect of any breach of planning control which may be constituted by those matters;

(e) that copies of the enforcement notice were not served as required by section 172;

(f) that the steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by any such breach;

(g) that any period specified in the notice in accordance with section 173(9) falls short of what should reasonably be allowed.

Not all of these grounds may be relevant to you.

If you appeal under Ground (a) of Section 174(2) of the Town and Country Planning Act 1990 this is the equivalent of applying for planning permission for the development alleged in the notice and you will have to pay a fee of £150. You should pay half of the fee to the Oldham Metropolitan Borough Council (made payable to Oldham Metropolitan Borough Council) and the other half of the fee to the Planning Inspectorate (made payable to the Department for Communities and Local Government).

If you decide to appeal, when you submit it, you should state in writing the ground(s) on which you are appealing against the enforcement notice and you should state briefly the facts on which you intend to rely in support of each of those grounds. If you do not do this when you make your appeal the Secretary of State will send you a notice requiring you to do so within 14 days.

Parties on whom the enforcement notice has been served:

Bibi Shaheen
2/2a Oxford Street
Werneth
Oldham
OL9 7SN

Yours faithfully



N Dunn



Oldham
Council

Solicitor
Direct line: 0161 770 4812
Email: Natalie.Dunn@oldham.gov.uk

many players... one team
www.oldham.gov.uk

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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: **Bibi Shaheen**
2/2a Oxford Street
Werneth, Oldham, OL9 7SN

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 2/2a Oxford Street, Oldham, OL9 7SN 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 single storey front extension on land at 2/2a Oxford Street, Oldham, OL9 7SN, 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 proposed single storey front extension by reason of its siting, size and design results in an incongruous and jarring form of development which is out of keeping with the scale, massing, appearance and general built form of the existing house and has an adverse visual impact on the street scene and general character of the surrounding area. The proposal is therefore be contrary to Policy D1.11 of the Adopted Oldham Metropolitan Borough Council Unitary Development Plan and Planning Policy Statement 1.

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

- i. Demolish the single storey front extension as cross hatched in red on the attached plan (Dwg.No.MA28109) and remove all building material from the demolition of the extension from the land; and

- ii. Reinstate the front elevation of the building as shown on the 'EXISTING FRONT ELEVATION' drawing (dwg.No.MA28109) with brickwork to match the brickwork used in the existing house in terms of colour, size and texture.
- iii. Reinstate the boundary brick wall in accordance with a scheme that has first been submitted to and agreed with the Local Planning Authority. The scheme shall clearly show the scale, massing, appearance and use of materials of the boundary wall.

6. TIME FOR COMPLIANCE

Three months (3) after this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

The Notice takes effect on 14th February 2011, unless an appeal is made against it beforehand.

Dated: 10/1/11

Signed:


**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: -

Bibi Shaheen of 2/2A Oxford Street, Werneth, Oldham, OL9 7SN

CERTIFICATE OF SERVICE

I hereby declare that I served notice of which this is a true copy

by GARETH SALTHOUSE

(letterbox at shop)

On: AMINA BIBI (RESIDES AT NO. 6 GLOUCESTER ST NORTH,)
019 75N

At: 13:42 ~~am/pm~~

Signed: [Signature]

Designation:

Date: 11/01/11

Witness to service: LINDSEY ZECEVIC

Signed: [Signature]

Designation:

Date: 11.01.11

CERTIFICATE OF SERVICE

I hereby declare that I served notice of which this is a true copy

by... GARETH SALTHOUSE

(letterbox at dwelling house)

On: AMNA BIBI (RESIDES AT No. 6
13:42 GLOUCESTER ST. NORTH,)

At: am/pm

Signed:

Designation:

Date: 11/01/11

Witness to service: ... LINDSEY ZECEVIC

Signed:

Designation:

Date: 11.01.11
