

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 contains important additional information.

2. THE LAND TO WHICH THE NOTICE RELATES

Land at 5 Radnor Street, Oldham, OL9 7RH as shown edged red on the accompanying plan ("the Land")

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

The erection of a front porch and construction of a partially built single storey flat roof rear extension on the Land without the benefit of planning permission.

4. REASONS FOR ISSUING THIS NOTICE

1. The front porch by reason its size, siting, scale, massing, materials, appearance and design constitutes an incongruous and over dominant form of development which is detrimental to the character and appearance of the street scene as a whole. Consequently the front porch is contrary to Policy D1.11 (House Extensions) and Policy D1.1 (General Design Criteria) of the Oldham Metropolitan Borough Unitary Development Plan.
2. The partially built single storey rear extension by reason of its size, scale and siting in relation to the rear ground floor windows of the adjoining house at 7 Radnor Street results in an oppressive and overbearing form of development to the detriment of the residential amenity of the occupiers of the neighbouring property. Consequently the single storey rear extension is contrary to Policy D1.11 (House Extensions) and Policy D1.1 (General Design Criteria) of the Oldham Metropolitan Borough Unitary Development Plan, in addition to Planning Policy Statement 1 and the Oldham and Rochdale Urban Design Guide Supplementary Planning Guidance Document.

3. The partially built single storey rear extension by reason of its scale, massing and siting results in an incongruous and over dominant form of development that is detrimental to the visual amenity of the surrounding area. Consequently the single storey rear extension is contrary to Policy D1.11 (House Extensions) and Policy D1.1 (General Design Criteria) of the Oldham Metropolitan Borough Unitary Development Plan, in addition to Planning Policy Statement 1 and the Oldham and Rochdale Urban Design Guide Supplementary Planning Guidance Document.
4. The partially built single storey rear extension by reason of its size, scale and siting results in the over development of the rear area of private open space available on the Land and in relation to the existing ground floor window results in an oppressive and over bearing form of development. As such the extension is harmful to the amenity of the occupiers of the dwelling. Consequently the single storey rear extension is contrary to Policy D1.11 (House Extensions) and Policy D1.1 (General Design Criteria) of the Oldham Metropolitan Borough Unitary Development Plan, in addition to Planning Policy Statement 1 and the Oldham and Rochdale Urban Design Guide Supplementary Planning Guidance Document.
5. The breach of planning control has occurred within the last four years.

5. WHAT YOU ARE REQUIRED TO DO

Permanently remove the front porch and demolish the partially built single storey rear extension and remove all building material resulting from the demolition of the extension from the Land.

6. TIME FOR COMPLIANCE

The actions specified in 5 above must be carried out within 3 months after this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

The Notice takes effect on 19th September 2011, unless an appeal is made against it beforehand.

Dated: 19th August 2011

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

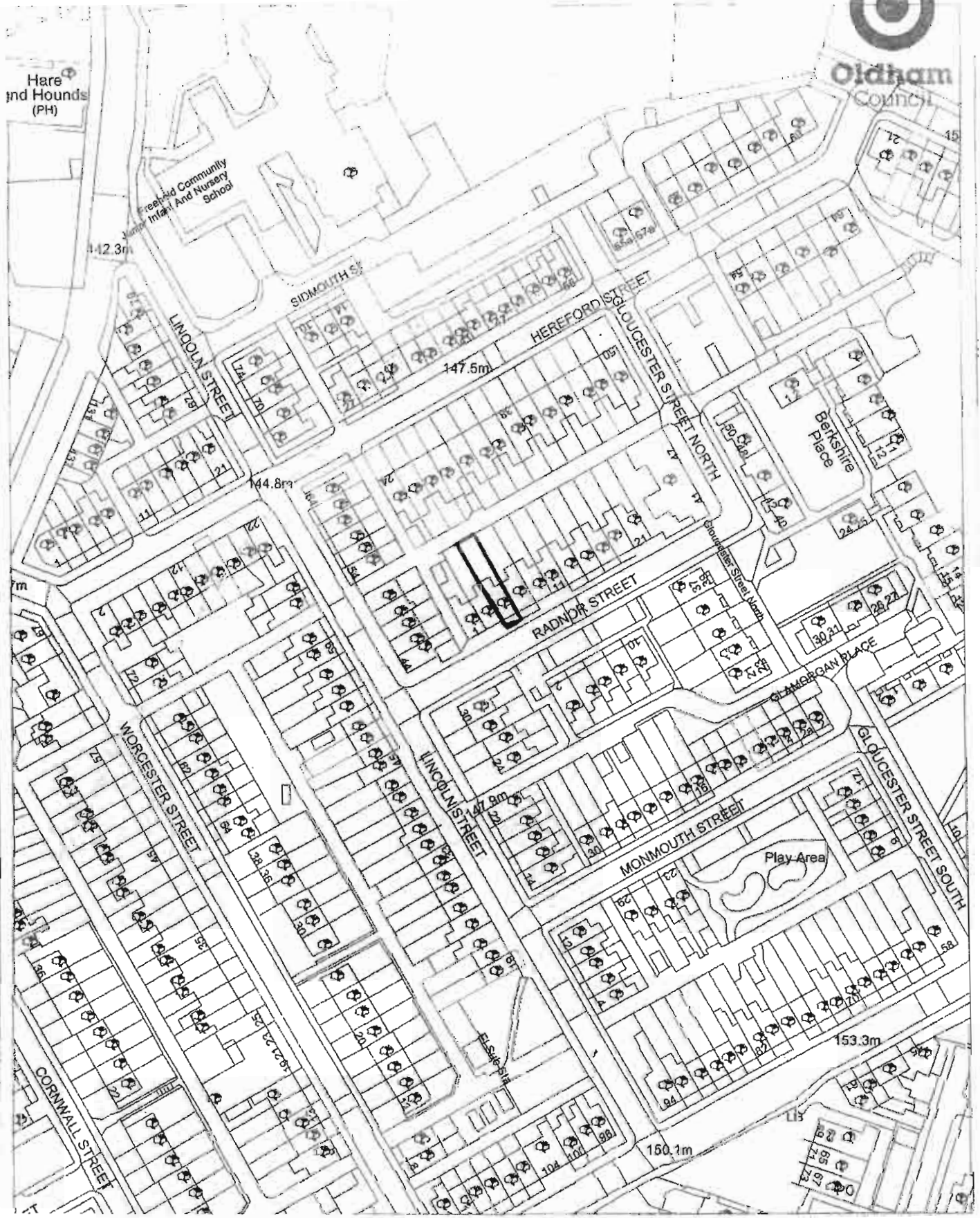
The fee for the deemed planning permission application is £300, half of which is payable to the Council and half to the Department for Communities and Local Government. There is no fee for the appeal itself.

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

Mrs. Mareena Jan of 5 Radnor Street, Werneth, Oldham, OL9 7RH



Oldham Council



Plan referred to in an Enforcement Notice under
my hand dated: 19th August 2011
Signed:

Contact Us -
Tel: 0161 911 4105
0161 911 3104
Email: planning@oldham.gov.uk
Website: www.oldham.gov.uk

Date: 04:05:11
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