

03/439

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY
TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the Planning and Compensation Act 1991)**

ENFORCEMENT NOTICE A

COPY

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

Land at and to the rear of 68 and 70 Oldham Road, Denshaw, Oldham shown edged red on the attached plan ("the land").

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission, the erection of a greenhouse in the approximate position marked with a cross 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 land is located within the Green Belt, and the greenhouse was substantially completed less than four years ago. The greenhouse is not a form of permissible development within the Green Belt and, as such, harms the open character and appearance of the Green Belt. It does not assist in safeguarding the countryside from encroachment, which is one of the primary purposes of including land within the Green Belt. The unauthorised development, therefore, is contrary to Policies LR2, LR2.1 and LR2.2 of the Council's Unitary Development Plan. The Council does not consider that planning permission should be given for the unauthorised development, because planning conditions could not overcome these problems.

5. WHAT YOU ARE REQUIRED TO DO

Remove the greenhouse and all building materials and rubble arising therefrom from the land.

Time for Compliance: 3 months after this notice takes effect.

ENVIRONMENTAL SERVICES HENSHAW HOUSE	
REFERRED TO:	
REDIRECT TO:	
RECEIVED:	- 7 SEP 2004
COMMENTS:	

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 11th August 2004 unless an appeal is made against it beforehand.

Dated: 30th June 2004

Signed : *Aileen M. Johnson*

AILEEN M JOHNSON
SOLICITOR TO THE COUNCIL
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 11th August 2004. 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

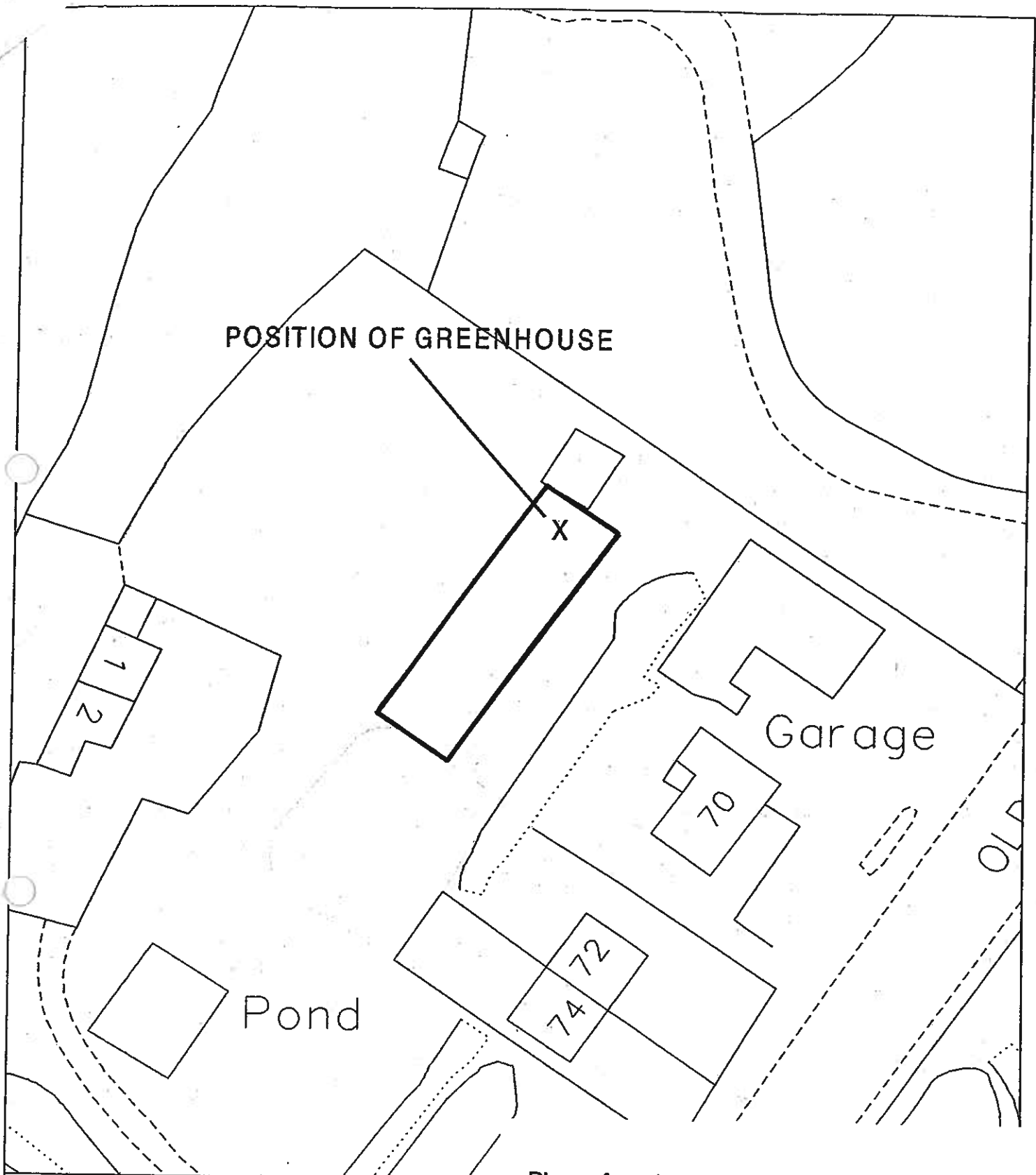
If you do not appeal against this enforcement notice, it will take effect on the 11th August 2004 and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period(s) specified in the notice. Failure to comply with an enforcement 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 £220 half of which is payable to the Council and half to the Office of the Deputy Prime Minister. There is no fee for the appeal itself.

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

Mr J Buckley, 68/70 Oldham Road, Denshaw, Oldham
Mrs DF Buckley, 68/70 Oldham Road, Denshaw, Oldham



POSITION OF GREENHOUSE

Garage

Pond

PLANNING ENFORCEMENT NOTICE

Land at and to the rear of 68 and 70, Oldham
Denshaw, Oldham

Plan referred to in an Enforcement Notice under
my hand dated: 30.6.04
Signed: Aileen M. Johnson

OLDHAM Metropolitan Borough

Environmental Services
Executive Director: Tom Flanagan Phd B.Eng (Hons) C.Eng MICE MINT
Civic Centre PO Box 30 West Street Oldham OL1 1UQ

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Date: 02/06/2004
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