

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990  
(as amended by the Planning and Compensation Act 1991)**

**ENFORCEMENT NOTICE B**

**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 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, change of use of the land to a use for domestic garden purposes.

4. REASONS FOR ISSUING THIS NOTICE

It appears to the Council that the above breach of planning control has occurred within the last 10 years. The land is located within the Green Belt and the unauthorised use of the land for domestic garden purposes is not a permissible use 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

Cease the use of the land for domestic garden purposes and remove all ornamental shrubs and plants from the land and rotovate and grass seed the land to restore the land to its condition before the unauthorised development took place.

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

6. WHEN THIS NOTICE TAKES EFFECT

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

Dated: 30<sup>th</sup> 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 11<sup>th</sup> 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**

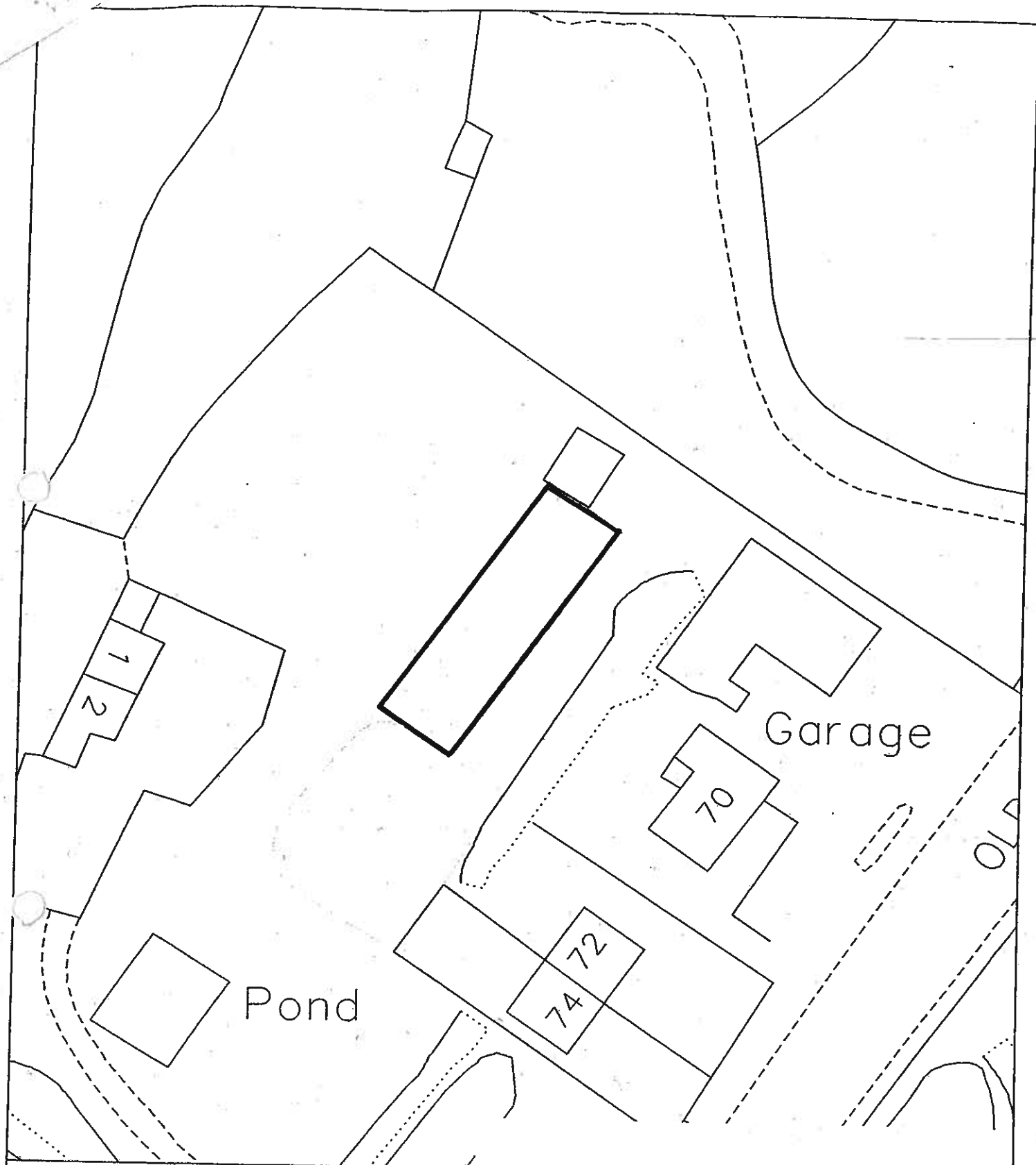
If you do not appeal against this enforcement notice, it will take effect on the 11<sup>th</sup> August 2004 and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period(s) specified in the notice. Failure to comply with an 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 £440 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



# PLANNING ENFORCEMENT NOTICE

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

Plan referred to in an Enforcement Notice under

my hand dated: 30.6.04

Signed: Adeen M. Johnson

**OLDHAM**   
Metropolitan Borough

## Environmental Services

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

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Scale: 1:500  
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