

**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 Dean Head, Diggle, Oldham shown edged red on the attached plan ("the Land").

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

Without planning permission, change of use of the Land to use for the taking off, landing and stationing of helicopters.

4. **REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the above breach of planning control has occurred within the last ten years. The use is seriously detrimental to the amenities of the occupants of nearby residents' properties by virtue of noise and disturbance. In addition, the use of the Land for the taking off, landing and stationing of helicopters is harmful to the character and appearance of the surrounding area, which is designated as Green Belt. The said use constitutes inappropriate development in the Green Belt and is contrary to Policy OE1 and OE1.1 of the Council's Unitary Development Plan 2006.

The Council does not consider that planning permission should be given, because planning conditions could not overcome the inappropriateness of the development or the harm caused to amenity and the character and appearance of the surrounding area.

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

Cease the use of the land for the taking off, landing and stationing of helicopters.

For the avoidance of doubt please note that this enforcement notice does not affect the statutory permitted development rights contained in Class B of Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

**6. TIME FOR COMPLIANCE**

Within 6 months of the date on which the notice takes effect.

**7. WHEN THIS NOTICE TAKES EFFECT**

The Notice takes effect on 17<sup>th</sup> December 2009, unless an appeal is made against it beforehand.

Dated: 16<sup>th</sup> September 2009

Signed: Alan Evans

**For Acting 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

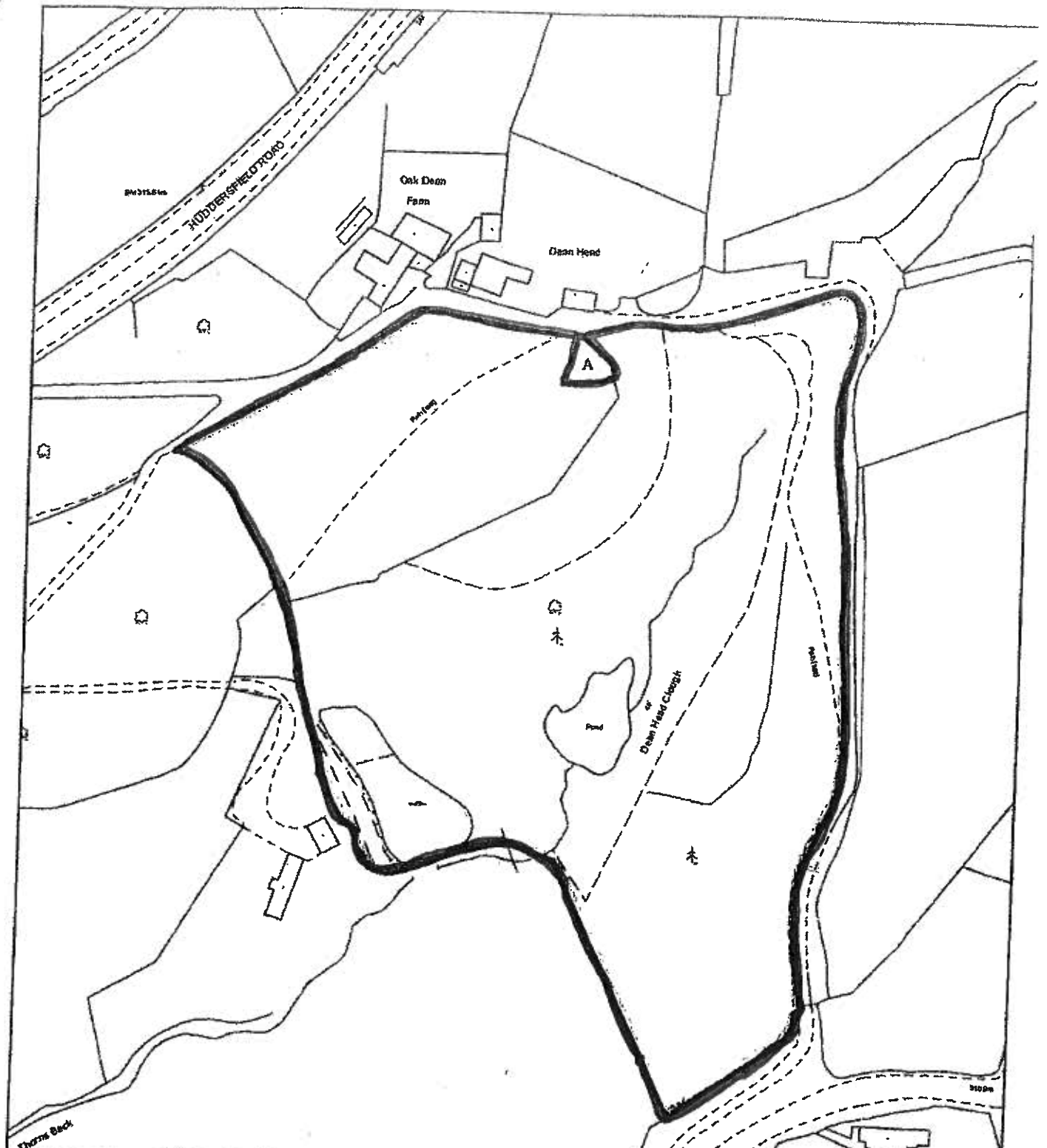
which you may be held responsible, are taken within the period specified in paragraph 6 of this notice. Failure to comply with an Enforcement Notice which has taken effect can result in prosecution and/or remedial action by the Council.

#### **IMPORTANT ADDITIONAL INFORMATION**

- The fee for the deemed planning permission application is £335, 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:


Peter Milner of 195 Park Lane, Poynton, Cheshire, SK12 1RH  
Joan Noonan of Peart Hall, Church Road, Spaxton, Bridgewater, Somerset. TA5 1DA  
Christopher John Ruddy of Oakdene Farm, Stanedge, Saddleworth, Oldham OL3 5LU  
Pennine Helicopters Limited, Oakdene Farm, Stanedge, Saddleworth, Oldham OL3 5LU



Plan referred to in the Enforcement Notice dated 16th September 2009  
 Alan Evans  
 for Acting Borough Solicitor

**PLANNING ENFORCEMENT NOTICE**  
 UNAUTHORISED USE OF LAND FOR STATIONING/ TAKING OFF/  
 LANDING OF HELICOPTER  
 LAND AT DEAN HEAD, DIGGLE  
 A= Excluded from Enforcement Notice by virtue of Certificate of Lawfulness CL/054178/08

1:1500 SE0009SE 07/03/2007

**OLDHAM**   
 Metropolitan Borough

**Environmental Services**  
 Acting Executive Director: John Hirst MCIEM  
 Civic Centre PO Box 50 West Street Oldham OL1 1UD