

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 and the enclosures to which it refers contain important additional information.

2. THE LAND TO WHICH THE NOTICE RELATES

Land at 18 Lilac Lane, Oldham OL8 3UF 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 the erection of a detached two storey building to the rear of the existing dwellinghouse on the Land.

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 and the development constitutes an inappropriate development within the curtilage of an existing dwellinghouse for the following reasons:

- a) The site does not comprise previously developed land, as defined within Planning Policy Statement 3 (Housing), and is not an allocated housing site. Oldham Metropolitan Borough Council has demonstrably sufficient other brownfield/ allocated land available to meet housing requirements and the site is sequentially less favourable than other, previously developed sites. The residential development is therefore contrary to the provisions of Policy 3 - 'An Address of Choice' of the Oldham Council - Joint Core Strategy and Development Management Policies Development Plan Document (2011).
- b) The residential development, by reason of its siting, scale, massing and design would introduce an overbearing, cramped and incongruous form of development to the detriment of the residential amenity of adjacent properties and the surrounding area. The development is therefore contrary to Policy 9 - 'Local Environment' and Policy 20 'Design' of the Oldham Council - Joint Core Strategy and Development Management Policies Development Plan Document (2011).
- c) The residential development, by reason of its scale, massing and siting, results in insufficient outdoor amenity space to the detriment of residential amenities of

adjacent properties and that of future residential occupiers. It is therefore contrary to Policy 11 - 'Housing' of the Oldham Council - Joint Core Strategy and Development Management Policies Development Plan Document (2011).

5. WHAT YOU ARE REQUIRED TO DO

Demolish the partially built two storey building to the rear of the existing dwellinghouse on the Land and remove all building material resulting from the demolition of the building 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 6 April 2012, unless an appeal is made against it beforehand.

Dated: 6 March 2012

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 £670 per unit, 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: -

Mr. Paul Holden, 220 Heron Street, Oldham, OL8 4BN
Mr Paul Holden c/o 18 Lilac Lane, Oldham OL8 3UF



Plan referred to in an Enforcement Notice under

my hand dated: 6/3/12

Signed: 

fact 11s -
 ne: 0161 911 4105
 0161 911 3104
 il: planning@oldham.gov.uk
 www.oldham.gov.uk

Date: 14:02:12

Scale 1:1250



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or other proceedings. Oldham MBC Licence No. 010001360 1000