

IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

BREACH OF CONDITION NOTICE

ISSUED BY: Oldham Metropolitan Borough Council ("the Council")

1. THIS NOTICE which is issued by the Council, under Section 187A of the above Act, because they consider that conditions 5, 6, 7 and 8 imposed on a grant of planning permission, relating to the land described below, have not been complied with. 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

98 Mills Hill Road, Chadderton, M24 2FD as shown edged red on the accompanying plan ("the Land")

3 THE RELEVANT PLANNING PERMISSION

The relevant planning permission to which this Notice relates is the permission granted by the Council on 2 December 2013 for the change of use to a civil engineering yard with outdoor storage of civil engineering related materials and equipment. (PA/332472/12).

4. THE BREACHES OF CONDITION

The following conditions have not been complied with:

Condition 5

Within three months of the date of this planning permission, a detailed scheme for insulating the building and/or externally mounted plant and equipment shall be submitted to and approved by the Local Planning Authority, and the approved scheme shall be fully implemented and retained at all times thereafter.

Reason – To ensure the protection of nearby premises.

Condition 6

No machinery shall be operated, no process shall be carried out and no deliveries taken at or dispatched from the site outside the following times:

Monday to Friday – 7:30 am to 18:00;

Saturday – 8:30 am to 18:00;

Sundays, Bank or Public Holidays – 10:00 to 15:00

Reason – To protect the amenities of occupiers of nearby premises

Condition 7

No materials shall be stored externally within the site except within the annotated area shown on the approved plan referenced 'Proposed Site Layout Plan' and received 4 June 2013

Reason – In the interest of the character and appearance of the site and surrounding area

Condition 8

The maximum height for all material stored externally within the site shall not exceed 3m from ground level

Reason – In the interest of the character and appearance of the site and surrounding area

5. WHAT YOU ARE REQUIRED TO DO

- i. Submit a detailed scheme for insulating the building and/or externally mounted plant and equipment
- ii. Cease the operation of machinery, carrying out of processes and taking of or dispatch of deliveries from the site outside the hours of 7:30am to 18:00 Monday to Friday, 8:30 am to 18:00 Saturdays and 10:00 am to 15:00 Sundays, Bank or Public Holidays
- iii. Remove all civil engineering related materials and equipment from the rest of the yard and store them within the material storage area as shown on the attached plan referenced 'Proposed Site Layout Plan'
- iv. Take necessary steps to reduce the height of all materials stored externally within the site to no more than 3m above ground level.

Period of compliance: 28 days beginning with the day on which this notice is served on you

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect immediately it is served on you or on the day you receive it by postal delivery.

Dated: 29/9/15

Signed: 

**For Paul Entwistle
Director of Legal Services
Council's authorised Officer**

On behalf of: Oldham Metropolitan Borough Council
Civic Centre
West Street
Oldham
OL1 1UL

ANNEX

There is no right of appeal against this Notice.

It is an offence to contravene the requirements stated in paragraph 5 of this Notice after the end of the compliance period. You will then be at risk of **immediate prosecution** in the Magistrates' Court, for which the maximum penalty is £1,000 for a first offence and for any subsequent offence. If you are in any doubt about what this Notice requires you to do, you should get in touch *immediately* with Bongani Ndlovu at Oldham Council Telephone 0161 770 3102.

If you need independent advice about this Notice, you are advised to urgently contact a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the Notice, you may only do so by an application to the High Court for judicial review. A lawyer will advise you on what this procedure involves.

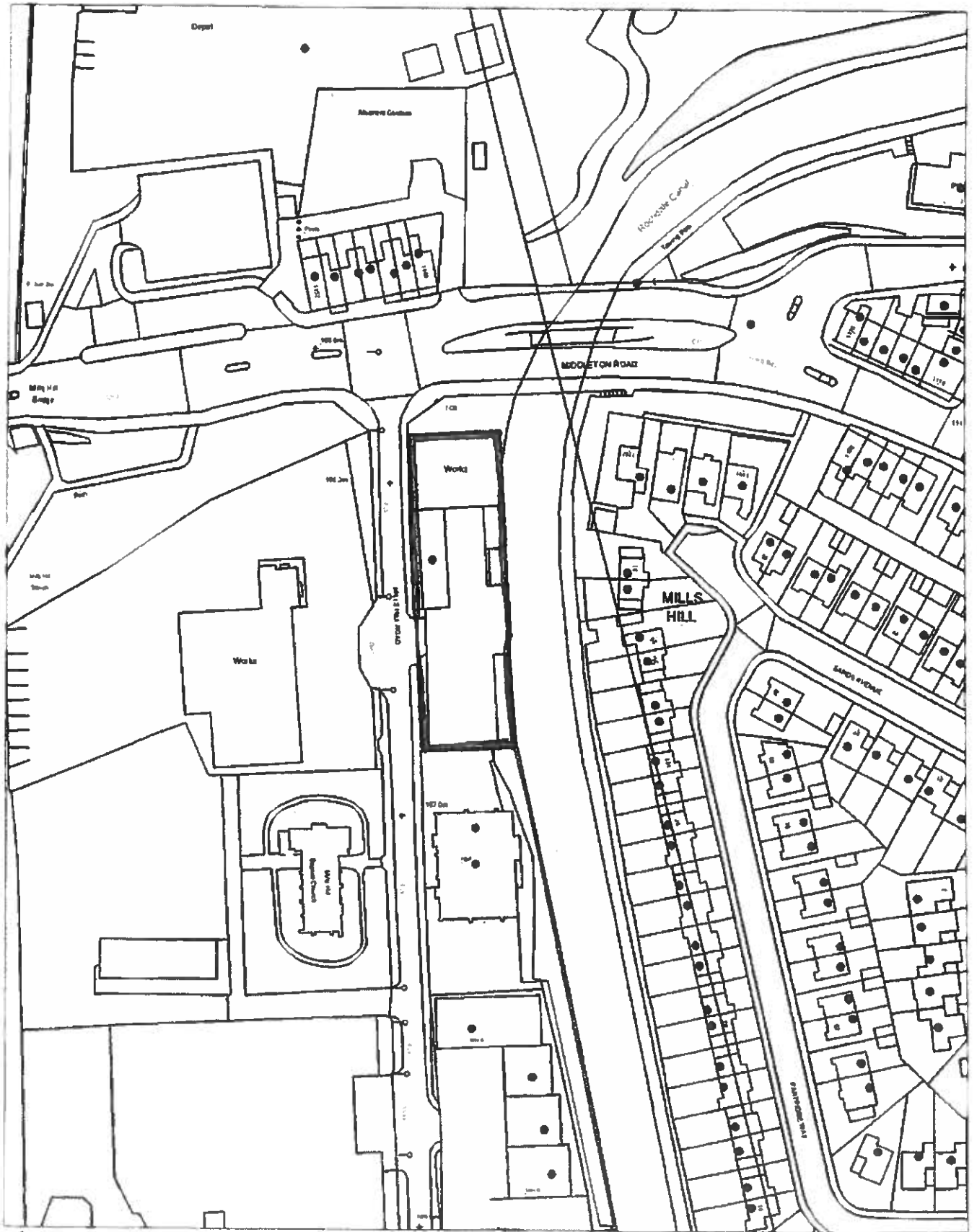
Do not leave your response to the last minute.

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

MJF Pension Trustees Ltd (company no.03394648) of 8 St Stephen Street, Manchester M3 6AY

Gary David Mayo of 8 St Stephen Street, Manchester M3 6AY

Emma Louise Mayo of 8 St Stephen Street, Manchester M3 6AY



Alan Evans
29/9/15
OLDHAM 
Metropolitan Borough 

Planning Services
Oldham MBC
PO Box 30
Civic Centre
West Street
Oldham
OL1 1UQ

Contact Us -
Phone: 0161 911 4105
Fax: 0161 911 3104
Email: planning@oldham.gov.uk
Web: www.oldham.gov.uk

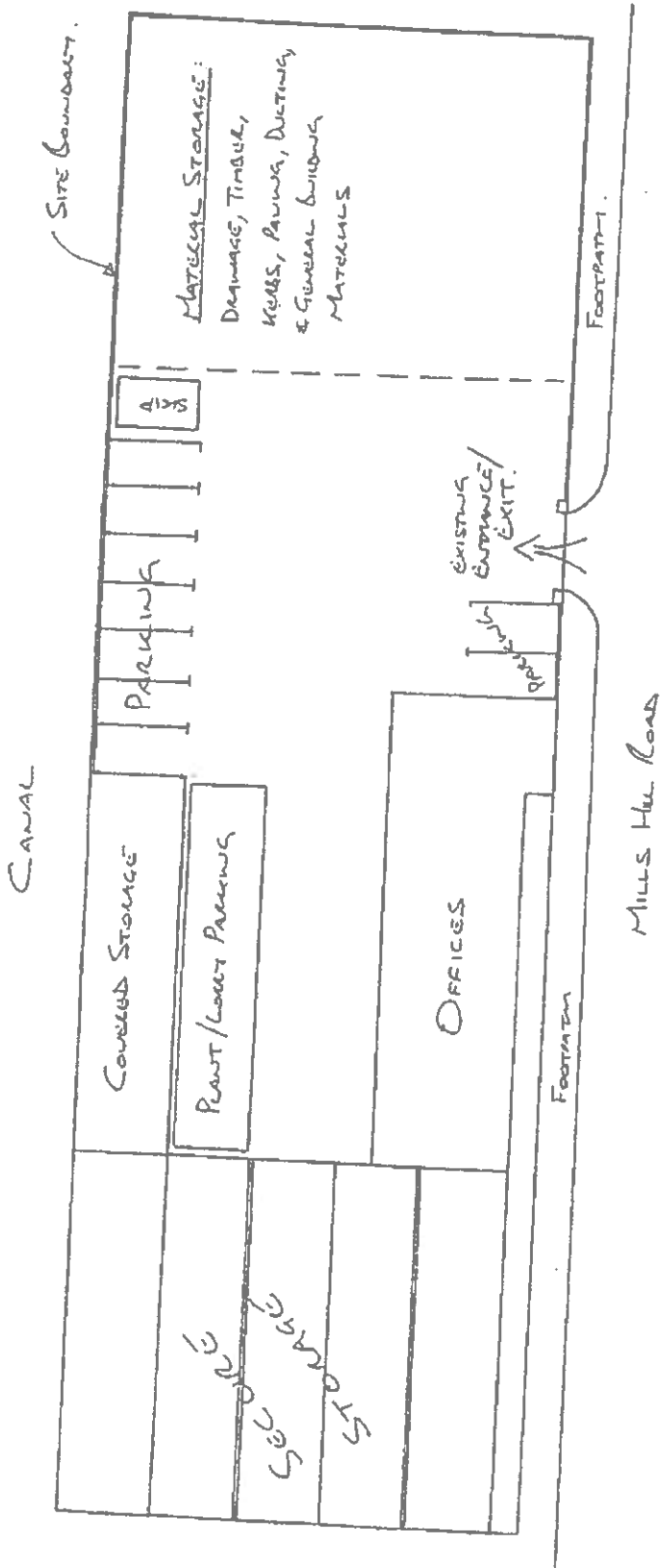
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PROPOSED SITE LAYOUT PLAN

FILE COPY



332672

04/06/13

98 Mills Hill Road - Proposed Layout Plan
SCALE 1:250