

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 177 Balfour Street, Oldham, OL4 1NS 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 an "L" shaped single storey rear extension to the property on the Land.

4. **REASONS FOR ISSUING THIS NOTICE**

- 1) The single storey rear extension by reason of its size, appearance and design relates poorly to and detracts from the appearance of the host dwelling. The development has resulted in a dominant, jarring and incongruous feature when viewed along the rear access that serves the properties on Balfour Street. The development is considered to be contrary to Policies 9 (Environment) and 20 (Design) of the Council's Development Plan Document - Joint Core Strategy and Development Management Policies.
- 2) The single storey rear extension by reason of its size, scale and position in close proximity to the common boundary with no. 179 Balfour Street, has an overbearing and oppressive impact, which is detrimental to the amenities of the occupiers of that property. The development is considered to be contrary to Policy 9 (Environment) of the Council's Development Plan Document - Joint Core Strategy and Development Management Policies.

It appears to the Council that the above breach of planning control has occurred within the last four years.

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

Permanently remove the "L" shaped single storey rear extension and remove all resultant materials from the Land.

6. **TIME FOR COMPLIANCE**

The actions specified in 5 above must be carried out within three months of this Notice taking effect.

7. WHEN THIS NOTICE TAKES EFFECT

The Notice takes effect on 19th August 2016 unless an appeal is made against it beforehand.

Dated: 12th July 2016

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

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 £344 which is payable to the Council. There is no fee for the appeal itself.

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

**Maurizio Corona of 177 Balfour Street, Oldham, OL4 1NS
Francesca Tartamella of 177 Balfour Street, Oldham, OL4 1NS**

