

**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**

K W Autos Limited, Kinders Mill, Kinders Lane, Greenfield, Oldham, OL3 7BL as shown edged red on the accompanying plan ("the Land").

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

Despite the refusal of planning applications PA/339289/16 and PA/339759/17 on the basis of the development causing substantial harm to the significance of the Grade II Listed Buildings overlooking the site and the dismissal of APP/W4223/W/17/3173684 by the Planning Inspector on the same basis, the siting of 8 shipping containers for use as a storage facility on the Land without planning permission.

**4. REASONS FOR ISSUING THIS NOTICE**

The development by reason of the containers' siting affects the character and appearance of the surrounding area, specifically the two Grade II Listed Buildings at Ivy Cottage and Kinders House. The siting of the containers is therefore contrary to Policies 9 (Local Environment), 20 (Design) and 24 (Historic 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 8 shipping containers from the Land.

**6. TIME FOR COMPLIANCE**

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

## 7. WHEN THIS NOTICE TAKES EFFECT

The Notice takes effect on 6th May 2019, unless an appeal is made against it beforehand.

Dated: 4th April 2019

Signed: *Alan Entwistle*  
.....

**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: -

**K W Autos Limited**, Kinders Mill, Kinders Lane, Greenfield, Oldham OL3 7BL  
**D.W. Investments Limited**, 11 Stamford Street, Stalybridge, Cheshire, SK15 1JP



Date: 03/04/19

Scale 1:750

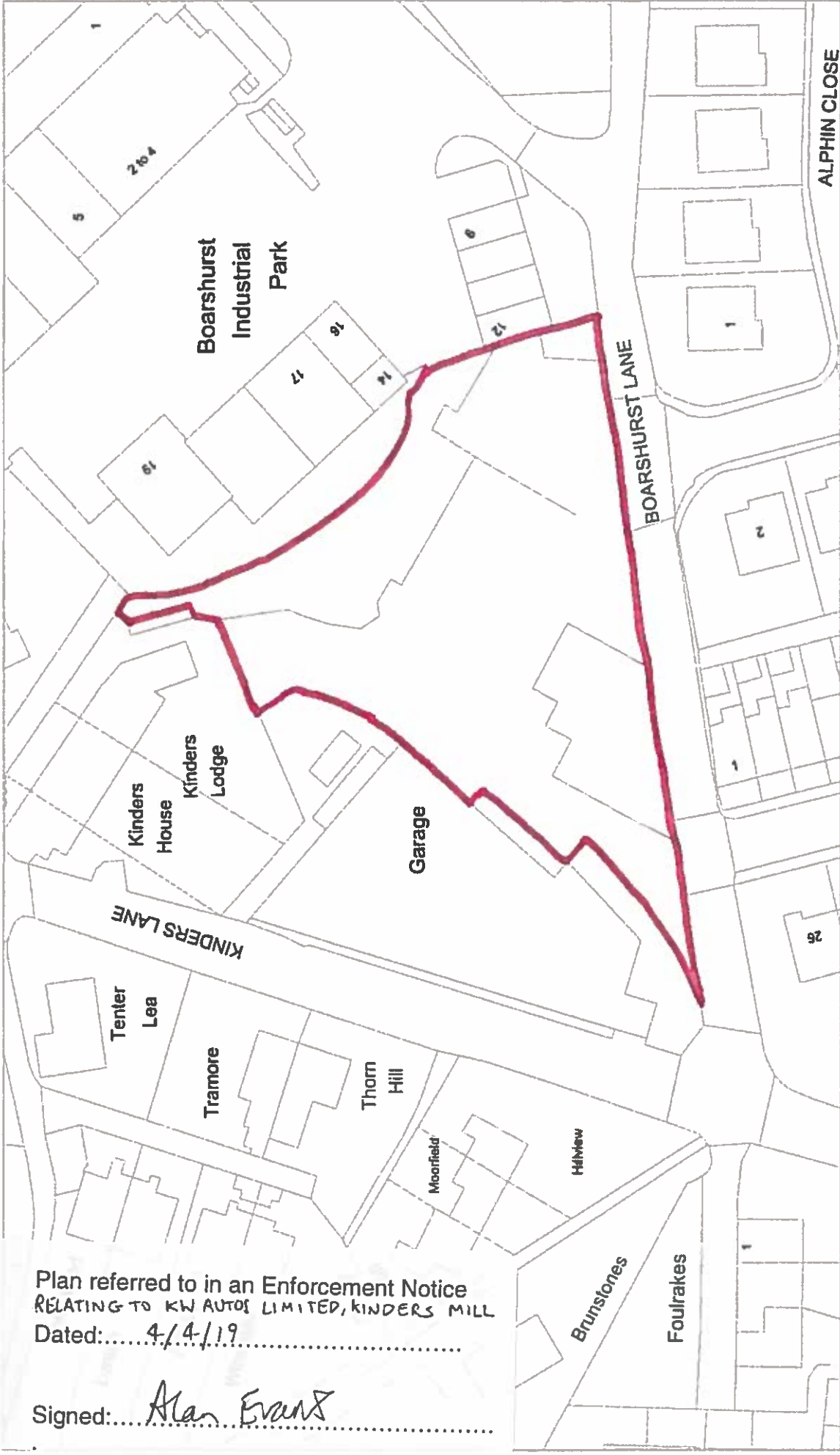
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**OLDHAM**  
 Metropolitan Borough



Plan referred to in an Enforcement Notice  
 RELATING TO KW AUTOS LIMITED, KINDERS MILL  
 Dated:..... 4/4/19.....

Signed:..... Alan Evans.....