

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

32 Huddersfield Road, Diggle, Oldham, OL3 5NT as shown edged in red on the accompanying plan (“the Land”).

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

Despite the refusal of planning permission and the dismissal of the subsequent appeal, the continued siting of a rear 1st floor balcony at the dwelling on the Land.

4. REASONS FOR ISSUING THIS NOTICE

The development, by reason of its presence, adversely affects the residential and visual amenity of the surrounding area. The balcony is contrary to Policy 9 (Local Environment) and Policy 20 (Design) 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 rear 1st floor balcony from the dwelling on the Land together with all materials associated with the rear 1st floor balcony.

6. TIME FOR COMPLIANCE

The actions specified in paragraph 5 overleaf must be carried out within one month of this Notice taking effect.

7. WHEN THIS NOTICE TAKES EFFECT

The Notice takes effect on 4 December 2019, unless an appeal is made against it beforehand.

Dated: 1 November 2019

Signed: 

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

On behalf of: Oldham Metropolitan Borough Council
Civic Centre
Wet 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

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

John Edward Irwin; 32 Huddersfield Road, Diggle, Oldham, OL3 5NT
Victoria Louise Irwin; 32 Huddersfield Road, Diggle, Oldham, OL3 5NT
Sean Irwin; 32 Huddersfield Road, Diggle, Oldham, OL3 5NT

32 Huddersfield Road, Diggle, OL3 5NT



Drawn by:	
Division:	
Drawing No:	
Date: 03.09.19	Scale: 1:1250

Oldham Council
 Civic Centre
 West Street
 Oldham
 OL1 1UT



Plan referred to in an Enforcement Notice
 RELATING TO 32 HUDDERSFIELD ROAD
 DIGGLE

Dated: 1/11/19

Signed: *Alan Evans*