

## **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**

90-92 Cranbrook Street, Oldham as shown edged in 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 rear dormer which exceeds the height of the highest part of the existing roof of the dwelling house on the Land and the erection of an extension which is not within the size permitted pursuant to the Town and Country Planning (General Permitted Development) (England) Order 2015 ("the Permitted Development Size") at the rear of the dwelling house on the Land.

**4. REASONS FOR ISSUING THIS NOTICE**

By reason of its size, design and relationship to the existing roof of the house and neighbouring properties, the dormer construction is detrimental to the visual amenity of the area. The rear extension is too large and results in insufficient private amenity space for the two dwellings. The development is therefore contrary to Policy 9 (Local Environment) of the Council's Development Plan Document – Joint Core Strategy and Development Management Policies.

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

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

1. Permanently remove the rear dormer from the dwelling house on the Land;  
or
2. Reduce the size of the dormer so that no part of it exceeds the height of the highest part of the existing roof of the dwelling house on the Land and the edge of the dormer closest to the eaves of the original roof is, so far as

practicable, not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge of the eaves ; and

3. Permanently remove the rear extension from the dwelling house on the Land;  
or
4. Reduce the size of the rear extension so that it is within the Permitted Development Size.

#### **6. TIME FOR COMPLIANCE**

The actions specified in paragraph 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 20 December 2019, unless an appeal is made against it beforehand.

Dated: 19 November 2019

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 £412 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: -

**Nabeel Ahmad** of 90/92 Cranbrook Street, Oldham OL4 1PT

**Tanveer Nisa** of 90/92 Cranbrook Street, Oldham OL4 1PT

90-92 Cranbrook Street, OL4 1PT



Plan referred to in an Enforcement Notice  
RELATING TO 90-92 CRANBROOK STREET  
OLDHAM

Dated:.....19/11/19.....

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

