

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**

197 Broadway, Chadderton 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 on the Land of a boundary wall over 1 metre in height adjacent to a highway used by vehicular traffic.

4. **REASONS FOR ISSUING THIS NOTICE**

The Council considers that the wall is sited adjacent to a highway used by vehicular traffic, and by reason of its size, design, prominent siting, and position enclosing the front garden of the property, the wall is detrimental to the visual amenity of the area. 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 breach of planning control has occurred within the last four years.

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

1. Permanently remove the wall from the Land; or
2. Reduce the height of the wall to 1 metre in height; or
3. Apply for planning permission to keep the wall at its current height.

6. **TIME FOR COMPLIANCE**

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

7. **WHEN THIS NOTICE TAKES EFFECT**

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

Dated: 2 September 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

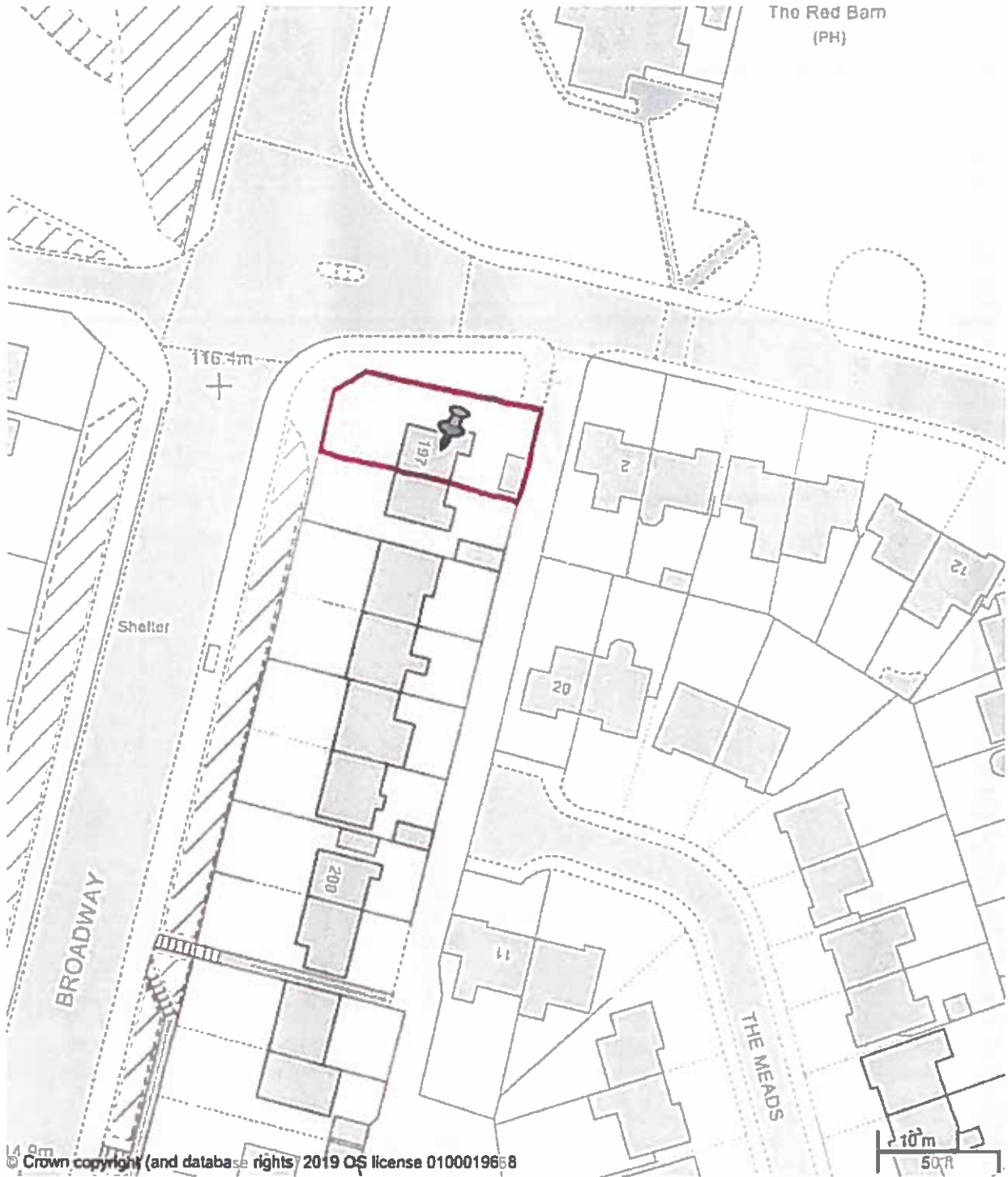
If you do not appeal against this Enforcement Notice, it will take effect on the date specified in paragraph 7 of the Notice and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period specified in paragraph 6 of this Notice. 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: -

Faryal Khan and Mohammad Bilal Khan of 197 Broadway, Chadderton OL9 8RR



Plan referred to in an Enforcement Notice
RELATING TO 197 BROADWAY CHADDERTON

Dated: 2/9/19

Signed: Alan Evans

