

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 and the enclosures to which it refers contain important additional information.

2. THE LAND TO WHICH THE NOTICE RELATES

17 Ducie Street, Oldham 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 on the Land of a boundary fence over 1 metre in height adjacent to a highway used by vehicular traffic and the construction of a timber structure attached to the side of the dwelling on the Land.

4. REASONS FOR ISSUING THIS NOTICE

By reason of its size, scale, design and position in close proximity to the public footway, the boundary fence has an overbearing and oppressive impact which is detrimental to the amenity of the area. The shed is overbearing and not in keeping with surrounding properties. 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 boundary fence from the Land; or
2. Permanently reduce the height of the boundary fence to 1 metre; and
3. Permanently remove the timber structure to the side of the dwelling from the Land.

6. TIME FOR COMPLIANCE

The actions specified in 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 31 December 2018, unless an appeal is made against it beforehand.

Dated: 26 November 2018

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

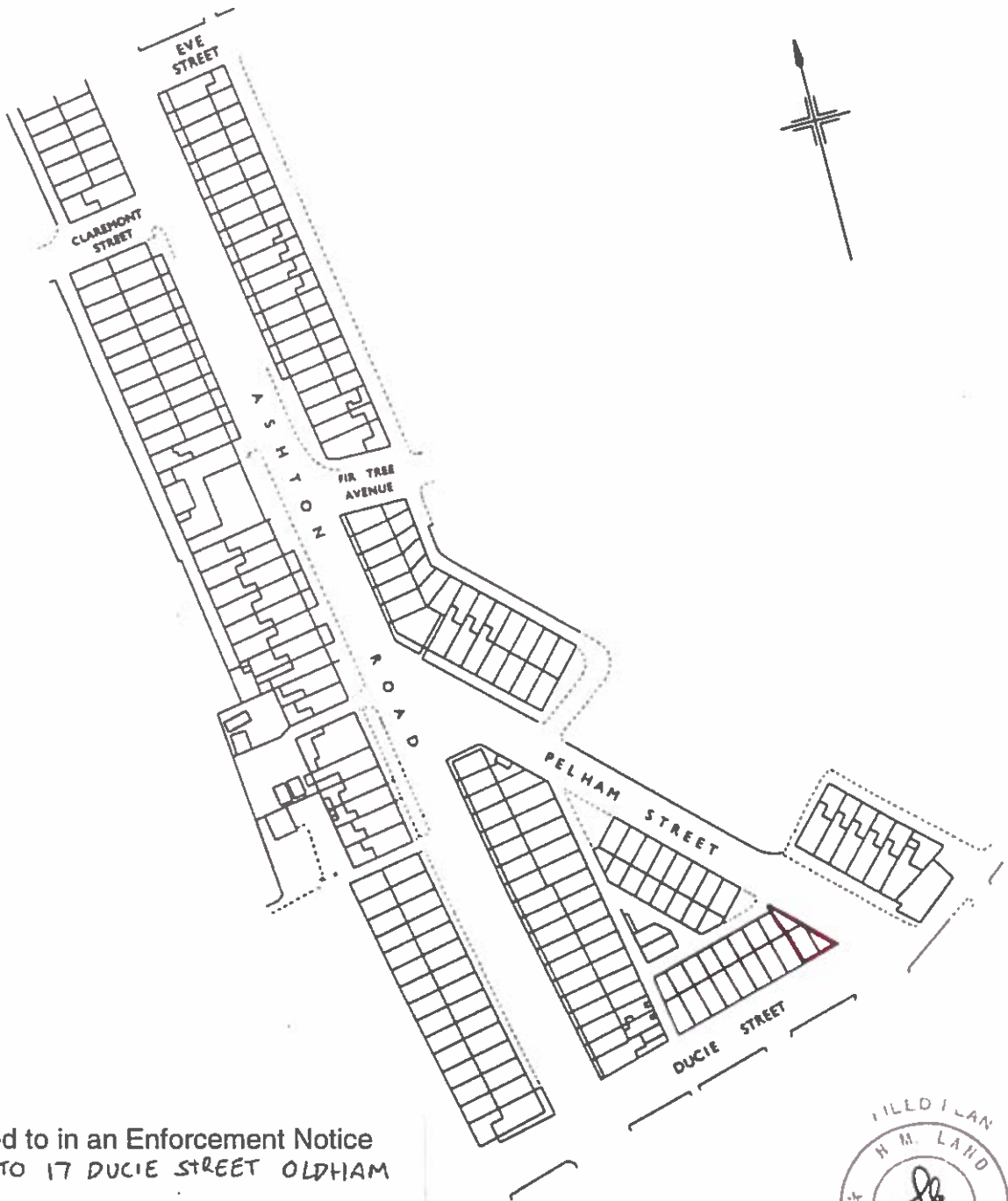
The fee for the deemed planning permission application is £412 which is payable to the Council. There is no fee for the appeal itself.

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

David Anthony Smith, 5 Dodd Croft, Rochdale OL16 4QX

H. M. LAND REGISTRY

NATIONAL GRID PLAN SD 9202 SECTION H
GREATER MANCHESTER
OLDHAM DISTRICT Scale 1/1250



Plan referred to in an Enforcement Notice
RELATING TO 17 DUCIE STREET OLDHAM

Dated: 26TH NOVEMBER 2018

Signed: Alan Evans



TITLE No. GM52966