

**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**

2 Grove Avenue, Failsworth, Oldham M35 0JU 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 construction of an additional second floor at the rear of the 2 dwellings on the Land approved under planning application PA/342693/18.

- 4. REASONS FOR ISSUING THIS NOTICE**

By reason of its size, scale, design and position, the second floor rear extension has an overbearing and oppressive impact which 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. Planning permission is required for the second floor on the two dwellings and this is unlikely to be granted due to its scale and design and the impact on the appearance of the property, which 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 additional rear second floor extension to the 2 dwellings on the Land and construct a pitched roof as shown on approved application PA/342693/18.

## 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 13 December 2019, unless an appeal is made against it beforehand.

Dated: 11 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 £462 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 person: -

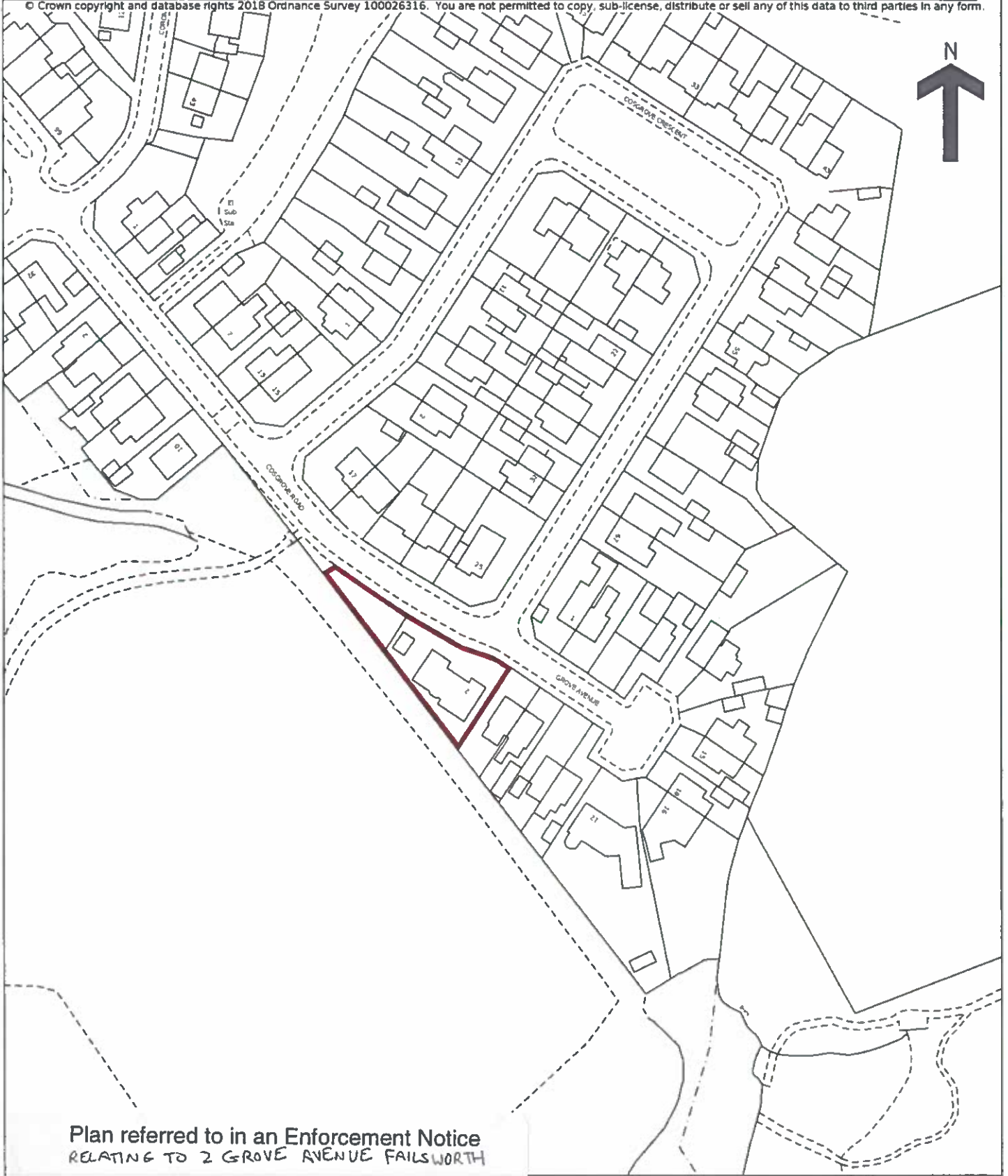
Mr Koon Hing Wan, 2 Grove Avenue, Failsworth, Oldham, M35 0JU

HM Land Registry  
Official copy of  
title plan

Title number **MAN305451**  
Ordnance Survey map reference **SD8900SW**  
Scale **1:1250**  
Administrative area **Greater Manchester :**  
**Oldham**



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Plan referred to in an Enforcement Notice  
RELATING TO 2 GROVE AVENUE FAILSWORTH

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

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