

**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 regards to the provisions of the Development Plan and to other material planning considerations. The Annex at the end of the Notice contains additional information.

**2. THE LAND TO WHICH THE NOTICE RELATES**

Land at Former Macedonia United Reform Church, Ashton Road East, Failsworth, M35 9HE as shown edged red on the accompanying plan (“the Land”).

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

The erection without planning permission of a mesh fence and gate in front of the church building adjacent to a highway which is over the height permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015.

**4. REASONS FOR ISSUING THIS NOTICE**

The development adversely affects the character and appearance of the surrounding area. The height and design of the fence 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 breaches of planning control have occurred within the last four years.

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

Either:

- 1) Remove the mesh fence and gate facing Ashton Road East, Failsworth and the section of mesh fence facing no. 265 Ashton Road East, Failsworth;

Or

- 2) Put the mesh fence and gate behind the boundary wall on the Land facing Ashton Road East, Failsworth and lower them to 1 metre in height and lower the height of the section of the mesh fence facing no. 265 Ashton Road East, Failsworth to 1 metre and place it behind the boundary wall on the Land.

## 6. TIME FOR COMPLIANCE

The action specified in paragraph 5 above must be carried out within two months of this Notice taking effect.

## 7. WHEN THIS NOTICE TAKES EFFECT

The Notice takes effect on 25 March 2020, unless an appeal is made against it beforehand.

Dated: 21 February 2020

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**

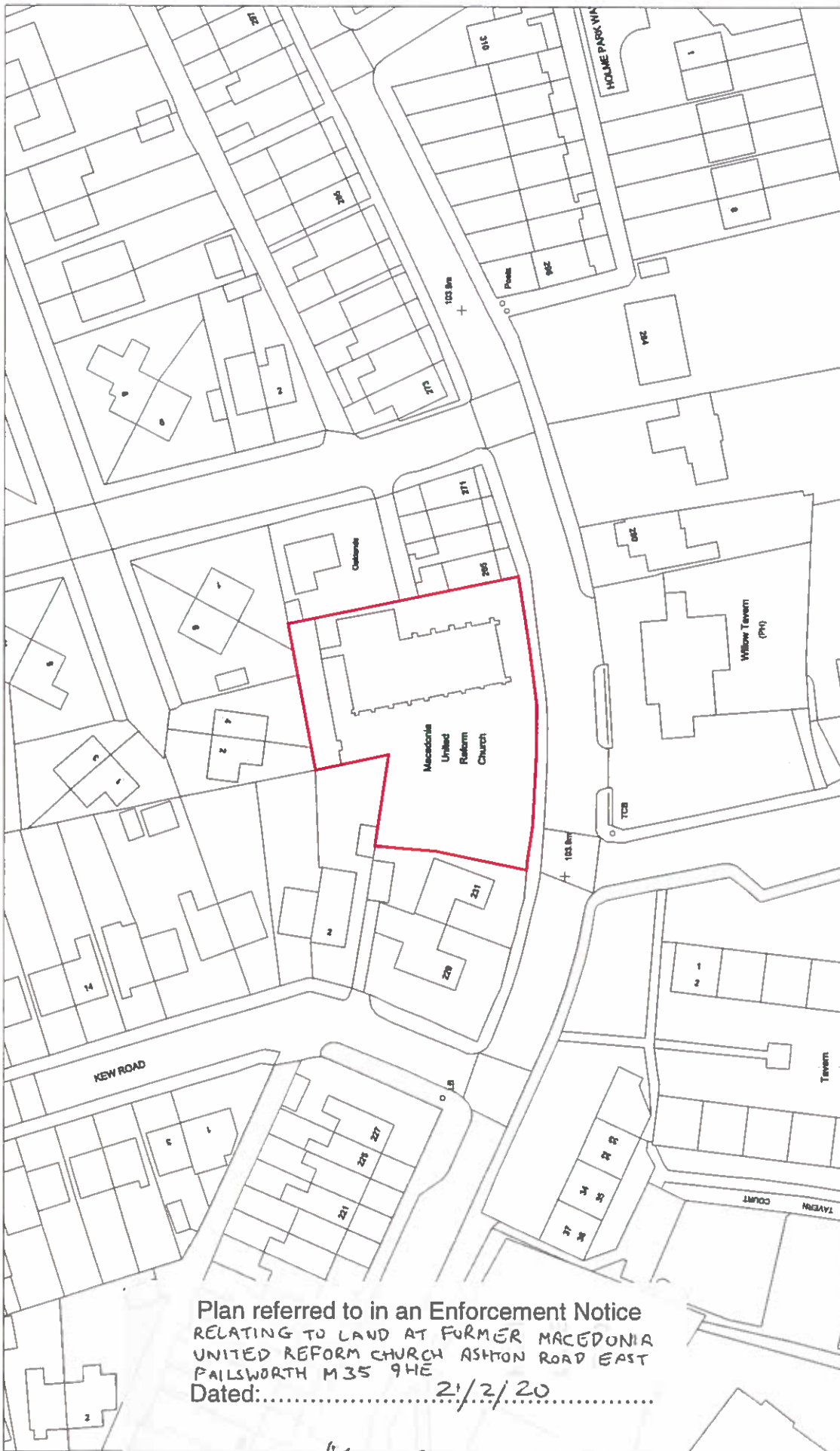
If you do not appeal against this Enforcement Notice, it will take effect on the date specified in paragraph 7 of the Notice and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period specified in paragraph 6 of this Notice.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

**Splash Developments Ltd – 222 Oldham Road, Failsworth, Manchester M35 0HH**

Old Macedonia Church, Ashton Road East, Failsworth, M35 9HE



Plan referred to in an Enforcement Notice  
 RELATING TO LAND AT FORMER MACEDONIA  
 UNITED REFORM CHURCH ASHTON ROAD EAST  
 FAILSWORTH M35 9HE  
 Dated:..... 21/2/20 .....

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

Drawn by:	
Division:	
Drawing no:	
Date: 06:02:20	Scale: 1:883

Oldham Council  
 Civic Centre  
 West Street  
 Oldham  
 OL1 1UT



**Oldham**  
 Council

