

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

175 Balfour Street, Oldham, OL8 1NS 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 of a single storey rear extension to the dwelling house on the Land which is not within the size permitted pursuant to the Town and Country Planning (General Permitted Development) (England) Order 2015 ("the Permitted Development Size") and the erection of a rear dormer on the dwelling house in respect of which the materials used in the exterior work is not of a similar appearance to those used in the construction of the exterior of the existing dwelling house, as required by the Town and Country Planning (General Permitted Development) (England) Order 2015.

4. REASONS FOR ISSUING THIS NOTICE

By reason of their size, scale, design and position in close proximity to the neighbouring property the rear extension and the rear dormer have an overbearing and oppressive impact which is detrimental to the amenity of the area. In addition, the rear extension 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 breach of planning control has occurred within the last four years.

5. WHAT YOU ARE REQUIRED TO DO

1. Permanently remove the single storey rear extension from the dwelling house on the Land;
or
2. Reduce the size of the single storey rear extension so that it is within the Permitted Development Size; and
3. Permanently remove the rear dormer from the dwelling house on the Land;
or

4. Reconstruct the exterior of the rear dormer with materials which are of a similar appearance to those used in the construction of the exterior of the existing dwelling house.

6. TIME FOR COMPLIANCE

The actions 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 1 May 2020, unless an appeal is made against it beforehand.

Dated: 31 March 2020

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 person: -

Romana Kausar of 175 Balfour Street, Oldham OL4 1NS

175 Balfour Street



Plan referred to in an Enforcement Notice
RELATING TO 175 BALFOUR STREET
OLDHAM

Dated: 31/3/20

Signed: Alan Evans

Drawn by:	
Division:	
Drawing No:	
Date: 20:03:20	Scale: 1:500

Oldham Council
Civic Centre
West Street
Oldham
OL1 1UT



Oldham
Council