**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 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 used as a car park at Nandini’s, 324 Manchester Road, Oldham, OL9 7ES.

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

The change of use of the Land from land used as a car park to land used as a car park and a hot food takeaway by the continued siting and use of a metal container and canopy on the Land as a hot food takeaway despite the refusal of planning permission, FUL/347488/21.

1. **REASONS FOR ISSUING THIS NOTICE**

The development represents a highly prominent and stark feature on the streetscene and is harmful to the character and appearance of the site to the detriment of the character and appearance of the area. The metal container and canopy are contrary to Policy 9 (Local Environment), Policy 15 (Centres) 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 ten years.

1. **WHAT YOU ARE REQUIRED TO DO**
2. Permanently cease the use of the Land as a hot food takeaway; and
3. Permanently remove the metal container, canopy and associated materials from the Land.
4. **TIME FOR COMPLIANCE**

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

1. **WHEN THIS NOTICE TAKES EFFECT**

The Notice takes effect on 5th September 2022, unless an appeal is made against it beforehand.

Dated: 27th July 2022

Signed: ……Alan Evans………

 **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 persons: -

**Mr Mujahid Hussain,** c/o 324 Manchester Road, Oldham, OL9 7ES