**IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990**

**(as amended by the Planning and Compensation Act 1991)**

**BREACH OF CONDITION NOTICE**

**Issued by:** OLDHAM BOROUGH COUNCIL ("The Council")

To: Ms Salma Khalid, 118 Merton Avenue, Oldham, OL8 4JF

1. **This is a formal notice** which is issued by the Council, under Section 187A of the above Act, because they consider that condition 2 imposed on a grant of planning permission, relating to the land described below, has not been complied with. They consider that you should be required to comply with the condition specified in this notice.

2. **The land affected by the notice**

The land at 118 Merton Avenue, Oldham, OL8 4JF, as shown edged in red on the attached plan.

3. **The relevant planning permission**

The relevant planning permission to which this notice relates is the permission granted by the Council in 2018 for the application relating to HH/341994/18 for proposed new vehicle access with off road parking, front and rear dormer window, single storey side and rear extensions.

4. **The breach of condition**

The following condition has not been complied with –

Condition 2:

*The development hereby permitted shall be fully implemented in accordance with the following amended plans and specifications:*

*Drawing Number: A.01.3 Rev A – received 8 February 2019;*

*Drawing Number: A.01.4 Rev A – received 8 February 2019;*

*Drawing Number: A.01.5 – received 16 July 2018.*

*Reason – For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.*

5. **What you are required to do**

As the person responsible for the breach of condition specified in paragraph 4 of this notice, you are required to secure compliance with the stated condition by taking the following steps:-

* Make arrangements for the reduction in height of the boundary wall and gate so that it complies with A.01.4 Rev A.
* Make arrangements to remove the rendering of the property which was not included in the original planning permission HH/341994/18.

Time for compliance: - 30 days beginning with the day on which this notice is served on you.

6. **When this notice takes effect**

This notice takes effect ***immediately*** it is served on you or you receive it by postal delivery.

Dated: 1 August 2022

Signed: 

On behalf of: OLDHAM BOROUGH COUNCIL

***WARNING***

**There is no right of appeal against this notice.**

It is an offence to contravene the requirements stated in paragraph 5 of this notice after the end of the compliance period. You will then be at risk of **immediate prosecution** in the Magistrates' Court, for which the maximum penalty is £1,000 for a first offence and for any subsequent offence. If you are in any doubt about what this notice requires you to do, you should get in touch ***immediately*** with Andrew Jones at Oldham Council Telephone 0161 770 4131 or andrew.jones1@oldham.gov.uk .

If you need independent advice about this notice, you are advised to urgently contact a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review. A lawyer will advise you on what this procedure involves.

**Do not leave your response to the last minute.**