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

Land at 26 Hazelwood, Chadderton, Oldham, OL9 9TB as shown edged red on the accompanying plan (“the Land”).

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

The continued siting on the Land of boundary fencing the height of which exceeds 1 metre above ground level adjacent to highways used by vehicular traffic, namely Firwood Park and Hazelwood, despite the refusal of planning permission and the dismissal of a subsequent appeal. The height of the fence is higher than that permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

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 Land to the detriment of the character and appearance of the area. 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 breach of planning control has occurred within the last four years.

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

Permanently reduce the height of the boundary fence on the Land facing Firwood Park and Hazelwood so that it does not exceed 1 metre in height above ground level.

1. **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 24 June 2022, unless an appeal is made against it beforehand.

Dated: 18 May 2022

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 persons: -

**Ashley Ryan Blakeman and Vicky Blakeman** – 26 Hazelwood, Chadderton, Oldham, OL9 9TB