**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 1 Elderwood, Chadderton, Oldham, OL9 9TP as shown edged red on the accompanying plan (“the Land”).

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

Without planning permission, the erection of a concrete fence on the Land.

1. **REASONS FOR ISSUING THIS NOTICE**

The concrete fence by reason of its scale, design and appearance has resulted in the introduction of an incongruous and visually intrusive feature into the street scene and is thereby significantly harmful to the character and appearance of the surrounding area. The development is contrary to Policies 9 (Local Environment), and 20 (Design) of the Council’s Development Plan Document – Joint Core Strategy and Development Management Policies.

It appears to the Council that the breach of planning control stated at paragraph 3 (1) has occurred within the last four years.

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

Permanently remove the concrete fence and remove all resultant materials from the Land.

1. **TIME FOR COMPLIANCE**

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

1. **WHEN THIS NOTICE TAKES EFFECT**

The Notice takes effect on 4 August 2017, unless an appeal is made against it beforehand.

Dated: 30 June 2017

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**

The fee for the deemed planning permission application is £344 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 persons: -

**Shuhed Ahmad** of 1 Elderwood, Chadderton, Oldham, OL9 9TP

**Juhed Ahmad** of 1 Elderwood, Chadderton, Oldham, OL9 9TP

