



Appeal Decision

by Ken McEntee

a person appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 26 November 2025

Appeal ref: APP/G4240/C/25/3368719

Land at 66 Gower Road, Hyde, Tameside, Greater Manchester, SK14 5AD

- The appeal is made under section 174 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991.
- The appeal is brought by Kelechi Emeana against an enforcement notice issued by Tameside MBC.
- The notice was issued on 10 June 2025.
- The breach of planning control as alleged in the notice is: "Without planning permission, the erection of a patioed area together with boundary fencing in the rear garden".
- The requirements of the notice are: "(i). Remove the raised patio area shown in plan A. (ii) Lower the timber fence panels so they are no higher than 2 metres when taken from the land levels formerly in situ".
- The time period for compliance with the requirements of the notice is "Three months after the notice takes effect".
- The appeal is proceeding on the ground set out in section 174(2)(g) of the Town and Country Planning Act 1990 as amended.

Summary of decision: The appeal is dismissed and the enforcement notice is upheld without variation.

Reasons for the decision

1. The main basis of the appellant's case for requesting more time to comply with the requirements of the notice is to allow for a planning appeal (APP/G4240/D/25/3368718) to be decided for retrospective planning permission to reduce a portion of the unauthorised patio. However, I note that since this appeal was submitted, a decision on that planning appeal was issued on 1 September 2025 and dismissed the proposal. Therefore, there is no reason before me to justify extending the period for compliance with the requirements of the notice. The appeal fails accordingly.
2. I note the appellant has requested that if the planning appeal is dismissed, the notice should be amended so that the 3 months compliance period will run from the date of the decision on this enforcement ground (g) appeal. However, I confirm that this automatically happens in any event, without the need to amend the enforcement notice.

Formal decision

3. For the reasons given above, the appeal is dismissed and the enforcement notice is upheld without variation.

K McEntee