

DD number: 01242 775179
Our ref: 10/00409/DCUCOU
Ask for: Adam Gatier
E-mail: adam.gatier@cheltenham.gov.uk
Date: 28 November 2011

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

Dear

RE: Erection of canopy porch at 1 Courtney Villas, Dunalley Parade, Cheltenham

Enclosed is an Enforcement Notice issued by Cheltenham Borough Council (the Local Planning Authority) on 28 November 2011 in connection with the above. Copies of the Notice are also being served on others understood to have an interest in the land.

The Notice will take effect on 28 December 2011, unless an appeal is made against it to the Planning Inspectorate before that date. Once the Notice has taken effect, you must ensure that the steps required for compliance, specified in paragraph 5 of the Notice are taken within the 4 weeks allowed for compliance. Failure to comply with the requirements of an Enforcement Notice once it has taken effect can result in prosecution and / or remedial action being taken by the Council.

If you wish to appeal against the Notices, you are advised to visit the Governments Planning Portal website at www.planningportal.gov.uk/planning/appeals/planninginspectorate All the information relating to the enforcement appeal process and procedures can be found here as well as the required appeal forms. If you have any queries or questions, you can contact the Customer Service Team on 0117 372 6372 or by emailing them at enquiries@pins.gsi.gov.uk.

You can submit your enforcement appeal on-line through the Planning Portal web pages and by using the Planning Casework service provided by the Planning Inspectorate. This is an on-line service that gives you wider and easier access to the planning system and it allows you to track the progress of your case. A copy of the appeal should be sent to the Council and you are advised to keep a further copy for your own records.

Any appeal against the Notice must be received or posted in time to be received by the Planning Inspectorate at the address shown on the appeal form, before the date on which the Notices take effect.

Yours sincerely

Martin Levick
Senior Planner Enforcement

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**TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the Planning and Compensation Act 1991)**

ENFORCEMENT NOTICE – OPERATIONAL DEVELOPMENT

Issued by: Cheltenham Borough Council (the Local Planning Authority)

To:

1. **THIS NOTICE** is issued by the Local Planning Authority (LPA) because it appears that there has been a breach of planning control, within paragraph (a) of section 171A(1) of the above Act at the land described below. The Local Planning Authority considers 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 to this Notice and the enclosures to which it refers contain important additional information.

2. **THE LAND TO WHICH THE NOTICE RELATES:**

1 Courtney Villas, Dunalley Parade, Cheltenham, Gloucestershire (land edged red on attached plan).

3. **THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL:**
 - Without planning permission, the erection of a canopy porch.

4. **REASONS FOR ISSUING THE NOTICE:**
 - It appears to the Local Planning Authority that no planning consent has been granted for the canopy porch which is required.
 - The canopy porch side extension is considered inappropriate due to its poor design, construction and choice of materials and is wholly out of keeping with the character and appearance of the street scene and wider Conservation Area. The extension compromises the architectural integrity of the existing building and is harmful to the character and appearance of the Conservation Area. The extension is therefore contrary to Policy CP7 of the Local Plan.

5. **WHAT YOU ARE REQUIRED TO DO:**
 - Remove the canopy porch from the property in its entirety.

6. **TIME FOR COMPLIANCE:**

- 4 weeks from the date of the Notice.

7. **WHEN THIS NOTICE TAKES EFFECT:**

- This Notice takes effect on 28 December 2011 unless an appeal is made against it beforehand.

Signed:

Date: 28 November 2011

Mr. Mike Redman
Director – Built Environment

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.

If you wish to appeal against the Notice, you are advised to visit the Planning Portal website at www.planningportal.gov.uk/planning/appeals/planninginspectorate All the information relating to the enforcement appeal process and procedures can be found here, as well as the required appeal forms. If you have any queries or questions, you can contact the Customer Service Team on 0117 372 6372 or by emailing them at enquiries@pins.qsi.gov.uk.

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(s) specified in paragraph 6 of the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the council.