

DD number: 01242 775179  
Our ref: 12/00040/DCUA  
Ask for: Adam Gatier  
E-mail: adam.gatier@cheltenham.gov.uk  
  
Date: 28 February 2012

**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**

Dear Sir / Madam

**RE: Removal of railings at Sudeley Arms Inn, 25 Prestbury Road, Cheltenham**

Enclosed is a Listed Building Enforcement Notice issued by Cheltenham Borough Council (the Local Planning Authority) on 28 February 2012 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 27 March 2012**, 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 section 5 of the Notice are taken within the 6 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](http://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](mailto: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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**PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990  
Section 38**

**LISTED BUILDING ENFORCEMENT NOTICE**

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

**To:**

1. **THIS NOTICE** is issued by the Local Planning Authority (LPA) for the purposes of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Act") in relation to the building described below which is included within a list approved or compiled under section 1 of the Act.
2. **THE LAND TO WHICH THE NOTICE RELATES:**
  - Sudeley Arms Inn, 25 Prestbury Road, Cheltenham, Gloucestershire  
*(As show edged red on the attached plan for identification purposes)*
3. **THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL:**
  - Without prior listed building consent, the removal of a section of railings and stone plinths fronting Prestbury Road.
4. **REASONS FOR ISSUING THE NOTICE:**
  - The Local Planning Authority considers that the works specified in section 3 of this Notice have been executed to the building and are such as to constitute a contravention of Section 9 (1) or 9 (2) of the Act.
  - The Local Planning Authority considers it expedient to issue this Notice having regard to the effect of the works on the character of the building as one of special architectural and historic interest.
5. **WHAT YOU ARE REQUIRED TO DO:**
  - Re-instate the railings and stone plinths in order to return the land to its original and former condition.
6. **TIME FOR COMPLIANCE:**
  - 6 weeks from the date of the Notice.

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

- This Notice takes effect on 27 March 2012 unless an appeal is made against it beforehand.

Signed:

Date: 28 February 2012

**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](http://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](mailto: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.

# Property Plan

Scale 1:1250

