

Ddi number: 01242 774986  
Our ref: 12/00219/DCCONS  
Ask for: Martin Levick  
e-mail: martin.levick@cheltenham.gov.uk  
Date: 17th September 2012

**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**

Dear

**Unauthorised development at 72 Tennyson Road Cheltenham Gloucestershire GL51 7DB**

Enclosed by way of service to you is a copy of an Enforcement Notice issued by Cheltenham Borough Council on 17<sup>th</sup> September concerning the unauthorised installation of a shopfront. Copies of the notice are also being served on others understood to have an interest in the property.

The notice will take effect on 15<sup>th</sup> October 2012, unless an appeal an appeal is made against it is made 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 two calendar months 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 notice, you are advised to first read carefully “Enforcement Notice Appeal – A Guide to procedure”. A copy of the appeal should be sent to the Council and the third form is for you to keep a copy for your records. The Planning Inspectorate has introduced an online appeals service which you can use to make your appeal online. You can find this service through the appeals area of the Planning Portal – see [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs) . The Inspectorate will publish details of your appeal on the internet.

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

Yours Sincerely

**Martin Levick**  
**Senior Planner Enforcement**

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**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 council')**

**To:**

1. **This notice** is issued by the council because it appears to them 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. 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 and the enclosures to which it refers contain important additional information.

2. **The land to which the notice relates**

Land at 72 Tennyson Road Cheltenham Gloucestershire GL51 7DB, shown edged red on the attached plan.

3. **The matters which appear to constitute the breach of planning control**

Without planning permission, the installation of a new shopfront.

4. **Reasons for issuing this notice**

It appears to the council that the above breach of planning control has occurred within the last four years. The council do not consider that planning permission should be given, because planning conditions could not overcome these objections to the development. Contrary to Local Plan Policy CP7, the traditional shopfront identified as a key unlisted building in the Poets Conservation Area Character Appraisal and Management Plan has been replaced with a modern frontage. The replacement shopfront is of inappropriate form, design and materials and detracts from the character and appearance of the conservation area.

5. **What you are required to do**

Reinstate the traditional shopfront to match the previous shopfront in design, form, materials and construction, in accordance with Local Plan Policy CP7 and the Cheltenham Borough Shopfront Design Guide.

6. **Time for compliance**

Two calendar months.

7. **When this notice takes effect**

This notice takes effect on 15<sup>th</sup> October 2012, unless an appeal is made against it beforehand.

Dated: 17<sup>th</sup> September 2012

Signed: (council's authorised officer)

Director – Built Environment

on behalf of:

Cheltenham Borough Council, Built Environment, PO Box 12, Municipal Offices, Promenade,  
Cheltenham, Glos. GL50 1PP.

## **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(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



