

114 Brooklyn Road
Cheltenham
Gloucestershire
GL51 8DY

Ddi number: 01242 774986
Our ref: 12/00211/DCALLB
Ask for: Mr Martin Levick
e-mail: martin.levick@cheltenham.gov.uk

Date: 27th September 2013

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

Dear

**Re: Unauthorised development at 114 Brooklyn Road Cheltenham Gloucestershire
GL51 8DY**

Enclosed is an Enforcement Notice issued by Cheltenham Borough Council (the Local Planning Authority) in connection with the above.

The Notice will take effect on 28th October 2013, 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 periods 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 Notice take effect.

Yours sincerely

Martin Levick
Senior Enforcement & Compliance Officer

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

ENFORCEMENT NOTICE – CHANGE OF USE

ISSUED BY: Cheltenham Borough Council ('the Local Planning Authority')

To: 114 Brooklyn Road Cheltenham Gloucestershire GL51 8DY

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:

The dwelling and associated land at 114 Brooklyn Road Cheltenham Gloucestershire GL51 8DY
(As show edged red on the attached plan for identification purposes)

3. THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL

- Without planning permission change the use of the garage and adjoining land from private domestic use to use for a vehicle repair and servicing business.

4. REASONS FOR ISSUING THIS NOTICE

- It appears to the Local Planning Authority that the above breach of planning control has occurred within the last ten years. The unauthorised use is not suitable for this residential area. It disturbs neighbours through noise, traffic movement and car parking and is unsightly in such an area. The continued use is therefore in conflict with policy CP4 of the Cheltenham Borough Local Plan. In consequence the Council has already refused planning permission, Ref: 13/00744/COU on 6th September 2013, as the Council do not consider that the granting of planning permission with planning conditions would overcome these problems.

5. WHAT YOU ARE REQUIRED TO DO

- 1) Stop using the garage and adjoining land for repairing, servicing and maintaining motor vehicles on a commercial basis.
Time for compliance: 30 days after this notice takes effect.
- 2) Remove from the land all machinery and installations brought onto the land for the purpose of repairing or maintaining motor vehicles on a commercial basis.

(You may keep any equipment which you use solely for the maintenance of your own private vehicles).

Time for compliance: 4 months after this notice takes effect.

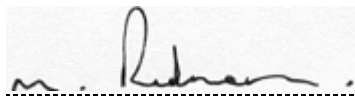
6. TIME FOR COMPLIANCE

- Step 1) above: 30 days after this notice takes effect.
- Step 2) above: 4 months after this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

- This Notice takes effect on **28th October 2013**, unless an appeal is made against it beforehand.

Signed:



Date: 27th September 2013

Mr Mike Redman
Director – Built Environment

on behalf of: Cheltenham Borough Council, Built Environment Enforcement, Municipal Offices, Promenade, Cheltenham, Gloucestershire GL50 9SA

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.gsi.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

