

13 Regent Street
Cheltenham
Gloucestershire
GL50 1HE

DD number: 01242 774987
Our ref: 14/00056/DCUA
Ask for: Daniel Lewis
e-mail: daniel.lewis@cheltenham.gov.uk

Date: 28 October 2014

Dear

**Re: Unauthorised development at 13 Regent Street Cheltenham Gloucestershire
GL50 1HE**

Enclosed is a Listed Building Enforcement Notice issued by Cheltenham Borough Council (the Local Planning Authority) on 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 1 December 2014, 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 4 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 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.

N.B. The steps required by section 5 of this notice will require Listed Building Consent from the Local Planning Authority prior to the works being undertaken and the period for compliance specified in section 6 of this notice recognises this requirement.

Yours faithfully

Mark Nelson
Built Environment Enforcement Manager

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY
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:

Land at 13 Regent Street Cheltenham Gloucestershire GL50 1HE
(As show edged red on the attached plan for identification purposes)

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

- Without the benefit of planning permission or listed building consent, the installation of 3 no. Upvc framed windows and the insertion of 1 no. set of Upvc framed French doors and 1 no Upvc framed external door all to the rear of the Grade II Listed Building known as 13 Regent Street, Cheltenham, Gloucestershire, GL50 1HE.

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 above 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.
- The Local Planning Authority consider the works to be contrary to the National Planning Policy Framework; section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990; and to Cheltenham Borough Local Plan policies CP7 and BE9.

5. WHAT YOU ARE REQUIRED TO DO

- Remove the unauthorised Upvc framed windows and doors from the building, replace with more appropriate windows and doors and make good any damage caused to the building during these works. *

6. TIME FOR COMPLIANCE

- 4 calendar months from the date of the Notice.

7. WHEN THIS NOTICE TAKES EFFECT

- This Notice takes effect on 27 November 2014 unless an appeal is made against it beforehand.

Signed:

Date: 28 October 2014

Mr Mike Redman
Director – Environmental & Regulatory Services

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

* Please note, an application for Planning Permission and Listed Building Consent will be required to be submitted to the Council for the replacement windows and doors. The time for compliance set out in section 6 of the above recognise this requirement.

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

