



CHEL TENHAM

BOROUGH COUNCIL

44 St Stephens Road
Cheltenham
Gloucestershire
GL51 3AD

DD number: 01242 774987
Our ref: 13/00395/DCUA
Ask for: Daniel Lewis
e-mail: daniel.lewis@cheltenham.gov.uk
Date: 5 February 2015

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

Dear

Re: Unauthorised development at 44 St Stephens Road Cheltenham Gloucestershire GL51 3AD

Enclosed is an Enforcement Notice issued by Cheltenham Borough Council (the Local Planning Authority) on 5 February 2015 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 9 March 2015, 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 6 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.

Yours sincerely

Mark Nelson
Enforcement Manager

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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:

Land at 44 St Stephens Road Cheltenham Gloucestershire GL51 3AD
(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 the installation of brown coloured Upvc framed windows, guttering, downpipes and cladding to the property known as 44 St Stephens Road, Cheltenham, Gloucestershire, GL51 3AD

4. REASONS FOR ISSUING THE NOTICE:

- It appears to the Local Planning Authority that above breach has occurred within the last 4 years.
- The Local Planning Authority considers that the works specified in section 3 of this Notice have been executed to the building without the necessary planning permission as the works are considered to materially affect the external appearance of the building and are not similar in appearance to those removed.
- The Local Planning Authority considers it expedient to issue this notice having regard to the effect of the works on the character of the Tivoli Character Area of the Cheltenham Central Conservation Area.
- 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, guttering, downpipes, and cladding from the building and replace with materials, design and colouration similar in appearance to those originally removed.

6. TIME FOR COMPLIANCE

- 6 calendar months from the date of the Notice.

7. WHEN THIS NOTICE TAKES EFFECT

- This Notice takes effect on 9 March 2015

Signed:

Date: 5 February 2015

Mr Mike Redman
Director – Environmental & Regulatory Services

*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

