

56 Devon Avenue  
Cheltenham  
Gloucestershire  
GL51 8BT

Ddi number: 01242 774986  
Our ref: 16/00423/DCUA  
Ask for: Mr Martin Levick  
e-mail: martin.levick@cheltenham.gov.uk

Date: 10th February 2017

**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**

Dear

**Re: Unauthorised development at 56 Devon Avenue Cheltenham Gloucestershire  
GL51 8BT**

Enclosed is an Enforcement Notice issued by Cheltenham Borough Council (the Local Planning Authority) on 10<sup>th</sup> February 2017 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 11<sup>th</sup> March 2017**, 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 period 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(s), you are advised to visit the Planning Inspectorate's guidance at <https://www.gov.uk/government/publications/enforcement-appeals-procedural-guide>. If you have any queries or questions, you can contact the Customer Service Team on 0303 444 5000 or by emailing them at [enquiries@pins.gsi.gov.uk](mailto:enquiries@pins.gsi.gov.uk). See attached annex.

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 Enforcement & Compliance Officer**

**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 Local Planning Authority')**

**To: 56 Devon Avenue Cheltenham Gloucestershire GL51 8BT**

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 56 Devon Avenue Cheltenham Gloucestershire GL51 8BT  
*(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, the carrying out of alterations and extensions to the property contrary to the planning permission granted on 15<sup>th</sup> May 2014 under local planning authority reference 14/00452/FUL, and in particular in accordance with the approved plans reference numbers Y11DEV 12d, and Y11DEV13a, received by the local planning authority on 8<sup>th</sup> May 2014, as specified in condition 2 of the planning permission.

4. **REASONS FOR ISSUING THE NOTICE:**

- It appears to the Local Planning Authority that no planning consent has been granted for the retention of the alterations and extensions as built in that the retrospective planning application submitted on 14<sup>th</sup> December 2016 under local planning authority reference 16/02225/FUL, in respect of: "Two storey side and single storey rear extension (revision to approved scheme 14/00452/FUL). Retrospective application." has been refused for the following reasons:-

The two storey side extension incorporates concrete filled black plastic columns (Roman Doric in style) on the front elevation which support a lean-to roof which runs the length of the front elevation and extends up to 1.6 metres from the principal elevation. The columns, by virtue of their unusual design and appearance, are at odds with and harm the overall character and appearance of the existing building and are an incongruous and alien addition to the street scene. Similarly, the front entrance door is oversized and does not respond to nor complement the existing fenestration style or pattern of the existing building in terms of width, opening detail, design and choice of materials. The lean-to roof, by virtue of its depth, addition of columns and choice of materials is a prominent feature which dominates the front elevation. The combined effect of depth of lean-to roof, columns, fenestration detail and colour detracts from the architectural integrity of this building and harms the character, appearance and amenities of the locality. As such, the development does not adhere to the objectives of Policy

CP7 of the Local Plan (adopted 2006) and the guidance as set out in the Councils Supplementary Planning Guidance 'Residential Alterations and Extensions'.

**5. WHAT YOU ARE REQUIRED TO DO**

- Dismantle, and remove all unauthorised alterations and extensions; take away all material arising therefrom and remove all this material from the property; change and remodel the alterations and extensions so that the alterations and extensions are in strict accordance with the approved plans, reference numbers Y11DEV 12d, and Y11DEV13a, as granted planning permission on 15<sup>th</sup> May 2014, under local planning authority reference 14/00452/FUL

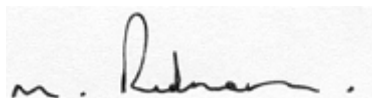
**6. TIME FOR COMPLIANCE**

- **5 months** from the date of the Notice.

**7. WHEN THIS NOTICE TAKES EFFECT**

- This Notice takes effect on **11<sup>th</sup> March 2017**

Signed:



Date: 10th February 2017

**Mike Redman**  
**Director – Environmental and Regulatory Services**

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

## ANNEX



# The Planning Inspectorate

CST Room 3/13  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

Direct Line 0303-444 5000

Fax No 0117-372 8782

## THIS IS IMPORTANT

If you want to appeal against this enforcement notice you can do it:-

- on-line at the Appeals Casework Portal (<https://acp.planningportal.gov.uk/>); or
- by getting enforcement appeal forms by phoning us on 0303 444 5000 or by emailing us at [enquiries@pins.gsi.gov.uk](mailto:enquiries@pins.gsi.gov.uk)

**You MUST make sure that we receive your appeal before the effective date on the enforcement notice.**

In exceptional circumstances you may give notice of appeal by fax or letter. You should include:-

- the name of the local planning authority;
- the site address;
- your address; and
- the effective date of the enforcement notice.

We MUST receive this before the effective date on the enforcement notice. This should **immediately** be followed by your completed appeal forms.