

Kidnappers Lane
Cheltenham
Gloucestershire
GL53 0NP

Ddi number: 01242 774986
Our ref: 17/00096/DCUCOU
Ask for: Mr Martin Levick
e-mail: martin.levick@cheltenham.gov.uk
Date: 29th March 2017

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

Dear

Re: Unauthorised development at Land Off Kidnappers Lane Cheltenham Gloucestershire

Enclosed is an Enforcement Notice issued by Cheltenham Borough Council (the Local Planning Authority) on 29th March 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 1st May 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 two 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(s), you are advised to visit the Planning Inspectorates 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. 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 Planner – Enforcement & Compliance

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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: Kidnappers Lane Cheltenham Gloucestershire GL53 0NP

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 forming part of the former Berrys Nursery of Kidnappers Lane Cheltenham Gloucestershire GL53 0NP
(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 material change of use of the land for the storage of touring caravans and motorhomes.

4. REASONS FOR ISSUING THIS NOTICE

The continued use of the land for the storage of touring caravans and motorhomes detracts from the character, quality and visual amenity of the landscape contrary to the guiding principles of the National Planning Policy Framework (NPPF) which seeks to protect the intrinsic character and beauty of the countryside. Policy CO1 of the Local Plan sets out that in considering landscape character development will only be permitted where it would not harm; (a) the attributes and feature which make a significant contribution to the character, distinctiveness, quality and amenity value of the landscape; and (b) visual amenity of the landscape. It is considered that policy CO1 is consistent with the NPPF. Policy CO2 seeks to resist development which would harm the natural beauty of the landscape within the AONB. Whilst the land is not within the designated AONB the impact of this use detracts from the setting of the AONB. Further, Policy SD8 of the JCS Proposed Modifications seeks to protect land in or within the setting of the AONB where development is required to conserve and where appropriate enhance its landscape, scenic beauty, wildlife, cultural history and other special qualities.

5. WHAT YOU ARE REQUIRED TO DO

Remove from the land touring caravans and motorhomes and cease their storage on the land.

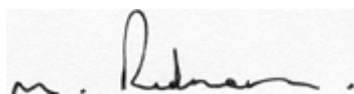
6. TIME FOR COMPLIANCE

Two months from the date of the Notice.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 1st May 2017

Signed:



Date: 29th March 2017

Mr Mike Redman
Director – Environmental and Regulatory Services

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



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CHELTENHAM BOROUGH COUNCIL • MUNICIPAL OFFICES • PROMENADE • CHELTENHAM • GLOS • GL50 9SA
TELEPHONE 01242 262626 • FACSIMILE 01242 264210 • www.cheltenham.gov.uk



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

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.



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