

1 College Gate  
Cheltenham  
Gloucestershire  
GL53 7SF

Ddi number: 01242 774986  
Our ref: 17/00275/DCALLB  
Ask for: Mr Martin Levick  
e-mail: martin.levick@cheltenham.gov.uk

Date: 13th November 2017

**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**

Dear

**Re: Unauthorised development at 1 College Gate Cheltenham Gloucestershire GL53 7SF**

Enclosed is an Enforcement Notice issued by Cheltenham Borough Council (the Local Planning Authority) on 13th November 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 12th December 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 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](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 Planner – Enforcement & Compliance**



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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 College Gate Cheltenham Gloucestershire GL53 7SF**

**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 1 College Gate Cheltenham Gloucestershire GL53 7SF  
*(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 erection of a double garage contrary to the planning permission granted on 17<sup>th</sup> December 2016 under local planning authority reference 16/01337/FUL, and in particular in accordance with the approved drawing no. 2012/03 16 REV G, as specified in condition nos. 2 and 4 of the planning permission. The double garage that has been constructed is higher than approved and contains a first floor.

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

- It appears to the Local Planning Authority that the above breach of planning control has occurred within the last four years.

The garage, given its size and location forward of the main dwelling is prominent in the street scene and the increased (as built) eaves and ridge height has a visually intrusive impact on the character of the area and its surroundings. In addition, the increased height has an overbearing impact on the neighbouring land users on Keynsham Road.

The proposed development is therefore harmful to the character of the locality and the wider Conservation Area and has an unacceptable impact on neighbouring amenity, contrary to Local Plan Policy CP7 and CP4; the advice set out within the Council's adopted 'Residential alterations and extensions' SPD; and the National Planning Policy Framework..

The Local Planning Authority does not consider that planning permission should be given, because planning conditions could not overcome these objections to the development.

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

- Dismantle and remove the roof and the staircase and first floor. Take away all excess material arising therefrom. Change and remodel the double garage so that its height to eaves and ridge level are in strict accordance with the approved drawing no. 2012/03 16 REV G, as granted planning permission on 17<sup>th</sup> December 2016 under local planning authority reference 16/01337/FUL as attached.

**6. TIME FOR COMPLIANCE**

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

**7. WHEN THIS NOTICE TAKES EFFECT**

- This Notice takes effect on **12th December 2017**

Signed:

Date: 13th November 2017

**Mr Mike Redman**  
**Director – Environment**

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

## ANNEX



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.