

24 Lansdown Parade
Cheltenham
Gloucestershire
GL50 2LH

Ddi number: 01242 774987
Our ref: 13/00285/DCUA
Ask for: Mr Daniel Lewis
e-mail: daniel.lewis@cheltenham.gov.uk

Date: 1st November 2013

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

Dear

Re: Unauthorised development at 24 Lansdown Parade, Cheltenham, Gloucestershire, GL50 2LH

Enclosed by way of service to you is a copy of a Listed Building Enforcement Notice issued by Cheltenham Borough Council (the Local Planning Authority) on 1st November 2013 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 30th November 2013, 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 90 days 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, 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 sincerely

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: 24 Lansdown Parade, Cheltenham, Gloucestershire, GL50 2LH

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:

24 Lansdown Parade, Cheltenham, Gloucestershire, GL50 2LH
(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 listed building consent the removal of three historic fireplaces (including surrounds & inserts / grates) from their original locations within the house. Subsequent to the removal of these three fireplaces, the following works have also been undertaken:
 - 1 The relocation of one of these historic fireplaces to a different position within the house; and
 - 2 The installation of two new replica fireplaces within the house in the position of the former historic fireplaces.

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 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 undertaken are contrary to paragraph 132 of the National Planning Policy Framework; paragraph 187 of Planning Policy Statement 5 – Planning for the Historic Environment and policy B.E.9 of the Cheltenham Borough Local Plan.

5. WHAT YOU ARE REQUIRED TO DO

- Remove the two modern replica fireplaces (including surrounds and inserts / grates) currently in situ from their locations within the house.
- Remove the one historic fireplace (including surrounds and inserts / grates) which has been relocated within the house and reinstate it in its original position within the house.
- Reinstall the two historic fireplaces (including surrounds and inserts / grates) to their original positions within the house.

6. TIME FOR COMPLIANCE

- 90 days from the date of the Notice.

7. WHEN THIS NOTICE TAKES EFFECT

- This Notice takes effect on 30th November 2013 unless an appeal is made against it beforehand

Signed:

Date: 1st November 2013

Mr Mike Redman
Director – Built Environment

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

