

21 London Road  
Cheltenham  
GL52 6EY

DD number: 01242 774987  
Our ref: 13/00344/DCUA  
Ask for: Daniel Lewis  
e-mail: daniel.lewis@cheltenham.gov.uk

Date: 10 September 2014

**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**

Dear

**Unauthorised development at 74 Keynsham Road Cheltenham Gloucestershire GL53 7PX**

Enclosed is a Listed Building Enforcement Notice issued by Cheltenham Borough Council (the Local Planning Authority) on you 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 13 October 2014**, 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 120 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 Notices, you are advised to visit the Governments Planning Portal website at [www.planningportal.gov.uk/planning/appeals/planninginspectorate](http://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](mailto: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.

Please note, you will be required to submit an application for Listed Building Consent (LBC) for the replacement of the unauthorised Upvc framed windows. You may wish to discuss appropriate windows with the planning department on 01242 264328 prior to submitting such an application.

Yours sincerely

**Mark Nelson**  
**Enforcement Manager**

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**  
**PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990**  
**Section 38**

**LISTED BUILDING ENFORCEMENT NOTICE**

**SERVED BY: Cheltenham Borough Council ('the Council')**

**To: 21 London Road, Cheltenham, GL52 6EY**

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:**  
  
Land at 74 Keynsham Road Cheltenham Gloucestershire GL53 7PX  
*(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 installation of Upvc framed windows to the grade II listed building known as 74 Keynsham Road, Cheltenham, Gloucestershire, GL53 7PX.
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 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 from the building, replace with more appropriate windows and make good any damage caused to the building during these works.
6. **TIME FOR COMPLIANCE:**
  - 120 days from the date of the Notice.

7. **WHEN THIS NOTICE TAKES EFFECT:**

- This Notice takes effect on 13 October 2014 unless an appeal is made against it beforehand.

Signed:

Date: 10 September 2014

**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](http://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](mailto: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

