

Stoke-on-Trent City Council

Register of Enforcement, Stop and Breach of Condition Notices

Type of Notice:	Listed Building Enforcement Notice
Ward:	Burslem Central
Case Reference:	ENF/15/147
Notice Reference:	768
Location:	Car park at former Teapot Works, Newcastle Street, Burslem, Stoke On Trent ST6 3RP
Breach of Planning Control:	Erection of valeting canopy
Date of Issue:	16 May 2016
Date of Service:	16 May 2016
Date Notice takes effect:	20 June 2016
Date for Compliance:	20 September 2016
Date Notice Complied with:	

Requirements of the Notice:

- 1 Remove from the land the unauthorised steel framed Canopy in its entirety
 - 2 Make good any damage caused to the Building and land as a result of compliance with requirement 1 above.
-

Appeals

Date of Appeal:
Date of Decision:
Appeal Decision:

Important - This Communication Affects Your Property

**PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990,
SECTION 38**

LISTED BUILDING ENFORCEMENT NOTICE

ISSUED BY: Stoke on Trent Council ("The Council")

TO: Company Secretary
Charles Lewis & Co Ltd
Guy Lodge Farm
Whitewebbs Lane
Enfield
EN2 9HJ

1. The Council is the local planning authority for the purposes of section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Act") in relation to the building (hereafter referred to as the "Building") specified in section 3 of this notice.
2. The Building is included within a list of buildings of special architectural or historic interest approved or compiled by the Secretary of State under section 1 of the Act.

3. THE BUILDING(S) TO WHICH THE NOTICE RELATES

The Building known as *Top Bridge Works* or the former *Price & Kensington Teapot Works*, Newcastle Street, Burslem, Stoke-on-Trent, ST6 3RP and is shown edged red on the attached plan.

4. ALLEGED BREACH OF LISTED BUILDING CONTROL

It appears to the Council that the works specified in this Notice ("the Works") have been executed to the Building:

- Without Listed Building Consent, the unauthorised erection of a steel framed valeting canopy (hereafter referred to as "the Canopy"); part of the canopy has been attached to the front elevation of the Building. The said canopy is shown edged blue on the attached plan.

The Works described above constitute a contravention of section 9(1) of the Act.

5. REASONS FOR ISSUING THE NOTICE

The Council considers it expedient to issue this notice having regard to the effect of the unauthorised works on the character of the Building(s) as one of special architectural or historic interest, and for the following reasons:

The Canopy which is attached to the front elevation of the Building is considered to be a poor addition in terms of its design, materials and the relationship with the existing listed Building. It fails to preserve or enhance this historic asset and is therefore contrary to Strategic Aim 14, Policy CSP1 and CSP2 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy (2006-2026) and the advice contained within Policy HE1 and HE2 of the Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance SPD (2010) and the National Planning Policy Framework (2012).

6. WHAT YOU ARE REQUIRED TO DO

- 1 Remove from the land the unauthorised steel framed Canopy in its entirety.
- 2 Make good any damage caused to the Building and the land as a result of compliance with requirement 1 above.

7. TIME FOR COMPLIANCE

- 3 months

8. WHEN THIS NOTICE TAKES EFFECT

This Notice shall take effect on 20th June 2016 subject to the provisions of section 39 of the Act (relating to appeals to the Secretary of State).

Dated: 16th May 2016

Signed:



Stephen Bate
Senior Planning Officer (Enforcement)

On behalf of: Stoke-on-Trent City Council

If you require further information regarding this Notice, you should contact:

Kerry Mee (Planning Enforcement Officer)
01782 232140

ANNEX

YOUR RIGHT OF APPEAL

Please note that a separate appeal form must be completed for each individual person or organisation.

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 Planning Inspectorate acting on behalf of the Secretary of State **before** the date specified in paragraph 8 of the notice.

The grounds on which an appeal may be made are set out in Section 39 of the Planning (Listed Building and Conservation Area) Act 1990 as amended.

The enclosed information sheet published by the Planning Inspectorate gives details of how to make an appeal

[link to <http://www.planningportal.gov.uk/uploads/pins/eninfosheet.pdf>]

CHARGES PAYABLE FOR DEEMED PLANNING APPLICATIONS

There is no deemed planning application fee payable for making an appeal in this case

For more information about how to make an enforcement appeal, including guidance on completing the appeal forms, choosing the appeal procedure and details of fee exemptions/concessions, please visit:

<http://www.planningportal.gov.uk/planning/appeals/enforcementappeals>

STATEMENT OF APPEAL

If you appeal against this notice, and have not already done so, you will be required by the Secretary of State to submit a statement in writing within 14 days –

- (i) specifying the grounds on which you are appealing against the notice; and
- (ii) setting out briefly the facts on which you propose to rely in support of each of those grounds

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 8 of the notice
- You must then ensure that the required steps for complying with the notice, for which you may be held responsible, are taken within the periods specified in paragraph 7 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.**

PARTIES WHOM THE ENFORCEMENT NOTICE HAS BEEN SERVED

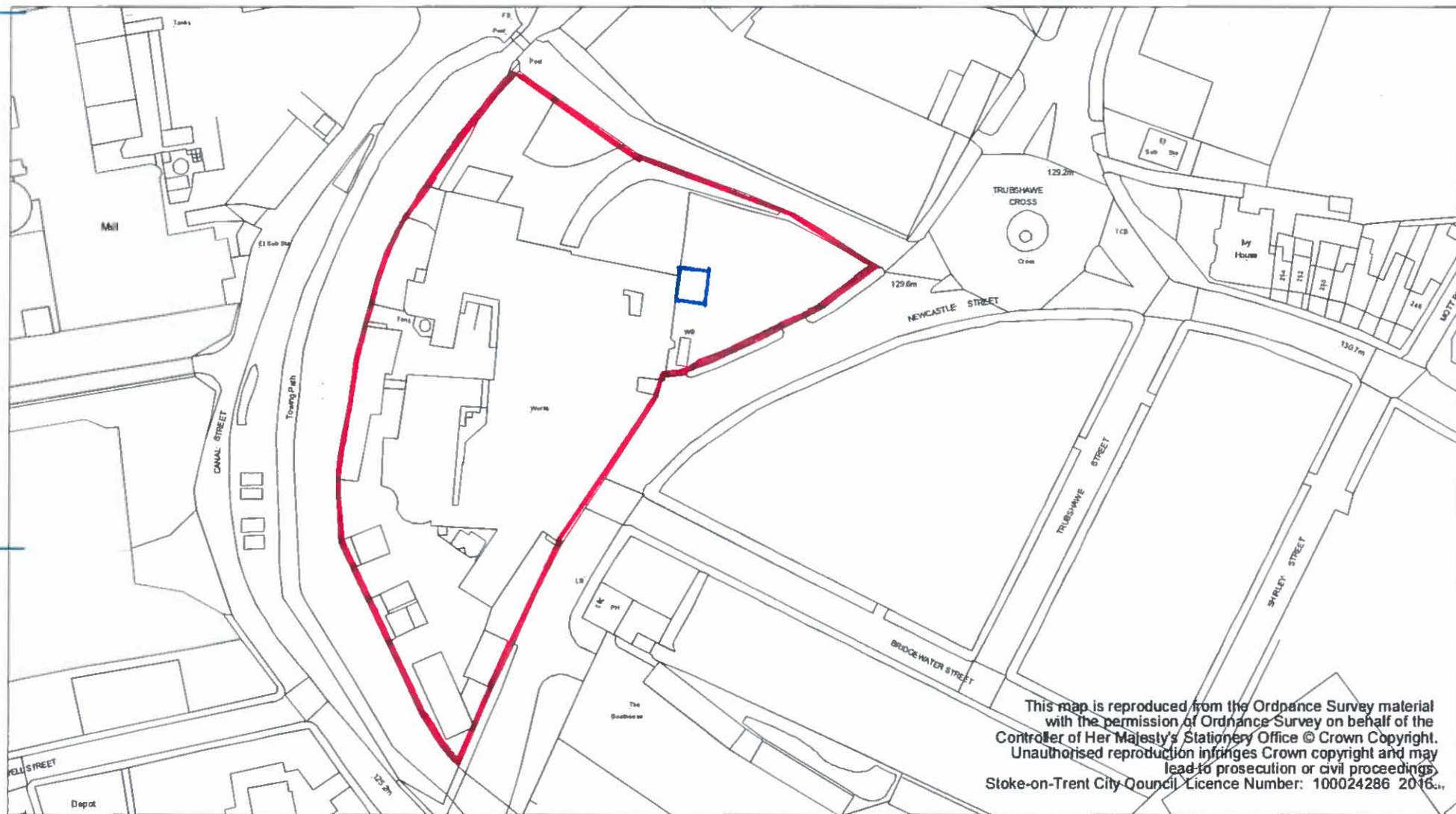
Company Secretary
Charles Lewis & Co Ltd
Guy Lodge Farm
Whitewebbs Lane
Enfield
Middlesex
EN2 9HJ

Company Secretary
White Star Investments London Ltd
60 Electric Avenue
Enfield
Middlesex
EN3 7XU

The Owner
Deluxe Car Wash & Valeting
(Former Teapot Works)
Newcastle Street
Burslem
Stoke-on-Trent
ST6 3RP

Company Secretary
White Star Investments (London) Ltd
Wenta House
Electric Avenue
Enfield
Middlesex
EN3 7XU

The Manager
Deluxe Car Wash & Valeting
(Former Teapot Works)
Newcastle Street
Burslem
Stoke-on-Trent
ST6 3RP



**City of
Stoke-on-Trent**

Stoke on Trent City Council
Civic Centre
Glebe Street
Stoke on Trent
ST4 1HH
UK

Scale	Scale: 1:1250
Date	13 May 2016
Drawn By	(Drawn By)
Drawing Ref	(Drawing Ref)
Revision	(Revision)