

# CITY AND COUNTY OF SWANSEA

## ENFORCEMENT NOTICE - OPERATIONAL DEVELOPMENT

*IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY*

### TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED BY THE PLANNING AND COMPENSATION ACT 1991)

#### ENFORCEMENT NOTICE

#### ISSUED BY: THE COUNCIL OF THE CITY AND COUNTY OF SWANSEA (“THE COUNCIL”)

1 **THIS NOTICE** is issued by the Council because it appears to them 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. They consider 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 at the end of this notice and the enclosures to which it refers contain important additional information.

#### 2 THE LAND TO WHICH THE NOTICE RELATES

Land at **37 Wern Fawr Road, Port Tennant, Swansea**  
(Shown edged red on the attached plan)

#### 3 THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL

The unauthorised erection of a detached outbuilding

#### 4 REASONS FOR ISSUING THIS NOTICE

It appears to the Council that the above breach of planning control has occurred within the last four years.

The annexe, by virtue of its scale, size and siting has an unacceptable overbearing and overshadowing impact to the detriment of the amenities of the occupiers of the adjoining properties, contrary to Policies EV1 and HC7 of the City and County of Swansea Unitary Development Plan 2008.

The close proximity to the neighbouring properties of the windows on the western and southern elevations unacceptably adversely affects the amenities reasonably expected to be enjoyed by the occupants of adjoining property by reason of overlooking and the consequent loss of privacy, contrary to the criteria set out in

Policies EV1 and HC7 of the City and County of Swansea Unitary Development Plan 2008.

The annexe, by virtue of its excessive scale and size has an adverse visual impact upon the character and appearance of the building to which it relates and has a detrimental impact upon the character and appearance of the street scene in which it is located, contrary to Policies EV1 and HC7 of the City and County of Swansea Unitary Development Plan 2008.

**5 WHAT YOU ARE REQUIRED TO DO**

- (a) Demolish the unauthorised outbuilding
- (b) Remove any rubble or waste material resulting from the demolition from the land

**6 TIME FOR COMPLIANCE**

60 Days from the date the notice takes effect.

**7 WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 26<sup>th</sup> July 2010 unless an appeal is made against it beforehand.

Date **24<sup>th</sup> June 2010**

Signed



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*Designation : Acting Head of Legal &  
Democratic Services  
(The Council's authorised officer)*

Address to which all communication should be sent:

*Bryan Graham  
Head of Planning Services  
Civic Centre, Oystermouth Road,  
SWANSEA  
SA1 3SN*

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## 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 Planning Inspectorate appointed by the National Assembly for Wales **before** the date specified in paragraph 7 of the notice. The enclosed booklet "Enforcement Appeals - A Guide to Procedure" sets out your rights. You may use the enclosed appeal forms:

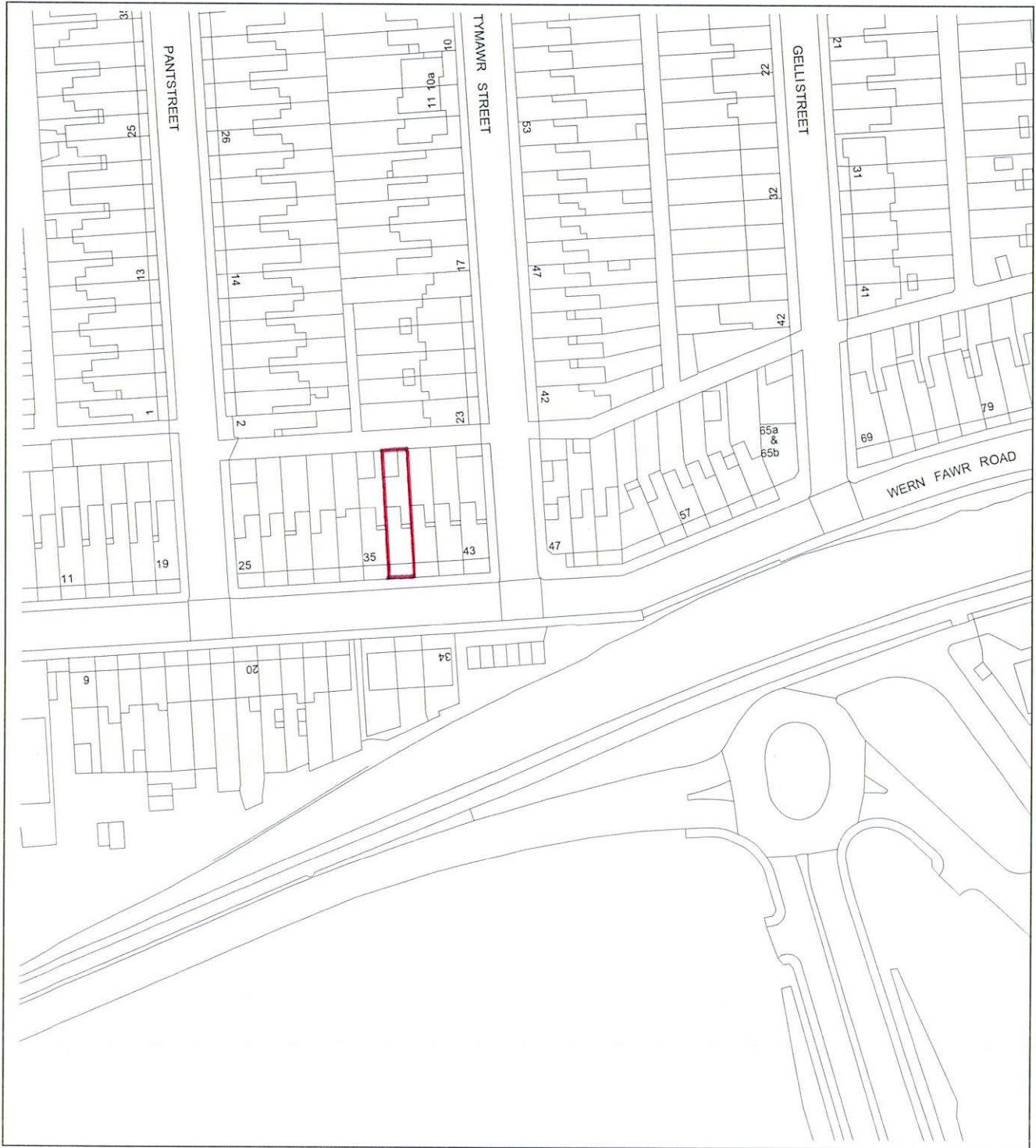
- [a] One is for you to send to the Planning Inspectorate if you decide to appeal together with a copy of this notice;
- [b] The second copy of the appeal form and the notice should be sent to the Council; and
- [c] The third copy is for your own records.

### 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.

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# 37 Wern Fawr Road, Port Tennant



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