

**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 28 Victoria Avenue, Mumbles, Swansea shown edged red on the attached plan.
  
- 3 **THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL**  
  
Without planning permission, the erection of elevated decking to the rear of the property.
  
- 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.
  1. **The unauthorised elevated decked area has a detrimental impact on the privacy of the neighbouring property by virtue of overlooking and it is therefore considered to be contrary to policy EV1 of the City and County of Swansea Unitary Development Plan 2008.**

## 5 WHAT YOU ARE REQUIRED TO DO

1. Remove the unauthorised decking
2. Remove the resultant materials from the land

## 6 TIME FOR COMPLIANCE

3 months from the date the notice takes effect

## 7 WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 22nd October 2012 unless an appeal is made against it beforehand.

Date **20th September 2012** Signed



*Designation : Head of Legal, Democratic  
and Procurement Services  
(The Council's authorised officer)*

Address to which all communication should be sent:

**PHIL HOLMES**  
**HEAD OF ECONOMIC REGENERATION & PLANNING**  
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.

- [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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# 28 Victoria Avenue, Mumbles, Swansea



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