



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**

47 Southgate Road, Southgate, Swansea, SA3 2DA shown edged in red on the enclosed plan entitled 'The Land'.

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

Without the required planning permission, operational development in the form of the erection of a front boundary wall in the approximate position marked with a blue line on the enclosed plan.

**4 REASONS FOR ISSUING THIS NOTICE**

1. It appears to the Council that the breach of planning control referred to in section 3 above has occurred within the last 4 years.
2. It is not considered appropriate in this instance for a retrospective application to be submitted in order to seek to retain the unauthorised boundary wall, by virtue of its visual prominence and inappropriate and discordant appearance within the streetscene, and its potential to set a precedent for similar future development contrary to Policy EV2 of the Unitary Development Plan and the Design Guide for Householder Development.

**5 WHAT YOU ARE REQUIRED TO DO**

- I. Demolish the wall
- II. Remove from the land all building materials and/or rubble arising from compliance with (i) above.

**6 TIME FOR COMPLIANCE**

The period for compliance with the above steps set out in section 5 is:  
28 days from the date in which the Enforcement Notice takes effect.

**7 WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 9th October 2014 unless an appeal is made against it beforehand.

Date **11<sup>th</sup> September 2014**

Signed



**Designation : Head of Legal & Democratic  
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.

If ground of appeal (a) is pleaded on appeal against this Enforcement Notice a fee is payable to both the Council and to The Planning Inspectorate - Wales.

The fee which is payable in this case is:

- £ 166 Planning Inspectorate fee
- £ 166 Local Authority fee.

### 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.

### PERSONS TO WHOM THIS ENFORCEMENT NOTICE HAS BEEN SERVED

In accordance with section 172(2) of the Town and Country Planning Act 1990 (as amended), this enforcement notice has been served on:

Mr A Henson  
47 Southgate Road  
Southgate  
Swansea  
SA3 2DA

Mrs C Henson  
47 Southgate Road  
Southgate  
Swansea  
SA3 2DA

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Phil Holmes  
 Head of Economic Regeneration  
 and Planning