

**IMPORTANT - THIS COMMUNICATION
AFFECTS YOUR PROPERTY**

ENFORCEMENT NOTICE

OPERATIONAL DEVELOPMENT



The Town and Country Planning Act 1990 (as amended)

ISSUED BY THE CITY AND COUNTY OF SWANSEA (“The Council”)

COUNCIL REFERENCE ENF2019/0034

1. **THIS NOTICE** is issued by the Council because it appears to them that there has been a breach of planning control under Section 171A(1)(a) of the Town and Country Planning Act 1990 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 all other material planning considerations. The **annex** at the end of the Notice contains important additional information.
2. **THE LAND TO WHICH THIS NOTICE RELATES**

Land at 3 Victoria Street Uplands Swansea SA2 0NE in the City and County of Swansea (“the Land”), shown edged red on the plan appended hereto (“the Plan”).
3. **THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL**

Without planning permission, the erection of a first floor rear extension.
4. **REASONS FOR ISSUING THIS NOTICE**
 - (i) It appears to the Council that the above breach of planning control has occurred within the last four years.
 - (ii) The first floor rear extension by virtue of its scale, design and appearance, does not respect the character and appearance of the host dwelling and appears incongruous in the streetscene, exacerbated by the use of unsympathetic external finishes in contrast to that of the remainder of the property, to the detriment of visual amenity. The extension is therefore considered contrary to the provisions of Policy PS2 of the Swansea Local Development Plan 2010-2025 and the design principles contained within the Supplementary Planning Guidance Document entitled "A Design Guide for Householder Development" (2008).
 - (iii) The first floor rear extension, given its orientation along the shared boundary and angling across the rear of the neighbouring property to the north east, presents an increased tunnelling effect and adverse increase in overbearing impact and overshadowing on the ground floor and first floor rear facing habitable room windows of No.2 Victoria Street. In addition, the depth and height of the extension results in a development of significant bulk that dominates the outlook for both adjoining residents, when viewed from their raised balconies, appearing oppressive and overbearing. The extension is

therefore considered to have an unacceptable impact on the residential amenity of neighbouring occupiers, contrary to the provisions of Policy PS 2 of the Swansea Local Development Plan 2010-2025 and the design principles of the Supplementary Planning Guidance Document "A Design Guide for Householder Development" (2008).

5. WHAT YOU ARE REQUIRED TO DO

- (i) Demolish the first floor rear extension.
- (ii) Remove all associated materials from the land.

6. TIME FOR COMPLIANCE

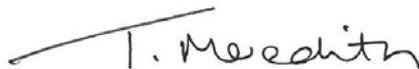
Three months beginning with the day on which this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on the **30.06.2019**, unless an appeal is made against it before that date.

Dated: **31.05.2019**

Signed:



Designation: **Chief Legal Officer**
The Council's Authorised Officer

Address to which all communication should be sent:

Phil Holmes
Head of Planning and City Regeneration
City and County of Swansea
Civic Centre
Oystermouth Road
Swansea
SA1 3SN

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 below information provides advice on how to appeal. Please read the information carefully along with the relevant appeal form.

HOW TO APPEAL

The Planning Inspectorate has produced a booklet on "Making your Enforcement Appeal". You can access a PDF version of the booklet from the Planning Inspectorate website to print <http://gov.wales/topics/planning/appeals/appeal-guidance-and-information/enforcement-appeals/?lang=en>.

Appeals can be made online from the Appeals Casework Portal at <https://acp.planninginspectorate.gov.uk/> and copies of the relevant appeal form can be obtained from the Planning Inspectorate

Address : The Planning Inspectorate
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

Telephone : Telephone: 0303 444 5962

E-mail : wales@pins.gsi.gov.uk

or downloaded from the following website:

<http://gov.wales/topics/planning/appeals/appeal-guidance-and-information/enforcement-appeals/?lang=en>

If you decide to appeal you should send a copy of the appeal form together with a copy of the Enforcement Notice to both the Planning Inspectorate and the Council.

ENFORCEMENT NOTICE APPEAL FEES

Should you choose to appeal this Notice on the grounds that planning permission should be granted for what is alleged in the Notice (Ground a) you are required to pay a fee to the Local Planning Authority. The fee payable in this instance is **£380**. Payments can be made to the City & County of Swansea Council, Planning Control, Civic Centre, Oystermouth Road, Swansea SA1 3SN quoting the reference number as specified on the Enforcement Notice.

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 the Enforcement Notice which has taken effect can result in prosecution and/or remedial action by the Council.

PLEASE NOTE

If you need any independent advice about this Notice you are advised to contact a lawyer, planning consultant or other professional advisor specialising in planning matters.

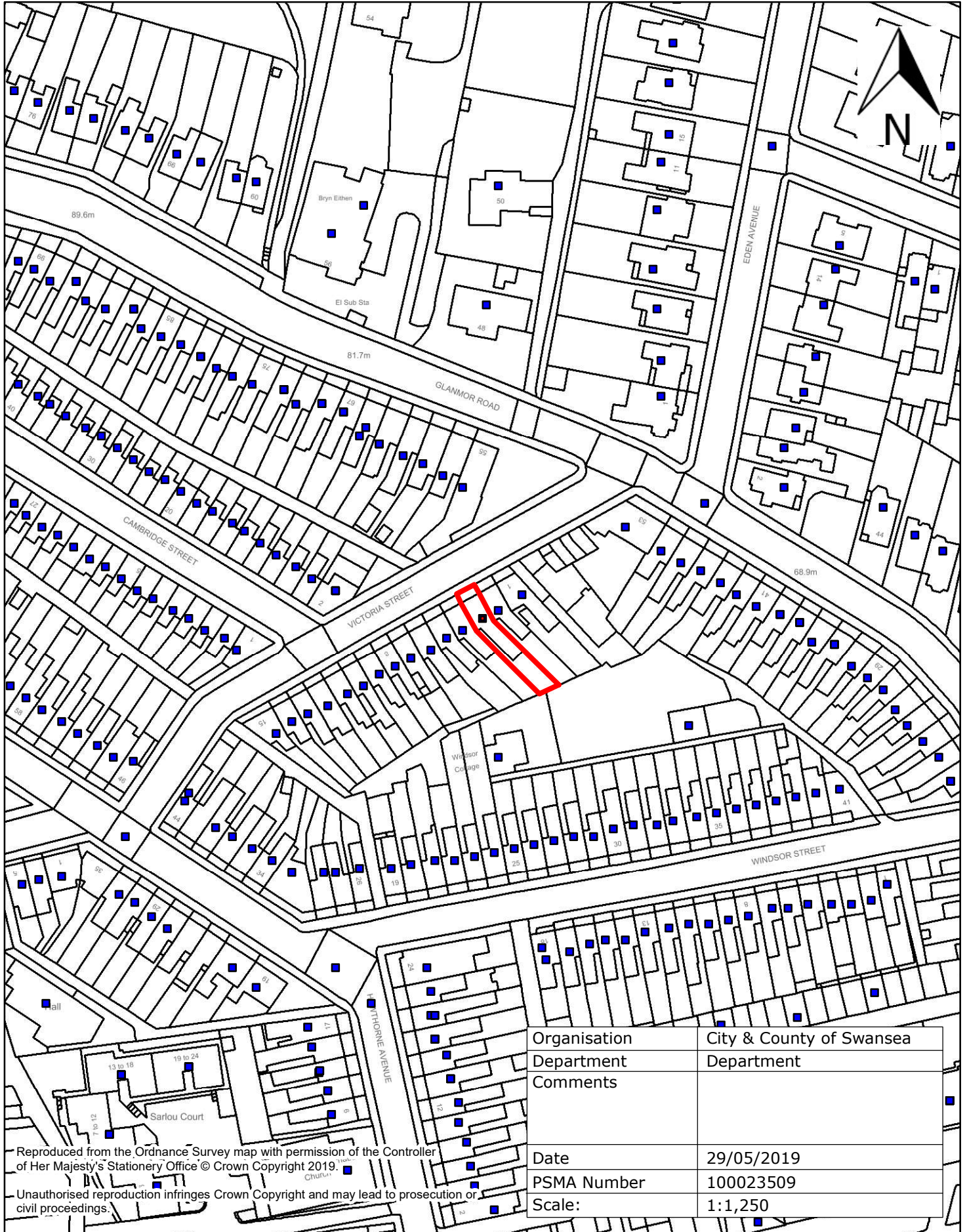
PERSONS TO WHOM THIS ENFORCEMENT NOTICE HAS BEEN SERVED

In accordance with Section 172(2) of the Town and Country Planning Act 1990 (as amended) this Notice has been served on:

- 1. Mr. Noah Redfern, 3 Victoria Street, Uplands, Swansea SA2 0NE**
 - 2. Owner/Occupier, 3 Victoria Street, Uplands, Swansea SA2 0NE**
-

"The Land"

"The plan"



Organisation	City & County of Swansea
Department	Department
Comments	
Date	29/05/2019
PSMA Number	100023509
Scale:	1:1,250

Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2019.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.