

**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 ENF2019/0325

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 27 Uplands Crescent (known as "The Bookshop") Uplands Swansea SA2 0NX 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 construction of a raised timber terrace with surrounding fencing, metal support structures and vehicle above an existing flat roof structure 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.

The raised terrace by virtue of its form, scale and design results in a bulky and visually intrusive form of development to the rear of the property that fails to respect the character and appearance of the area and fails to preserve or enhance the character or appearance of the Ffynone and Uplands Conservation Area contrary to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Accordingly the development undertaken fails to comply with policies PS 2, HC 1 and HC 2 of the Adopted Swansea Local Development Plan (2010-2025).

The raised terrace by virtue of its location and scale, with uncontrolled use, results in an unneighbourly form of development that creates perceived overlooking of neighbouring residential occupiers and has the propensity to create noise that will impact upon the living conditions that neighbouring residential occupiers should expect to enjoy contrary to the requirements of policies PS 2, RP 2 and RP 3 of the Adopted Swansea Local Development Plan (2010-2025).

5. WHAT YOU ARE REQUIRED TO DO

- (i) Permanently remove the raised timber terrace, surrounding fencing, metal support structures and vehicle from the Land.
- (ii) Remove all associated materials and restore the flat roof to its condition prior to the works specified in 3. taking place.

6. TIME FOR COMPLIANCE

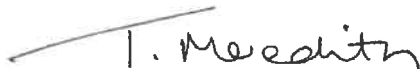
Three months beginning with the day on which this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on **30th September 2019**, unless an appeal is made against it before that date.

Dated: **30th August 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 **£380.00**. 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:

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- 1. Uplands 27 Limited, Riverside Business Park, Swansea, Wales, SA7 0AJ**
 - 2. Uplands 27 Limited, 49 Pinewood Road Uplands Swansea SA2 0LS**
 - 3. Uplands 27 Limited , 112 Walter Road Swansea SA1 5QQ**
 - 4. The Bookshop (Uplands 27 Limited), 27 Uplands Crescent, Uplands, Swansea, SA2 0NX**

"THE LAND"

"THE PLAN"



Organisation	City & County of Swansea
Department	Department
Comments	
Date	29/08/2019
PSMA Number	100023509
Scale:	1:1,250

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