

**IMPORTANT - THIS COMMUNICATION  
AFFECTS YOUR PROPERTY**



## **BREACH OF CONDITION NOTICE**

**The Town and Country Planning Act 1990 (as amended) – Section 187a**

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

**COUNCIL REFERENCE ENF2020/0304**

**To: Mr Craig Lloyd**

**Address: 5 Old Farm Close, Waunarlwydd, Swansea, SA5 4BQ**

**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 Old Farm Close, land adjacent to 166 Swansea Road, Waunarlwydd, Swansea, SA5 4SR in the City and County of Swansea (“the Land”), shown edged red on the plan appended hereto (“the Plan”).

### **3. THE RELEVANT PLANNING PERMISSION**

The relevant planning permissions to which this notice relates is the permission granted by the Council on 11<sup>th</sup> September 2020 for four detached dormer bungalows under reference 2020/1146/FUL and on the 14<sup>th</sup> May 2021 for detached dormer bungalow – amended house type to Plot 4 (amendment to planning permission 2020/1146/FUL), under reference 2021/0406/FUL.

### **4. THE BREACH OF CONDITION**

Development has taken place relating to the eastern side of the above-mentioned land, which does not comply with the following conditions:

- (i) Condition 1 (plans condition) of planning permission reference 2020/1146/FUL and
- (ii) Condition 2 (plans condition) of planning permission reference 2021/0406/FUL

## 5. WHAT YOU ARE REQUIRED TO DO

As the person responsible for the breach of the plans conditions specified in paragraph 4 of this Notice, you are required to secure compliance with the stated conditions by taking the following steps:

- (i) removal of the entrance gates and associated pillar (eastern side of entrance) and;
- (ii) provision/construction of the separate pedestrian footpath and access into/out of the site, as approved under application reference numbers 2020/1146/FUL and 2021/0406/FUL and as illustrated on the approved Block Plans relating to each of those applications (drawing No's. 200 Rev A and 100 Rev A respectively).

## 6. REASONS FOR ISSUING THIS NOTICE

It appears to the Council that breaches of the above-mentioned conditions has occurred within the last ten years.

Failure to properly implement the residential development schemes (approved under ref no's 2020/1146/FUL and 2021/0406/FUL) in accordance with the block plans approved under each of those decisions (drawing No's. 200 Rev A and 100 Rev A respectively) , i.e. without appropriate pedestrian footpath provision, would result in pedestrian and vehicular conflict both at the point of entry to the site (at the gates) and within the development site, contrary to Policy PS2 of the LDP and to the guidance provided in the adopted SPGs.

## 7. TIME FOR COMPLIANCE

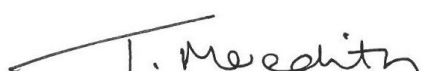
6 months beginning with the day on which this Notice takes effect.

## 8. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect immediately it is served on you or you receive it by postal delivery.

Dated: 11<sup>th</sup> August 2023

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**

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# ANNEX

## WARNING

**THIS NOTICE TAKES EFFECT IMMEDIATELY IT IS SERVED ON YOU IN PERSON OR ON THE DAY YOU RECEIVED IT BY POST**

**THERE IS NO RIGHT OF APPEAL AGAINST THIS NOTICE**

It is an offence to contravene the requirements stated in paragraph 5 of this Notice after the end of the compliance period. You will be at risk of **IMMEDIATE PROSECUTION** in the Magistrates' Court, for which the maximum penalty is a fine amounting to £1,000 for a first offence and for any subsequent offence. If you are in any doubt as to what this Notice requires you to do you should immediately contact The Planning Control Section of the City and County of Swansea at the Civic Centre, Oystermouth Road, Swansea, SA1 3SN. Telephone – 01792 635692

If you need any independent advice about this Notice you are advised to contact a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of this Notice you may only do so by an application to the High Court for Judicial Review. A lawyer will advise you what this procedure involves.

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# The Plan

The Land

