

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 ENF2019/0237

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 1 Linkside Langland Swansea SA3 4SZ 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 side and rear extension and roof extension and addition of cladding to the dormer window within the eastern roof plane of the dwelling.

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 unauthorised extension and unauthorised roof extension/alteration to the dormer window, by virtue of their inappropriate form and massing and discordant appearance, are considered to constitute an unsightly form of development, which fails to respect the form and character of the host dwelling and detracts from the visual amenities of the area, contrary to Policy PS2 of the Swansea Local Development Plan and the Council's Placemaking Guidance for Householder Development.

The use of the flat roofed area of the rear part of the extension as a balcony area, would give rise to unacceptable levels of overlooking onto neighbouring gardens, to the detriment of the living conditions of neighbouring occupiers, contrary to Policy PS2 of the Swansea Local Development Plan and the Council's Placemaking Guidance for Householder Development.

5. WHAT YOU ARE REQUIRED TO DO

Either;

- (a) (i) Demolish the unauthorised side and rear extension; and
 - (ii) Remove the roof extension and cladding to the dormer window and re-instate the dormer window to its condition prior to the unauthorised works being carried out; and
 - (iii) Remove any resulting waste materials arising from (i) and (ii) above from the land

Or

- (b) Modify the unauthorised development so that the resulting building fully complies with the building works approved by planning permission 2020/0792/FUL

6. TIME FOR COMPLIANCE

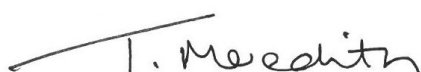
6 months beginning with the day on which this Notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on the **31st May 2023** unless an appeal is made against it before that date.

Dated: **28th April 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

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 **£460.00**. 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:

- 1. Mr Peter Timothy Loosemore, 1 Linkside, Langland, SWANSEA, SA3 4SZ**
 - 2. Mrs Natalie Ann Loosemore, 1 Linkside, Langland, SWANSEA, SA3 2SZ**
 - 3. HANDELSBANKEN PLC (Co. Regn. No. 11305395), 3 Thomas More Square, London E1W 1WY**
 - 4. HANDELSBANKEN PLC (Co. Regn. No. 11305395) 101 Barbirolli Square, Manchester M2 3BG**
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The Land

1 Linkside, Langland, SA3 4SZ



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Organisation	City & County of Swansea
Department	Department
Comments	
Date	27/04/2023
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