

IMPORTANT - THIS COMMUNICATION
AFFECTS YOUR PROPERTY



ENFORCEMENT NOTICE

FAILURE TO COMPLY WITH A CONDITION

The Town and Country Planning Act 1990 (as amended)

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

COUNCIL REFERENCE ENF2023/0041

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 11 Meadow Rise Townhill Swansea SA1 6RG 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, a brick wall was constructed forward of the principal elevation of the property contrary to Condition 2 attached to planning permission 99/0468. Condition 2 attached to planning permission 99/0468, restricts fences, gates or wall being erected forward of any wall of the dwellinghouse which fronts the road, which reads:

02 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no fences, gates or walls shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road.

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) Whilst the works undertaken would usually be permitted development under the Town and Country Planning (General Permitted Development) Order 1995 (As amended) in this instance Condition 2 attached to planning permission 99/0468, restricts fences, gates or wall being erected forward of any wall of the dwellinghouse which fronts the road.

- (iii) The impact of the development undertaken in respect of its visual impact on the open plan character and appearance of the street scene and wider area, having regard to Policy PS2 of the City and County of Swansea Local Development Plan 2010-2025 (2019) and the guidance contained within the Supplementary Planning Guidance 'Placemaking Guidance for Householder Development' (October 2021).

5. WHAT YOU ARE REQUIRED TO DO

- (i) Remove the front and side brick wall forward the dwellinghouse, as identified in pink on Appendix 1.
- (ii) Remove all waste materials arising from the above operations from the land.

6. TIME FOR COMPLIANCE

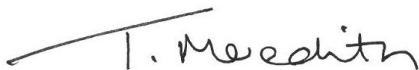
Three months beginning with the day on which this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on the 24th July 2023, unless an appeal is made against it before that date.

Dated: 26th June 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**. 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.

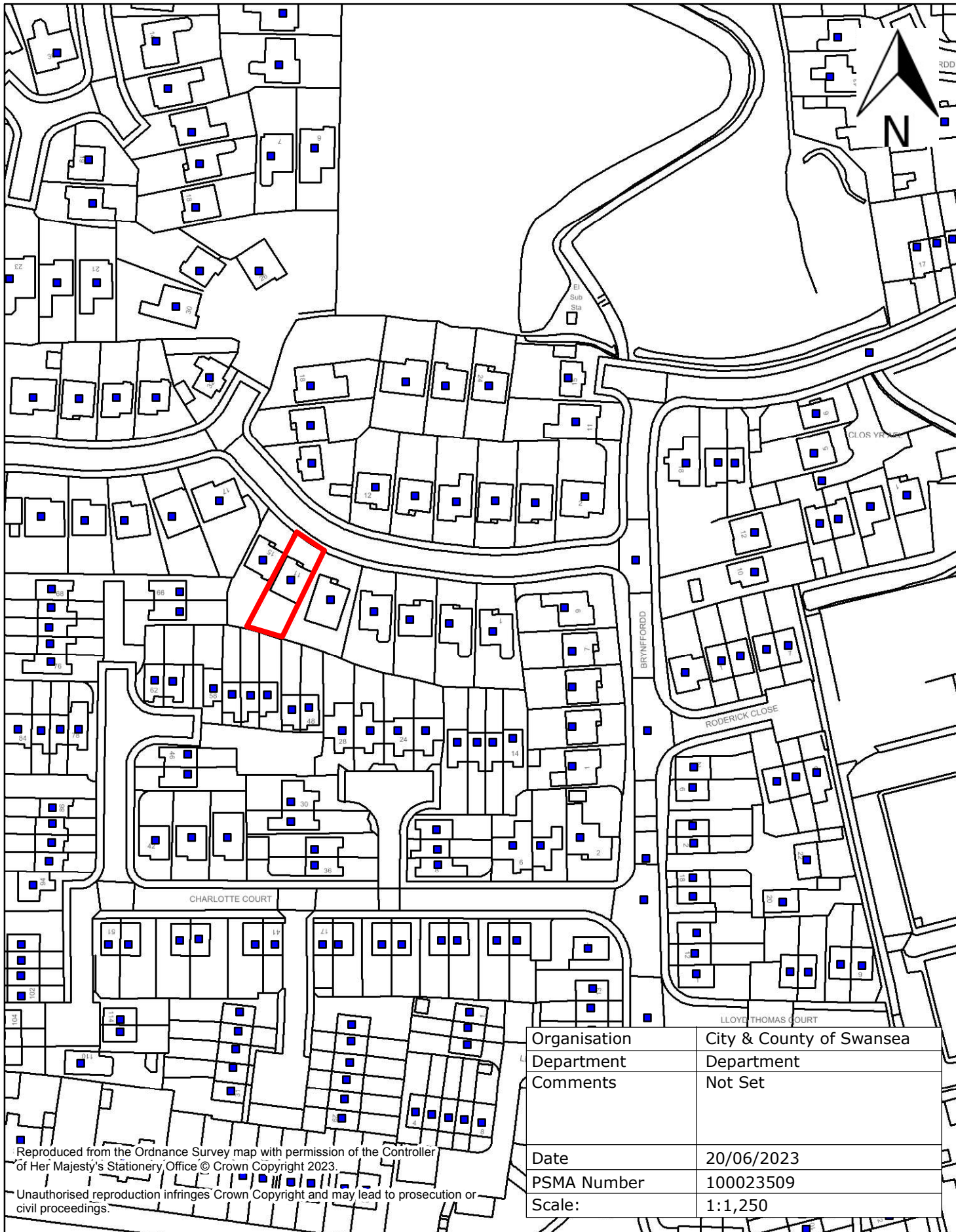
PERSONS TO WHOM THIS ENFORCEMENT NOTICE HAS BEEN SERVED

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

1. Diane Fraser, 11 Meadow Rise, Cockett, Swansea, SA1 6RG

The Plan

The Land

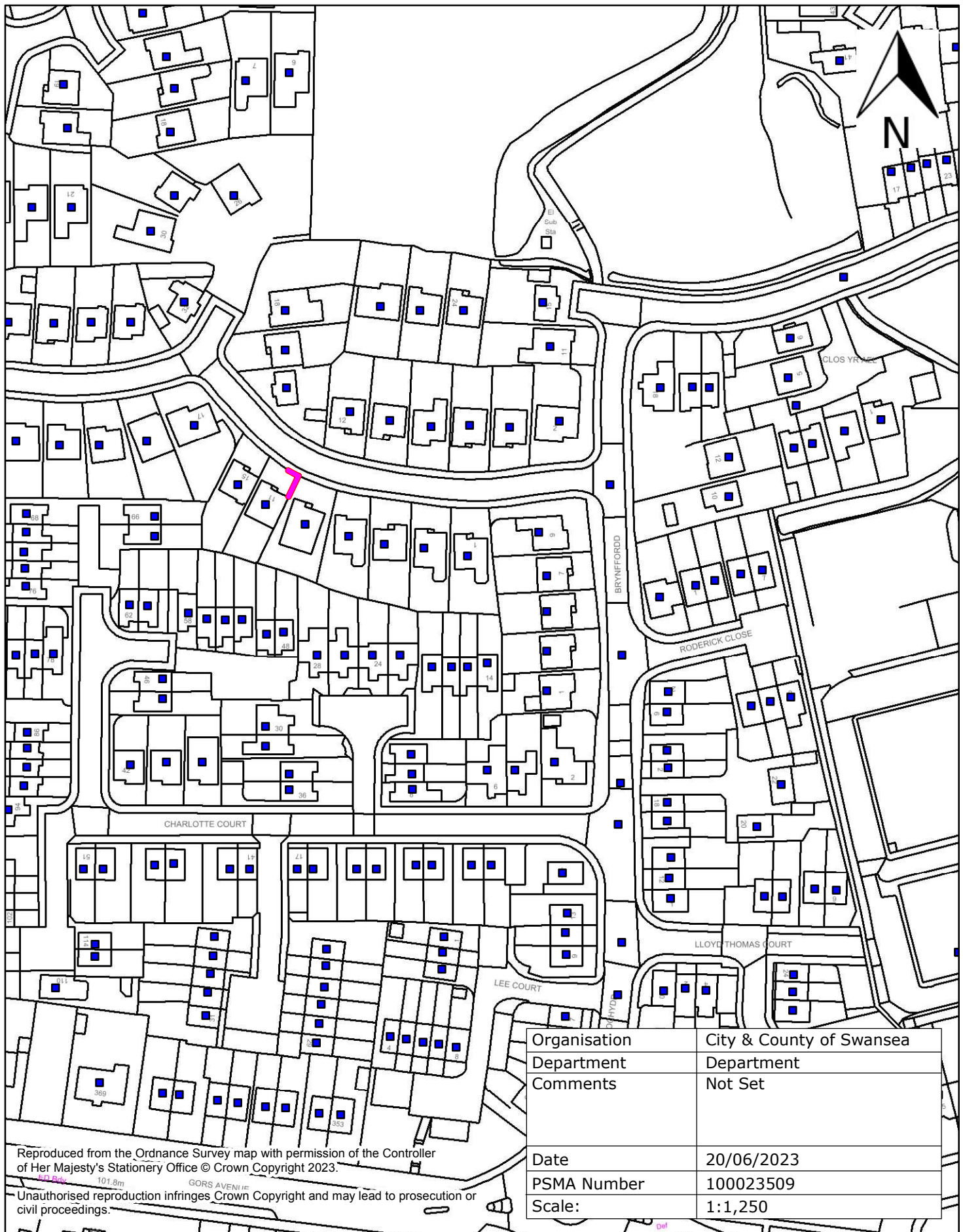


Organisation	City & County of Swansea
Department	Department
Comments	Not Set
Date	20/06/2023
PSMA Number	100023509
Scale:	1:1,250

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Appendix 1

Location of the Wall



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