

**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 ENF2017/0197**

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 189 Cefn Road Bonymaen Swansea SA1 7JE 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 unauthorised erection of a detached garage/outbuilding

#### **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.

1. The split level detached outbuilding, by virtue of its size, design and siting is considered to be an overly large development which does not relate well to the domestic scale of surrounding development. The varied fenestration detail within the rear elevation, the use of roller shutters within the front and rear elevation and the overly large dormers which are finished in materials that do not match those of the host building are all considered to give rise to an incongruous and unsympathetic addition within the street scene, to the detriment of visual amenity. As such the proposal is contrary to Policies EV1 and HC7 of the City and County of Swansea Unitary Development Plan (2008) and Section 7 of the Supplementary Planning Guidance document 'A Design for Householder Development' (2008)

2. The dormer roof extensions, by virtue of their overly large and unsympathetic design and siting, are considered to result in incongruous and unacceptable additions to the detached outbuilding, comprising its roof form and appearing visually dominant in relation to the outbuilding. As such, the proposal is contrary to policies EV1 and HC7 of the adopted City and County of Swansea Unitary Development Plan

(2008) and the guidance contained in Section 5 of 'A Design Guide for Householder Development' (2008) where it relates to dormers.

3. The split level detached outbuilding, by virtue of its siting and design and design and with its first floor level being considerably higher than properties fronting Cefn Road, results in an unacceptable overlooking impact upon their rear amenity spaces and directly into the rear windows of no 187, particularly when looking from the first floor dormer in the rear roof plane of the outbuilding. Additionally, the detached outbuilding has an unacceptable overbearing physical impact due to its position high up in the rear garden, exaggerating its height in comparison to neighbouring gardens. As such the building is considered detrimental to residential amenity contrary to requirements of Policies EV1 and HC7 of the adopted City and County of Swansea Unitary Development Plan (2008)

**5. WHAT YOU ARE REQUIRED TO DO**

i). Demolish the garage/outbuilding

(ii) Remove all the materials resulting from the actions of part 5 (i) from the land

**6. TIME FOR COMPLIANCE**

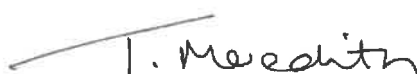
Three months beginning with the day on which this notice takes effect.

**7. WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on **14.02.2018**, unless an appeal is made against it before that date.

Dated: **16.01.2018**

Signed:



Designation: **Head of Legal, Democratic Services and Business Intelligence  
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

## 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: 029 2082 3866  
Fax: 029 2082 5150

E-mail : [wales@pins.gsi.gov.uk](mailto: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**

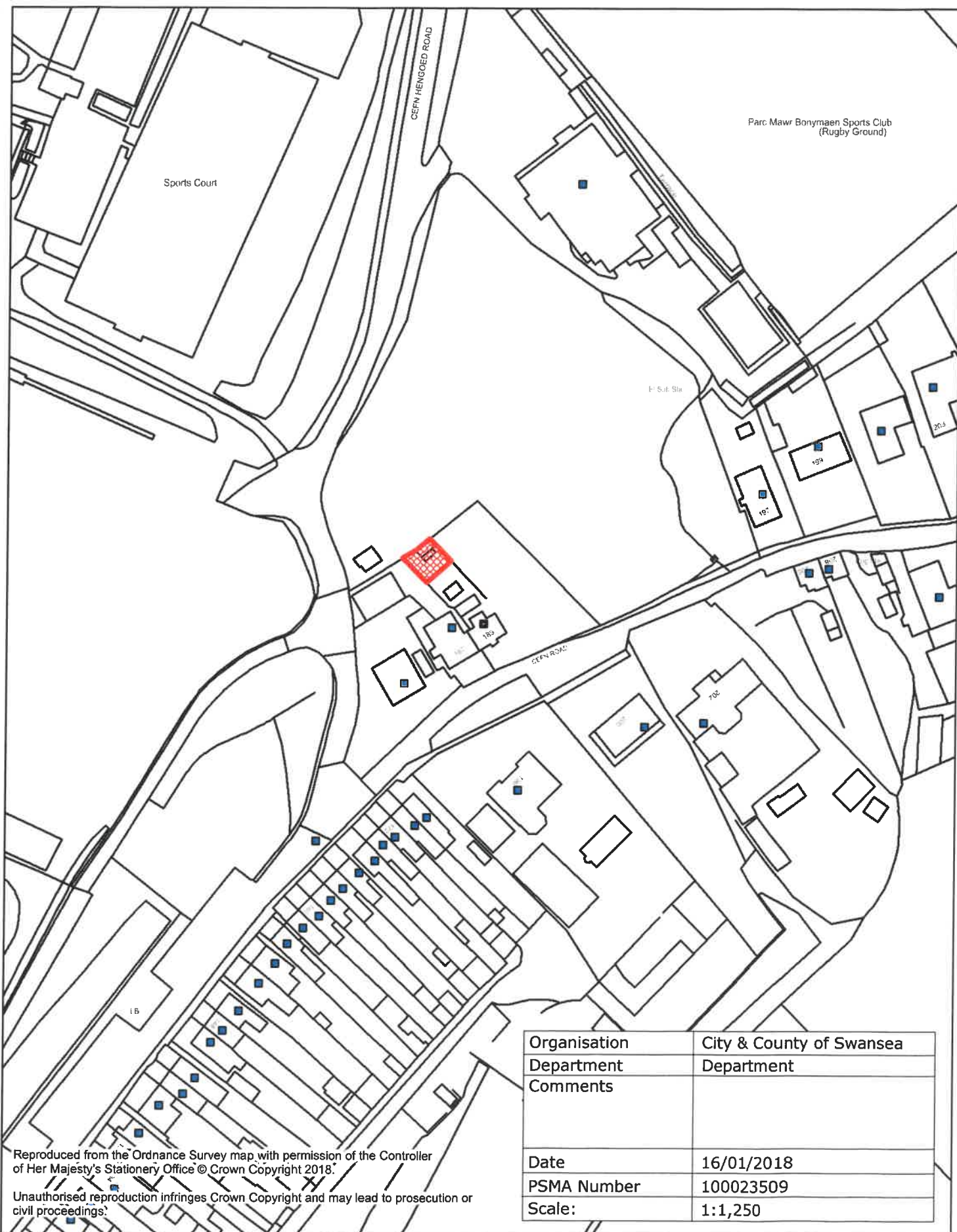
If you need any independent advice about this Notice you are advised to contact a lawyer, planning consultant or other professional advisor specialising in planning matters.

## **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:

- 1. Mr Rhys William Ellis, 189 Cefn Road, Bonymaen, Swansea, SA1 7JE**
  - 2. The Owner/Occupier, 189 Cefn Road, Bonymaen, Swansea, SA1 7JE**
  - 3. Metro Bank PLC, 1 Southampton Row, London, WC1B 5HA**
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# "The Land"



Organisation	City & County of Swansea
Department	Department
Comments	
Date	16/01/2018
PSMA Number	100023509
Scale:	1:1,250

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