

**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 ENF2017/0426

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 59 Gelli Aur Treboeth Swansea SA5 9DF 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 single storey front extension, single storey rear extension, rear roof extension, two front roof lights, front and rear dormers to side extension to provide additional first floor living accommodation, lowered drive and retaining wall

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 Council has refused a retrospective planning application for retention of the development, and an appeal against the Council's decision has been dismissed by the appointed Inspector.

The front dormer extension, by virtue of its scale, design and visual appearance is considered to be out of keeping with the character and appearance of the host dwelling, appears incongruous within the streetscene and does not respect the character of the host dwelling or the pair of semi-detached properties, to the detriment of visual amenity. The front dormer extension is also considered to dominate the original roof plane, with its impact exacerbated by the use of uPVC cladding, contrary to the design principles of the Supplementary Planning Guidance Document entitled 'A Design Guide for Householder Development' (2008). The front dormer extension is therefore considered to be contrary to Policies EV1 and HC7 of the City and County of Swansea Unitary Development Plan 2008 and the aforementioned SPG.

The rear dormer extensions, by virtue of their scale, design and visual appearance are considered to be out of keeping with the character of the host dwelling and appear incongruous when viewed from the public domain in Ladysmith Road and the cul-de-sac off Gelli Aur, and which do not respect the character of the host dwelling or the pair of semi-detached properties, to the detriment of visual amenity. The rear dormer extensions are also considered to dominate their respective roof planes, with their prominence exacerbated by the use of uPVC cladding, contrary to the design principles of the Supplementary Planning Guidance Document entitled 'A Design Guide for Householder Development' (2008). The rear dormer extensions are therefore considered to be contrary to Policies EV1 and HC7 of the City and County of Swansea Unitary Development Plan 2008 and the aforementioned SPG.

5. WHAT YOU ARE REQUIRED TO DO

Either:

(i) Remove the front and rear dormer extensions and re-instate the roof in materials to match the roof of the existing dwellinghouse; or

(ii) Amend the front and rear dormer extensions to comply with those approved under application 2015/2001.

6. TIME FOR COMPLIANCE

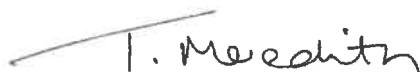
Four months beginning with the day on which this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on the 20th August 2018, unless an appeal is made against it before that date.

Dated: 18th July 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

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**. 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

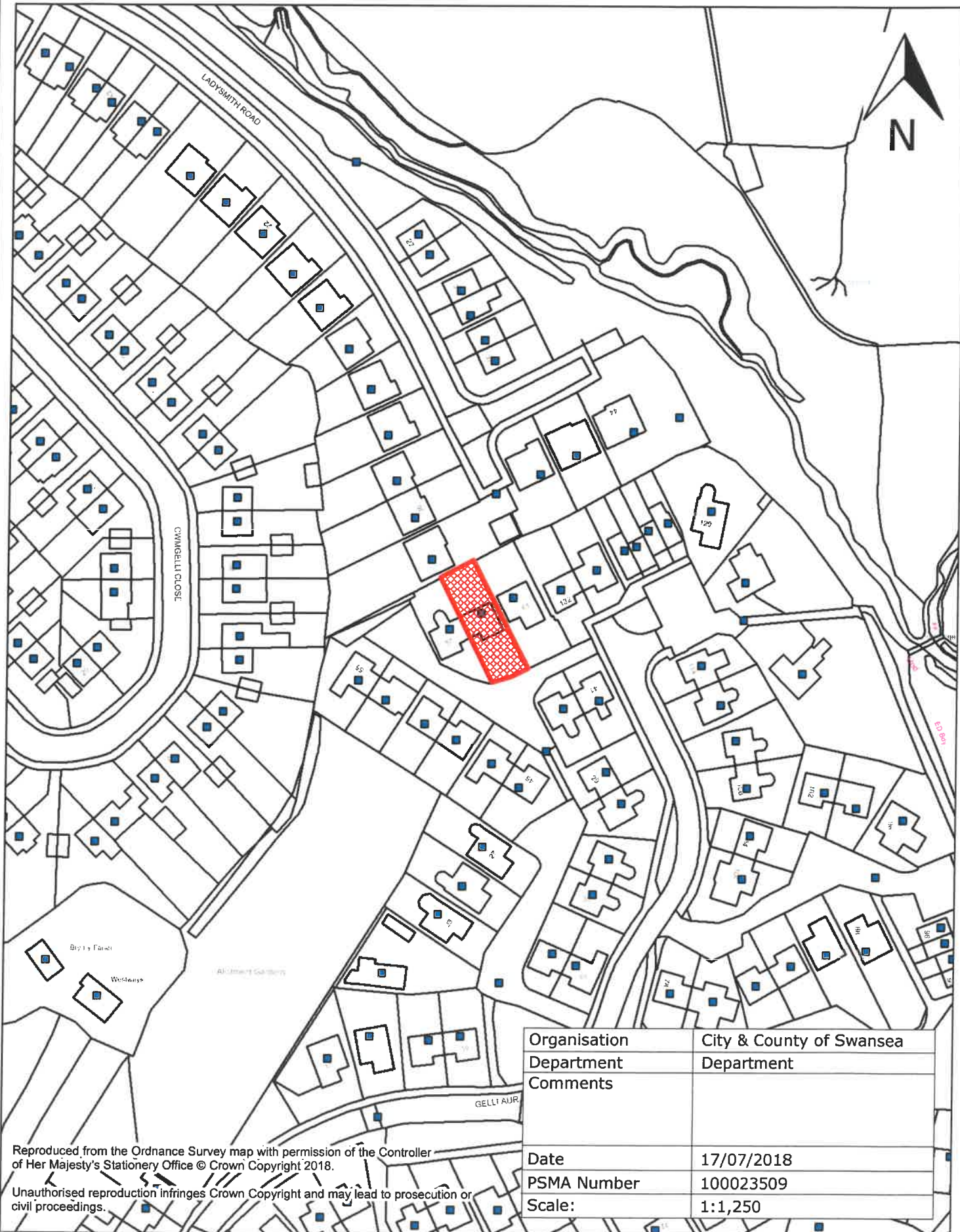
If you need any independent advice about this Notice you are advised to contact a lawyer, planning consultant or other professional advisor specialising in planning matters.

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. Kevin Chapman, 59 Gelli Aur, Treboeth, Swansea SA5 9DF**
 - 2. Michelle Louise Chapman, 59 Gelli Aur, Treboeth, Swansea SA5 9DF**
 - 3. The Owner/Occupier, 59 Gelli Aur, Treboeth, Swansea SA5 9DF**
 - 4. The Manager, Leeds Building Society, 105 Albion Street, Leeds LS1 5AS**
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The Plan



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