

ENF1510033
(withdrawn)

CITY AND COUNTY OF SWANSEA

ENFORCEMENT NOTICE - OPERATIONAL DEVELOPMENT

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

**TOWN AND COUNTRY PLANNING ACT 1990
(AS AMENDED BY THE PLANNING AND COMPENSATION ACT
1991)**

ENFORCEMENT NOTICE

**ISSUED BY: THE COUNCIL OF THE CITY AND COUNTY OF
SWANSEA ("the Council")**

1 THIS NOTICE is issued by the Council because it appears to them that there has been a breach of planning control within paragraph (a) of section 171A(1) of the Town and Country Planning Act 1990 (as amended), 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 to other material planning considerations. The Annex at the end of this notice and the enclosures to which it refers contain important additional information.

2 THE LAND TO WHICH THE NOTICE RELATES

The Dukes Arms, 556 Neath Road, Morriston, Swansea SA6 8HG (shown edged in red on the attached plan).

3 THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL

Without planning permission, development in the form of the erection of two unauthorised smoking shelters and trellis fencing in the approximate position marked with a cross on the enclosed plan.

4 REASONS FOR ISSUING THIS NOTICE

1. It appears to the Council that the breach of planning control referred to in Section 3 above has occurred within the last 4 years.
2. It is not considered appropriate in this instance for a further retrospective application to be submitted in order to seek to retain the unauthorised structure by virtue of its harm to visual amenity and the development causing harm to local residential amenity in terms of air, noise and light pollution contrary to Policies EV1 and EV40 of the Unitary Development Plan (City and County of Swansea, 2008) respectively.

5 WHAT YOU ARE REQUIRED TO DO

- i. Dismantle 2 no. unauthorised smoking shelters and trellis fencing
- ii. Dispose of all materials and other waste associated with step (i) above to an authorised location.

6 TIME FOR COMPLIANCE

The period for compliance with the above steps set out in section 5 is:

28 days from the date in which the Notice takes effect.

7 WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on **19th December 2015** unless an appeal is made against it beforehand.



Date **22nd December 2015**

Signed _____

*Designation : **Head of Legal, Democratic Services and Procurement**
(The Council's authorised officer)*

Address to which all communication should be sent:

PHIL HOLMES
HEAD OF ECONOMIC REGENERATION & PLANNING
CIVIC CENTRE, OYSTERMOUTH ROAD, SWANSEA, SA1 3SN

ANNEX

YOUR RIGHT OF APPEAL

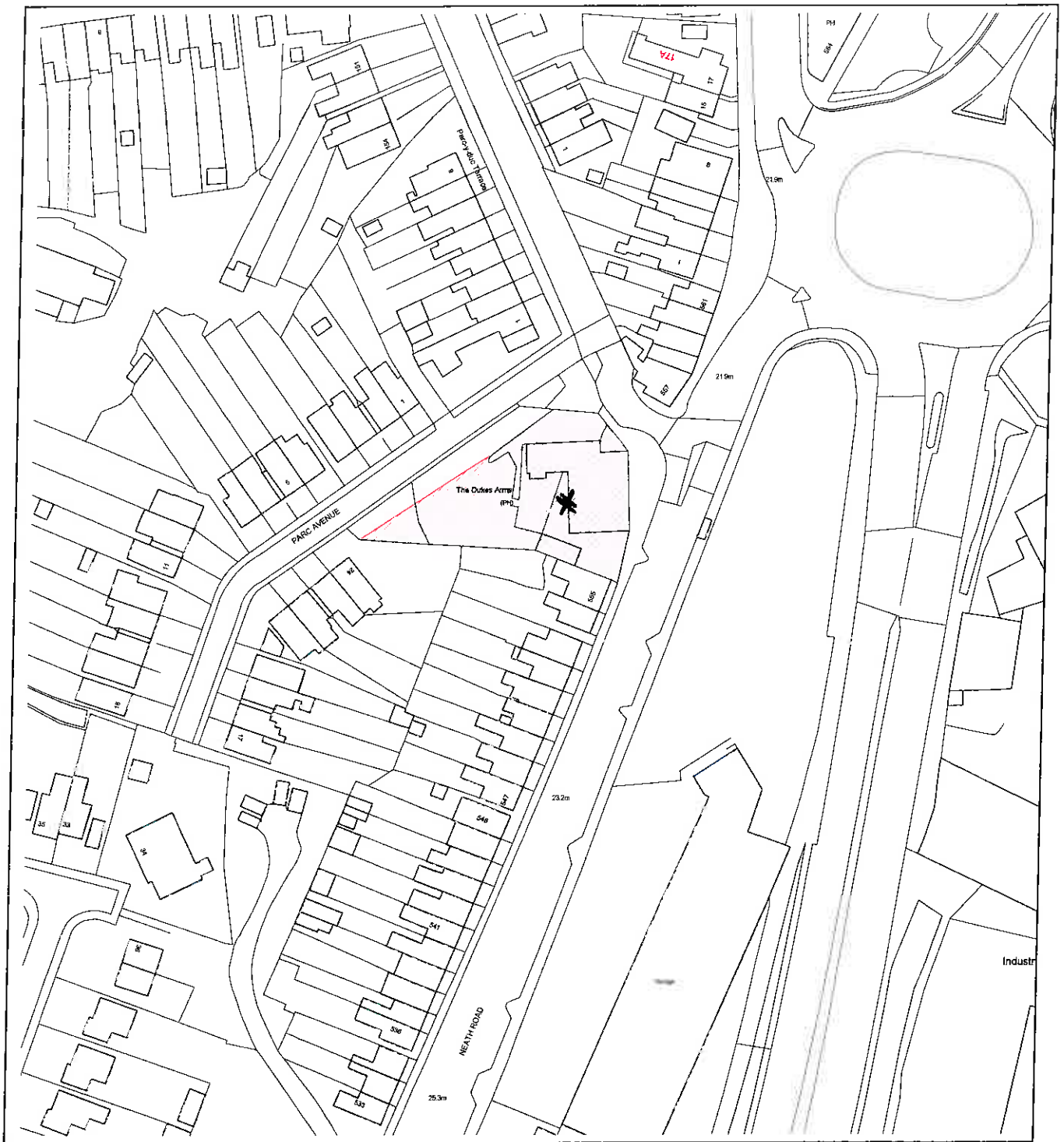
You can appeal against this Notice, but any appeal must be **received**, or posted in time to be received, by the Planning Inspectorate appointed by the National Assembly for Wales **before** the date specified in paragraph 7 of the Notice. The enclosed booklet "Enforcement Appeals - A Guide to Procedure" sets out your rights.

- [a] One copy of the enclosed appeal form is for you to send to the Planning Inspectorate if you decide to appeal together with a copy of this Notice;
- [b] The second copy of the appeal form and the Notice should be sent to the Council; and
- [c] The third copy is for your own records.

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 an Enforcement Notice which has taken effect can result in prosecution and/or remedial action by the Council.

Duke Arms, 556 Neath Road



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