

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 ENF2021/0235**

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 52 Oak Way Penllergaer Swansea SA4 9WW 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 skateboard ramp and fence over 2m in height in rear garden.
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.

Due to its permanence and size the skateboard ramp is considered to be a building and hence it is development. The use of the land as a skateboard ramp in close proximity to residential properties is considered to be detrimental to the residential amenity of nearby occupiers by virtue of potential for overlooking, noise and disturbance associated with the use.

A boundary fence has been extended in height to over 2m to screen the use of the skateboard ramp, when standing on the platform. This is considered to be overbearing given its scale and without the fence, there would be overlooking of the neighbouring properties.
5. **WHAT YOU ARE REQUIRED TO DO**
 - (i) Remove the skateboard ramp.
 - (ii) Lower the extended fence to 2m in height.

- (iii) Remove all associated materials generated as a result of compliance with (i) and the removal of material from the reduction in the fence (ii).

6. TIME FOR COMPLIANCE

One month, beginning with the day on which this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on the 6th December 2021, unless an appeal is made against it before that date.

Dated: 5th November 2021

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 and Environment Decisions Wales appointed by the Welsh Government 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 and Environment Decisions Wales has produced a booklet on "Making your Enforcement Appeal". You can access a PDF version of the booklet from the Planning and Environment Decisions Wales website to print

<http://gov.wales/topics/planning/appeals/appeal-guidance-and-information/enforcement-appeals/?lang=en>.

Appeal forms can be obtained from the Planning and Environment Decisions Wales.

Address : Planning and Environment Decisions Wales
2nd Floor West
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

Telephone : Telephone: 0303 444 5962

E-mail : PEDW.Casework@gov.wales

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 and Environment Decisions Wales 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.

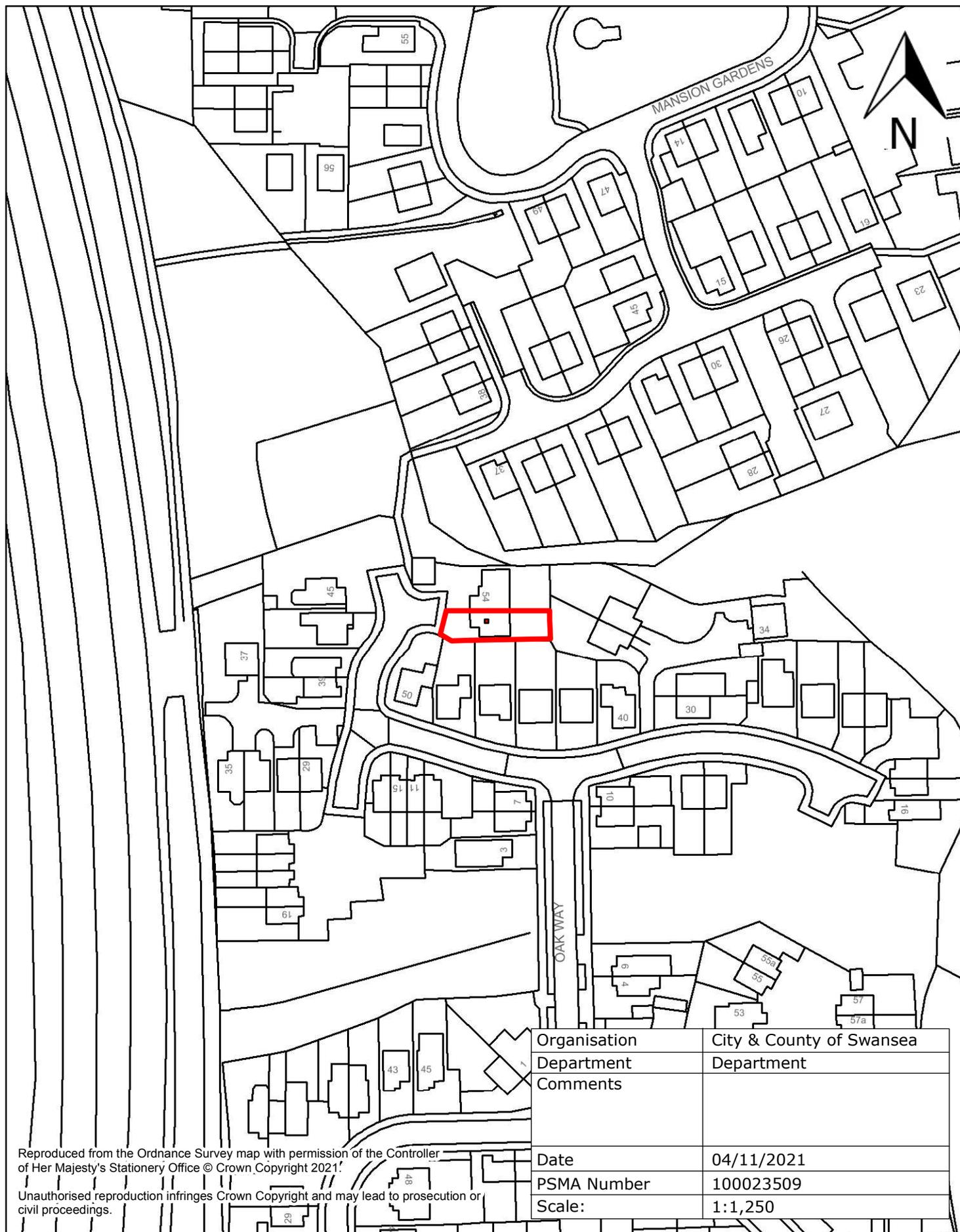
PERSONS TO WHOM THIS ENFORCEMENT NOTICE HAS BEEN SERVED

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

- 1. Elinor Rachel Evans, 52 Oak Way, Penllergaer, Swansea SA4 9WW.**
 - 2. Rosolite Mortgages Limited, PO Box 121, Skipton, BD23 9FL.**
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"The Plan"

"The Land"



Organisation	City & County of Swansea
Department	Department
Comments	
Date	04/11/2021
PSMA Number	100023509
Scale:	1:1,250

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