

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 above Act, 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**

Land at 27 Pineway, Treboeth, Swansea shown edged red on the attached plan.

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

Without planning permission, the erection of a detached dwelling

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 dwelling, by virtue of its excessive size and height together with its siting in a prominent and elevated location has a significant adverse overbearing and overlooking impact upon the occupiers of 25 Cwmgelli Drive to the detriment of the living accommodation of the occupiers of the dwelling contrary to Policies EV1 and HC2 of the City and County of Swansea Unitary Development Plan 2008*

2. *The dwelling results in an incongruous form of development due to its elevated location which dominates the skyline to the detriment of the visual amenities of the area contrary to Policies EV1, EV2 and HC2 of the City and Swansea Unitary Development Plan.*

5 **WHAT YOU ARE REQUIRED TO DO**

1. Demolish the dwelling
2. Remove all resultant materials from the site

6 **TIME FOR COMPLIANCE**

6 months from the date this notice takes effect

7 **WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 12 March 2010 unless an appeal is made against it beforehand.

Date 11 February 2010 Signed _____



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

Address to which all communication should be sent:

*Bryan Graham
Head of Planning Services
Civic Centre
SWANSEA
SA1 4SN*

ANNEX

YOUR RIGHT OF APPEAL

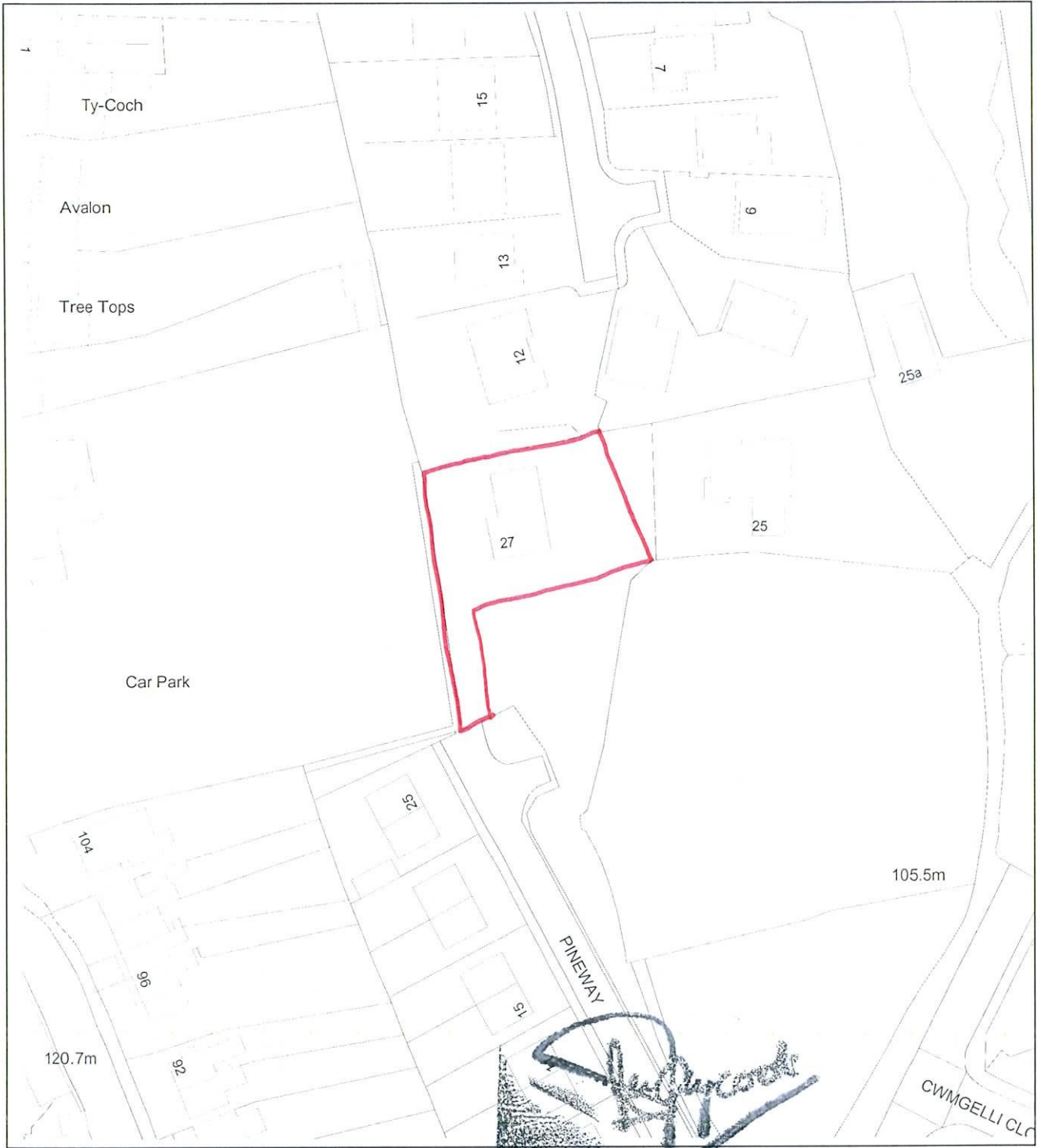
You can appeal against this notice, but any appeal must be **received**, or posted in time to be received, by the Planning Inspectorate appointed by the National Assembly for Wales **before** the date specified in paragraph 7 of the notice. The enclosed booklet "Enforcement Appeals - A Guide to Procedure"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

- [a] One 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.

27 Pineway, Treboeth



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