

**CITY AND COUNTY OF SWANSEA****NOTICE UNDER SECTION 215 AS TO  
LAND ADVERSELY AFFECTING THE AMENITY OF THE AREA*****IMPORTANT NOTICE - THIS AFFECTS YOUR LAND*****TOWN AND COUNTRY PLANNING ACT 1990****ISSUED BY: THE COUNCIL OF THE CITY AND COUNTY OF  
SWANSEA ("THE COUNCIL")**

**LAND AT:** 34 Montpelier Terrace  
Swansea  
SA1 6JW

**TO:** Mr Daniel John Davies  
34 Montpelier Terrace  
Swansea  
SA1 6JW

**1. THE NOTICE**

This Notice is served by the Council under Section 215 of the above Act because it appears to them that the amenity of a part of their area is adversely affected by the condition of the land described below.

**2. THE LAND TO WHICH THE NOTICE RELATES**

Land at 34 Montpelier Terrace, Swansea SA1 6JW shown edged red on the attached plan entitled 'The Land'.

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

The Council requires the following steps to be taken for remedying the condition of the land:

- (i) Clear the hard standing from all debris (boat excluded) and dispose of at an authorised location.
- (ii) Remove the wooden structure erected over the hard standing and dispose of at an authorised location.

**4. TIME FOR COMPLIANCE**

Steps (i) and (ii) above to be complied with in full within 28 days of the date on which this Notice takes effect.

**5. WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on the 6<sup>th</sup> February 2015 unless an Appeal is lodged beforehand.



Date **9<sup>th</sup> January 2015**

Signed \_\_\_\_\_

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

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**RIGHT OF APPEAL AGAINST SECTION 215 NOTICE  
SECTIONS 217-218 OF THE TOWN AND COUNTRY PLANNING ACT 1990**

217—(1) A person on whom a notice under Section 215 is served, or any other person having an interest in the land to which the notice relates, may, at any time within the period specified in the notice as the period at the end of which it is to take effect, appeal against the notice on any of the following grounds:

(a) that the condition of the land to which the notice relates does not adversely affect the amenity of any part of the area of the local planning authority who served the notice, or of any adjoining area;

(b) that the condition of the land to which the notice relates is attributable to, and such as results in the ordinary course of events from the carrying on of operations or a use of land which is not in contravention of Part III;

(c) that the requirements of the notice exceed what is necessary for preventing the condition of the land from adversely affecting the amenity of any part of the area of the local planning authority, who served the notice, or of any adjoining area;

(d) that the period specified in the notice as the period in which any steps required by the notice are to be taken falls short of what should reasonably be allowed.

(2) Any appeal under this section shall be made to the Magistrates Court acting for the petty sessions in which the land in question is situated.

(3) Where such an appeal is brought, the notice to which it relates shall be of no effect pending the final determination or withdrawal of the appeal.

(4) On such an appeal the Magistrates Court may correct any informality, defect or error in the notice if satisfied that the informality, defect or error is not material.

(5) On the determination of such an appeal the Magistrates Court shall give directions for giving effect to their determination, including, where appropriate, directions for quashing the notice or for varying the terms of the notice in favour of the appellant.

(6) Where any person has appealed to a Magistrates Court under this section against a notice, neither that person nor any other shall be entitled, in any other proceedings instituted after the making of the appeal, to claim that the notice was not duly served on the person who appealed.

218 —Where an appeal has been brought under section 217, an appeal against the decision of the Magistrates Court on that appeal may be brought to the Crown Court by the appellant or by the local planning authority who served the notice in question under section 215.

# THE LAND



Scale 1:1250

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Phil Holmes  
Head of Economic, Regeneration  
and Planning



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SWANSEA ("THE COUNCIL")**

**LAND AT:** 34 Montpelier Terrace  
Swansea  
SA1 6JW

**TO:** Ms Emma Louise North  
34 Montpelier Terrace  
Swansea  
SA1 6JW

**1. THE NOTICE**

This Notice is served by the Council under Section 215 of the above Act because it appears to them that the amenity of a part of their area is adversely affected by the condition of the land described below.

**2. THE LAND TO WHICH THE NOTICE RELATES**

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- (a) that the condition of the land to which the notice relates does not adversely affect the amenity of any part of the area of the local planning authority who served the notice, or of any adjoining area;
  - (b) that the condition of the land to which the notice relates is attributable to, and such as results in the ordinary course of events from the carrying on of operations or a use of land which is not in contravention of Part III;
  - (c) that the requirements of the notice exceed what is necessary for preventing the condition of the land from adversely affecting the amenity of any part of the area of the local planning authority, who served the notice, or of any adjoining area;
  - (d) that the period specified in the notice as the period in which any steps required by the notice are to be taken falls short of what should reasonably be allowed.
- (2) Any appeal under this section shall be made to the Magistrates Court acting for the petty sessions in which the land in question is situated.
- (3) Where such an appeal is brought, the notice to which it relates shall be of no effect pending the final determination or withdrawal of the appeal.
- (4) On such an appeal the Magistrates Court may correct any informality, defect or error in the notice if satisfied that the informality, defect or error is not material.
- (5) On the determination of such an appeal the Magistrates Court shall give directions for giving effect to their determination, including, where appropriate, directions for quashing the notice or for varying the terms of the notice in favour of the appellant.
- (6) Where any person has appealed to a Magistrates Court under this section against a notice, neither that person nor any other shall be entitled, in any other proceedings instituted after the making of the appeal, to claim that the notice was not duly served on the person who appealed.

218 —Where an appeal has been brought under section 217, an appeal against the decision of the Magistrates Court on that appeal may be brought to the Crown Court by the appellant or by the local planning authority who served the notice in question under section 215.

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