

**IMPORTANT - THIS COMMUNICATION  
AFFECTS YOUR PROPERTY**

## **ENFORCEMENT NOTICE**

### **OPERATIONAL DEVELOPMENT**



The Town and Country Planning Act 1990 (as amended) – Section 172

**ISSUED BY THE CITY AND COUNTY OF SWANSEA (“The Council”)**

**COUNCIL REFERENCE ENF2016/3080**

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 1 Richmond Terrace Uplands Swansea SA2 0QY 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 replacement bay windows.

#### **4. REASONS FOR ISSUING THIS NOTICE**

The development has taken place within the last 4 years.

The property forms part of a unified architectural group of properties (Richmond Terrace Nos. 1-7) which have consistent detailing which includes gable frontages and two storey splayed bay windows. The terrace is not listed but it is identified in the most recent Ffynone and Uplands Conservation Area: Character Appraisal & Management Plan (Adopted January 2016) as being a ‘key group’ of unlisted properties. The Review (Page 15) refers to the properties dating to the 1880s and 1890s and being ‘the most prominent and best preserved’ in terms of stuccoed terraced houses.

The works carried out to the bay windows have resulted in a marked change in the character and appearance of the property when compared to that of the original property. Former photographs of the property (pre 2016) show that the windows on the two storey bay had been changed to UPVC top hung but at that time the original details of the two storey bay, including dentil course and mouldings on top, along with the flared lead hoop and dentil course and mouldings to the immediate floor area were intact and matched those existing on the remainder of the terrace.

The completed works, which have resulted in the loss of the original feature details of the property when compared to the remainder of the terrace neither preserve nor

enhance the character of the Ffynone and Uplands Conservation area resulting in an unacceptable visual impact upon the character and appearance of the host property, the terrace and wider Conservation Area contrary to the requirements of Policy EV1, EV9 and HC7 of the City and County of Swansea Unitary Development Plan.

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

The original top and intermediate detail of the ground and first floor windows to the front elevation are to be reinstated to match that of the original and the rest of the terrace (Please refer to Appendix A attached to the Notice).

**6. TIME FOR COMPLIANCE**

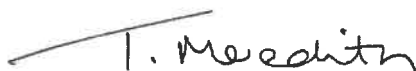
3 months beginning with the day on which this notice takes effect.

**7. WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on **26.02.2018** unless an appeal is made against it before that date.

Dated: **26.01.2018**

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: 029 2082 3866  
Fax: 029 2082 5150

E-mail : [wales@pins.gsi.gov.uk](mailto: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 **£380.00**. 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**

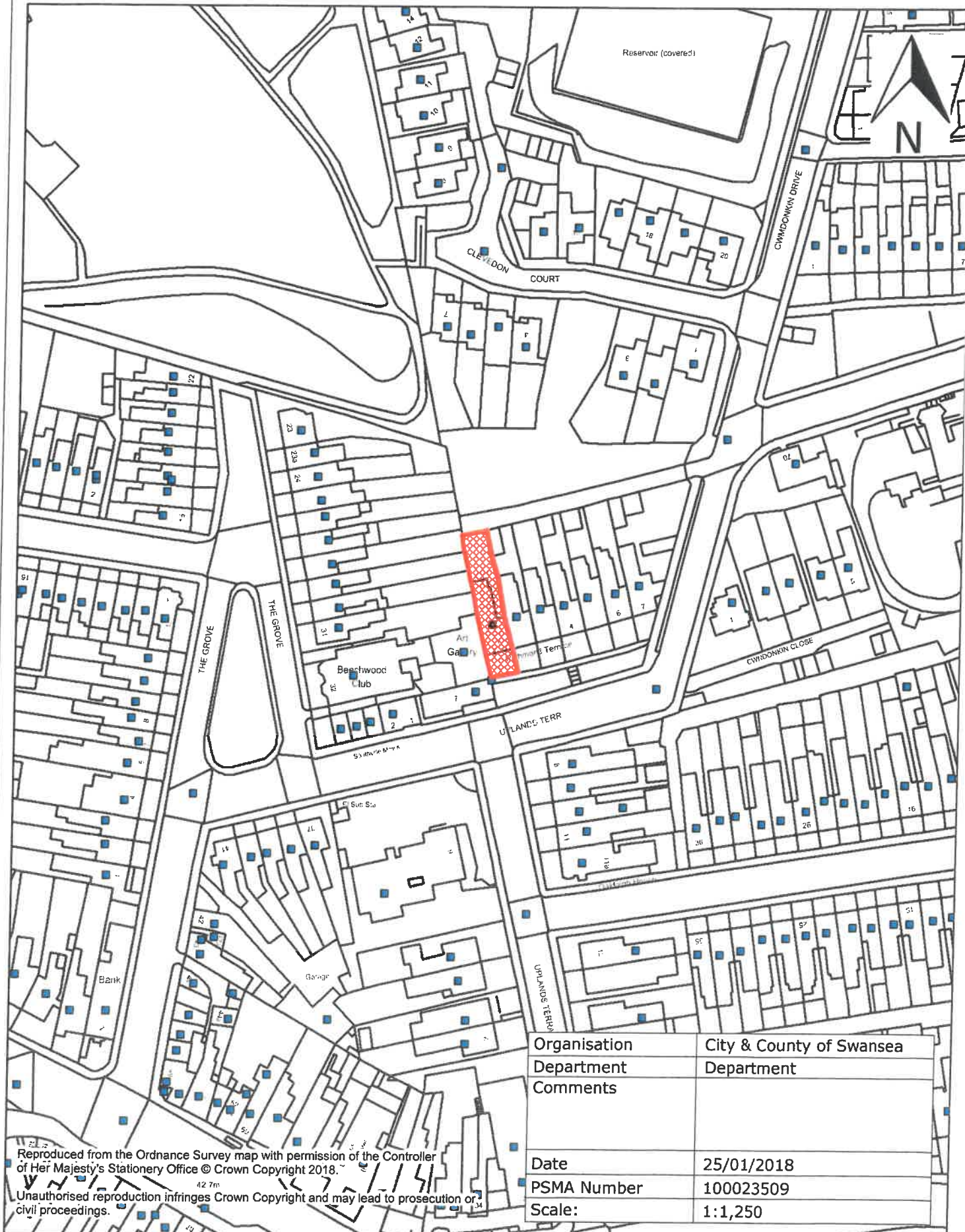
If you need any independent advice about this Notice you are advised to contact a lawyer, planning consultant or other professional advisor specialising in planning matters.

## **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. The Owner/Occupier, Flat 1, 1 Richmond Terrace, Uplands, Swansea, SA2 0QY**
  - 2. The Owner/Occupier, Flat 2, 1 Richmond Terrace, Uplands, Swansea, SA2 0QY**
  - 3. The Owner/Occupier, Flat 3, 1 Richmond Terrace, Uplands, Swansea, SA2 0QY**
  - 4. The Owner/Occupier, Flat 4, 1 Richmond Terrace, Uplands, Swansea, SA2 0QY**
  - 5. The Owner/Occupier, Flat 5, 1 Richmond Terrace, Uplands, Swansea, SA2 0QY**
  - 6. Mr Paul Williams, 4 Ffordd Tyn Y Coed, Clydach, Swansea, SA6 5RP**
  - 7. Shotblue Ltd, 6 Broadmead, Killay, Swansea, SA2 7EE**
  - 8. Paragon Mortgages Ltd, St Catherines Court, Herbert Road, Solihull, West Midlands, B91 3QE**
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# "The Land"



Organisation	City & County of Swansea
Department	Department
Comments	
Date	25/01/2018
PSMA Number	100023509
Scale:	1:1,250

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 42.7m  
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## Appendix A

### Original Terrace



Source: Google Street View (June 2016)

### Works subject to Enforcement notice at 1 Richmond Terrace

