

**IMPORTANT - THIS COMMUNICATION  
AFFECTS YOUR PROPERTY**



## **BREACH OF CONDITION NOTICE**

**The Town and Country Planning Act 1990 (as amended) – Section 187a**

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

**COUNCIL REFERENCE ENF2018/0361**

**To: Mr Noah Redfern**

**Address: Noah’s Yard, 38 Uplands Crescent, Uplands, Swansea SA2 0PG**

**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 Noah's Yard 38 Uplands Crescent Uplands Swansea SA2 0PG 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, non-compliance of Condition 2 of planning permission 2018/2450/FUL for the ‘Retention and completion of single storey side extension to create additional Class A3 space, two storey rear/ side extension to create new Class D2 use with an open covered area below, incorporation of land from No.36 into the curtilage of No.38, extension of front external seating area and new boundary walls to front elevation’ at 36 & 38 Uplands Crescent, granted 10<sup>th</sup> May 2019 which reads:

*Within a period of three months from the date of this permission the single storey side extension already under construction shall be externally rendered and painted to match the finishes of the existing property in accordance with the details shown on the approved plans (P09 REV D proposed front & rear elevation received 15th March 2019).*

*Reason: In order to preserve the character and appearance of the Ffynone & Uplands Conservation Area in accordance with Section 72 of the Planning (Listed Buildings and Conservation Area) Act 1990.*

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

(i) It appears to the Council that the above breach of planning control has occurred within the last ten years.

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

As the person responsible for the breach of the condition specified in paragraph 4 of this Notice you are required to secure compliance with the stated condition by taking the following step:

- (i) Comply with the requirements of Condition 2 of planning permission 2018/2450/FUL as stated above,

**6. REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that a breach of the above mentioned condition has occurred within the last ten years.

**7. TIME FOR COMPLIANCE**

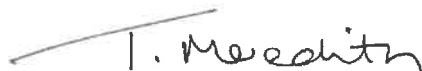
6 months beginning with the day on which this Notice takes effect.

**8. WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect immediately it is served on you or you receive it by postal delivery.

Dated: **29.09.2020**

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

## WARNING

**THIS NOTICE TAKES EFFECT IMMEDIATELY IT IS SERVED ON YOU IN PERSON OR ON THE DAY YOU RECEIVED IT BY POST**

**THERE IS NO RIGHT OF APPEAL AGAINST THIS NOTICE**

It is an offence to contravene the requirements stated in paragraph 5 of this Notice after the end of the compliance period. You will be at risk of **IMMEDIATE PROSECUTION** in the Magistrates' Court, for which the maximum penalty is a fine amounting to £1,000 for a first offence and for any subsequent offence. If you are in any doubt as to what this Notice requires you to do you should immediately contact

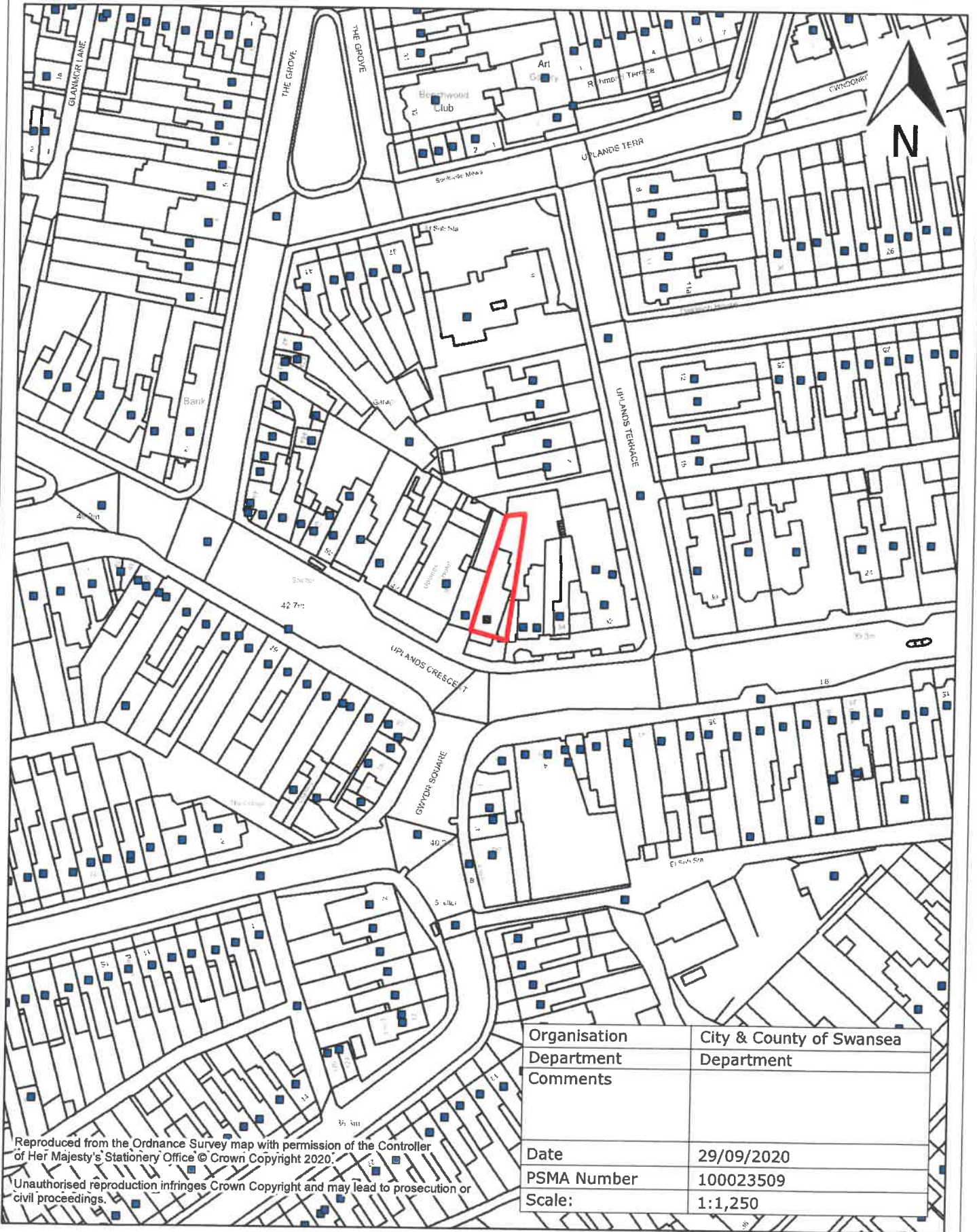
The Planning Control Section of the City and County of Swansea at the Civic Centre, Oystermouth Road, Swansea, SA1 3SN. Telephone – 01792 635692

If you need any independent advice about this Notice you are advised to contact a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of this Notice you may only do so by an application to the High Court for Judicial Review. A lawyer will advise you what this procedure involves.

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# "THE LAND"

## "THE PLAN"



Organisation	City & County of Swansea
Department	Department
Comments	
Date	29/09/2020
PSMA Number	100023509
Scale:	1:1,250

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