

**IMPORTANT - THIS COMMUNICATION
AFFECTS YOUR PROPERTY**

ENFORCEMENT NOTICE

MATERIAL CHANGE OF USE



Cyngor **Abertawe**
Swansea Council

The Town and Country Planning Act 1990 (as amended)

ISSUED BY THE CITY AND COUNTY OF SWANSEA ("The Council")

COUNCIL REFERENCE ENF2017/0375

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 78 Newton Road Mumbles Swansea SA3 4SL 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, a material change of use of the land to a parking area for taxis and private motor vehicles.

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.
- (ii) Planning permission for the retention of the use for a maximum of 20 vehicles for a temporary period was refused by the Local Planning Authority on 28th March 2018 (Ref: 2018/0320/FUL).
- (iii) The retention of the use of the site for car parking by virtue of the excessive number of cars and prominent position of the site in the local area, fails to respect the character and appearance of the application site to the visual detriment of the local area and streetscene, contrary to Policy PS 2 of the Swansea Local Development Plan (2010-2025).
- (iv) The over intensification of the trips generated by the vehicles arising from the development is detrimental to highway safety by virtue of the uncontrolled access exiting onto a signalised junction, contrary to Policies T1, T5 and T6 of the Swansea Local Development Plan (2010-2025).

5. WHAT YOU ARE REQUIRED TO DO

- (i) Cease the use of the land for the parking of taxis and private motor vehicles.

6. TIME FOR COMPLIANCE

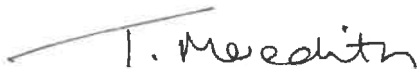
3 months beginning with the day on which this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on the **9th September 2019**, unless an appeal is made against it before that date.

Dated: **9th August 2019**

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 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 : 0303 444 5962
E-mail : 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 **£760.00**. 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.

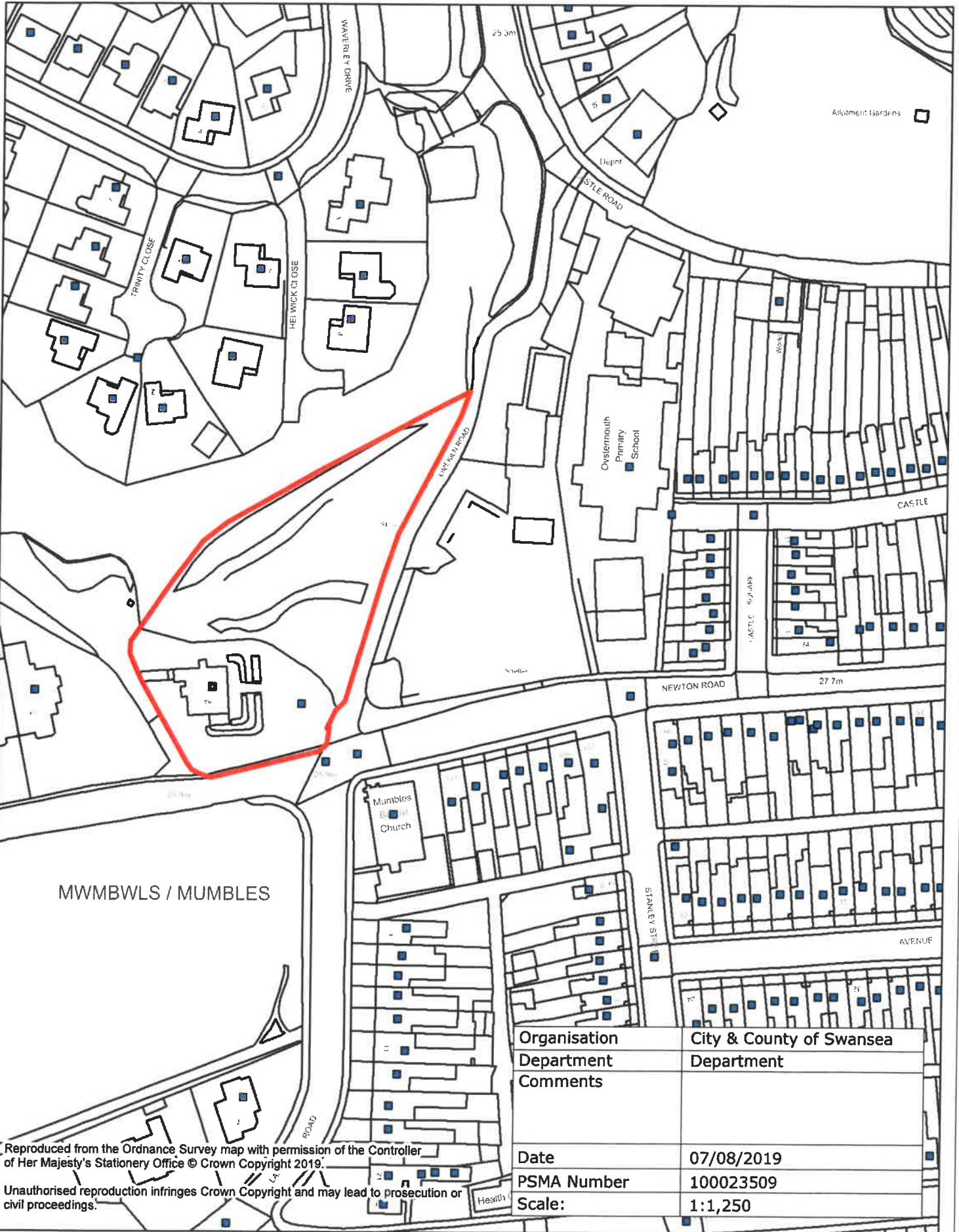
PERSONS TO WHOM THIS ENFORCEMENT NOTICE HAS BEEN SERVED

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

- 1. Mr Stephen John Quinn, 80 Newton Road, Newton, SWANSEA SA3 4SL**
 - 2. Tina Ann Quinn, 80 Newton Road, Newton, SWANSEA, SA3 4SL**
 - 3. Mr Gareth David Havard, Plot 9 Maes Y Celyn, Three Crosses, SWANSEA, SA4 3AA**
 - 4. Oyster Cabs Mumbles Ltd, 1 Picton Lane, SWANSEA, SA1 4AF**
 - 5. Oyster Cabs Ltd, 605 Mumbles Road, Mumbles, SWANSEA, SA3 4BU**
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"THE LAND"

"THE PLAN"



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Organisation	City & County of Swansea
Department	Department
Comments	
Date	07/08/2019
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