

# THE CITY AND COUNTY OF SWANSEA

## ENFORCEMENT NOTICE - MATERIAL CHANGE OF USE

*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 the notice and the enclosures to which it refers contain important additional information.

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

Land at **78 Newton Road, Newton, Swansea** shown edged red on the attached plan.

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

The unauthorised material change of use of land from residential to a mixed use of residential and for the parking of vehicles in association with a taxi/private hire business

**4 REASONS FOR ISSUING THIS NOTICE**

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

The unauthorised use of the land is considered unacceptable in this predominantly residential area by virtue of it having a significant detrimental impact on the local amenity in terms of visual impact, disturbance and traffic movements, contrary to criterion (iii) of Planning Policy EV1 of the City & County of Swansea Unitary Development Plan 2010.

The unauthorised use of the land is considered unacceptable in this predominantly residential area by virtue of it failing to contribute to the improvement of the existing spaces and failing to enhance the general street scene, contrary to criterion (iii) of Planning Policy EV1 of the City & County of Swansea Unitary Development Plan 2010.

The unauthorised use of the land is considered unacceptable in this predominantly residential area by virtue of it having a significant adverse impact on the general locality, contrary to criterion (i) of Planning Policy EV2 of the City & County of Swansea Unitary Development Plan 2010.

The unauthorised use of the land is considered unacceptable in this predominantly residential area by virtue of it causing disturbance in terms of noise to the detriment of neighbouring occupiers, contrary to criterion (xiii) of Planning Policy EV2 of the City & County of Swansea Unitary Development Plan 2010.

The unauthorised use of land is considered unacceptable with regard to Highway safety as the access is considered substandard due to the poor visibility and due to it being an unsighted junction when turning left into Lime Kiln Lane.

## 5 WHAT YOU ARE REQUIRED TO DO

- a) Cease the use of the land for the parking of vehicles in association with a taxi/private hire business
- b) Remove all vehicles associated with the taxi/private hire business from the land.

## 6 TIME FOR COMPLIANCE

**30 days from the date this notice takes effect**

## 7 WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 26<sup>th</sup> June 2010 unless an appeal is made against it beforehand.

Dated **25<sup>th</sup> May 2010**

Signed



**Designation : Acting 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 3SN*

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## ANNEX

### YOUR RIGHT OF APPEAL

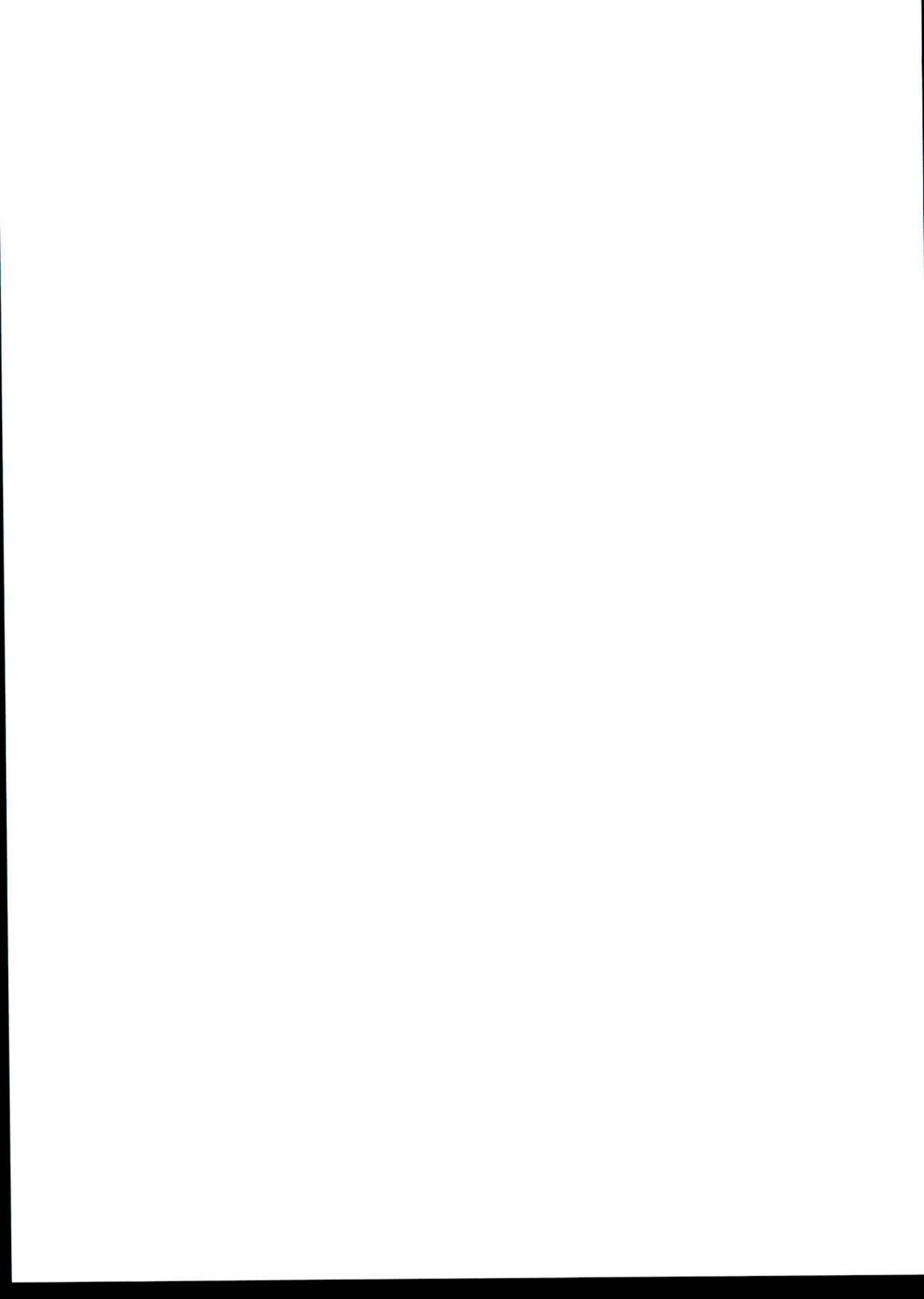
You can appeal against this notice, but any appeal must be **received**, or posted in time to be received, by the Planning Inspectorate appointed by the National Assembly for Wales **before** the date specified in paragraph 7 of the notice. The enclosed booklet "Enforcement Appeals - A Guide to Procedure"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

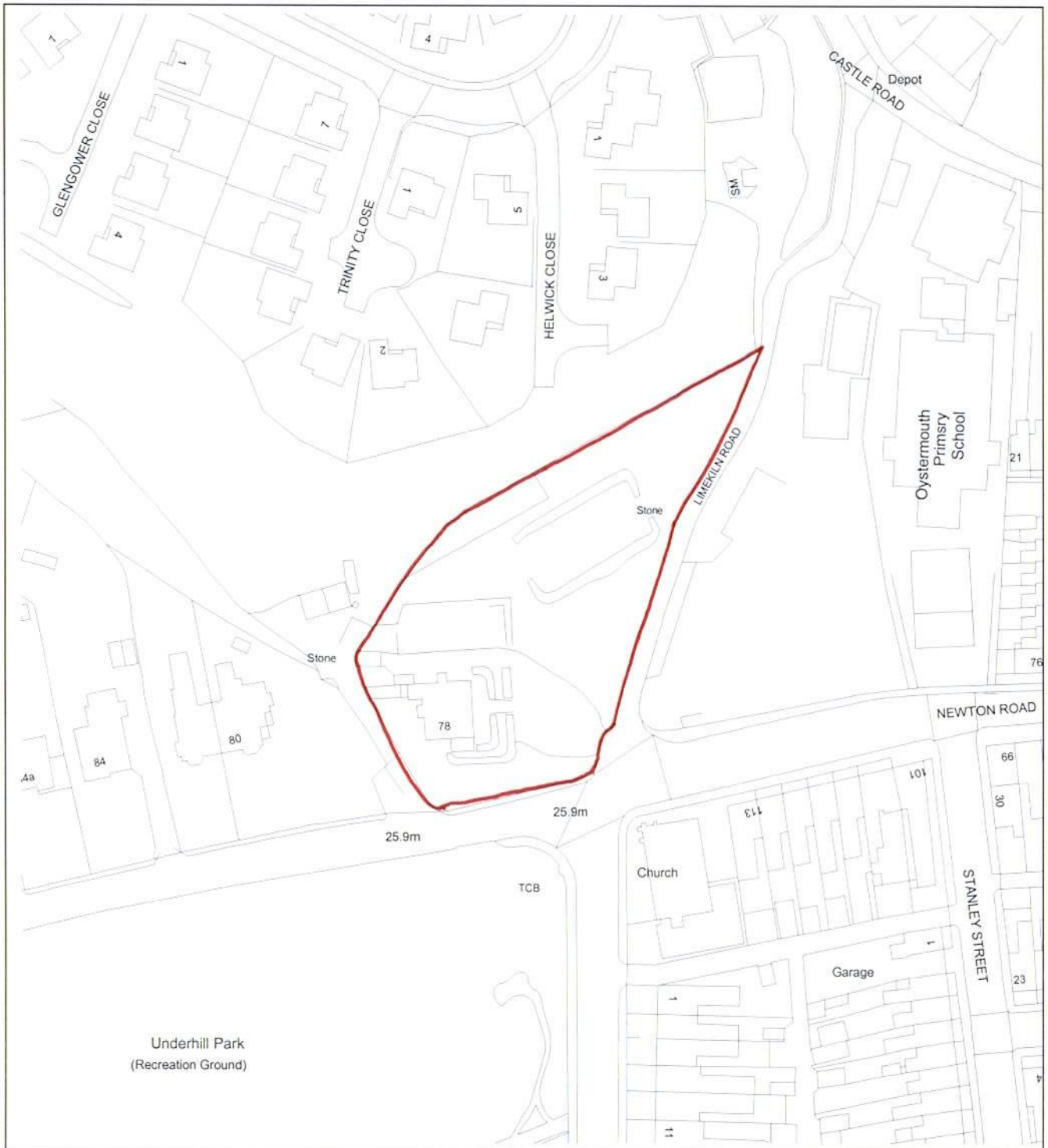
### WHAT HAPPENS IF YOU DO NOT APPEAL

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.

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# 78 Newton Road, Newton



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