

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 **4 Glyn Crescent, Sketty, Swansea**
(Shown edged red on the attached plan)

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

Without planning permission, change of use of land

from Residential

to Residential and for the parking of commercial vehicles associated with the operation of an ice cream 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 material change of use of land is considered contrary to the provisions of policy EV1 of the City & County of Swansea Unitary Development Plan 2008 by virtue of the fact that this use of land at a residential property and within a residential area fails to effectively integrate with adjacent spaces and the public realm to create a good quality townscape.

The unauthorised material change of use of land is considered contrary to the provisions of policy EV1 of the City & County of Swansea Unitary Development Plan 2008 by virtue of the fact that the siting of the ice cream vans at a dwelling house in a residential area has a significant detrimental impact on the local amenity in terms of visual impact, disturbance and traffic movements.

The unauthorised material change of use of land is considered contrary to provisions of policy EV2 of the City & County of Swansea Unitary Development Plan 2008 by virtue of the fact that the siting of ice cream vans at a dwelling house in a residential area results in a significant adverse impact on the general locality including a loss of visual amenity.

5 WHAT YOU ARE REQUIRED TO DO

Remove the ice cream vans from the land and cease the unauthorised use of the land for the parking of commercial vehicles associated with the operation of an ice cream business.

6 TIME FOR COMPLIANCE

30 days from the date the notice takes effect.

7 WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 29 April 2013 unless an appeal is made against it beforehand.

Dated **28 March 2013**

Signed



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

Address to which all communication should be sent:

PHIL HOLMES
HEAD OF ECONOMIC REGENERATION & PLANNING
CIVIC CENTRE, OYSTERMOUTH ROAD, SWANSEA, SA1 3SN

ANNEX

YOUR RIGHT OF APPEAL

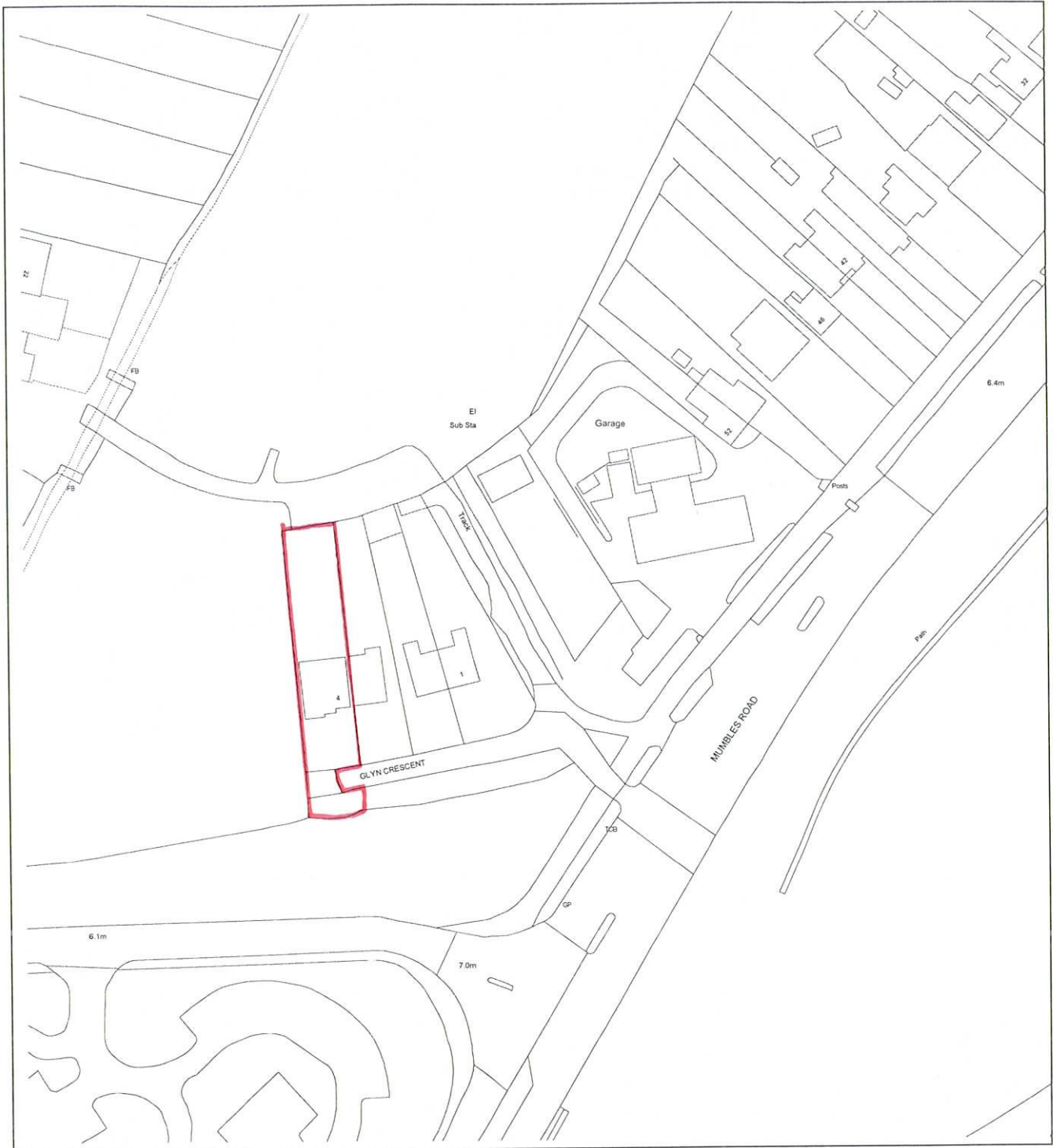
You can appeal against this notice, but any appeal must be **received**, or posted in time to be received, by the Planning Inspectorate appointed by the National Assembly for Wales **before** the date specified in paragraph 7 of the notice. The enclosed booklet "Enforcement Appeals - A Guide to Procedure"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

- [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.

Planning Enforcement Notice Plan
4 Glyn Crescent, Swansea (Scale 1:1250)



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