

# 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 Field 5257 adjacent Bryn Rhos, Three Crosses, 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 to a vehicle parking area and formation of a hard surface.

**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.

1. The unauthorised material change of use of the land for use as a vehicle parking area is contrary to Policy EV22 of the City and County of Swansea Unitary Development Plan 2008 by virtue of it failing to conserve or enhance the Natural Environment.

2. The unauthorised material change of use of land to a vehicle parking area is contrary to policy EV1 of the City and County of Swansea Unitary Development Plan

2008 by virtue of it failing to sensitively relate to existing development patterns and failing to protect the natural heritage.

3. The unauthorised use of the land is considered unacceptable at this location by virtue of it causing vehicle movements, noise and general disturbance to the detriment of the neighbouring occupiers, contrary to Policy EV2 of The City and County of Swansea Unitary Development Plan 2008.

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

- (i) Cease the use of the land as a parking area (Area marked in black on site plan)
- (ii) Remove the hard surface (Area marked in black on site plan)
- (iii) Remove the material resulting from the requirements of 5 (ii) from the land

## **6 TIME FOR COMPLIANCE**

**Three months from the date the notice takes effect**

## **7 WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on *25th May 2014* unless an appeal is made against it beforehand.

Dated *22nd April 2014* 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

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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.

- [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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# Land at Field 5257, Three Crosses



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