



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

Part of Kingsbridge Centre currently in use as Hair Kandi Hairdressing Salon as 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 from a former educational establishment to a Hairdressing Salon (Use Class A1)

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.

It is not considered appropriate in this instance for a retrospective application to be submitted in order to seek to retain the unauthorised use. The matter has been previously considered under cover of planning application Refs: 2012/0564, 2012/1167 and 2014/0692 and has been refused planning consent for the following reasons:



1 The applicant has failed to demonstrate by any evidence of application of the sequential test nor any overriding local need that the site is suitable for retail use, and as such the proposal is considered an inappropriate form of development, as it undermines the objectives of Policies EC3, EC4 and EC9 of the Swansea Unitary Development 2008.

2 The proposed change of use of this building within an established Industrial and Commercial area would represent an inappropriate form of retail development at an out of centre location that would conflict with National Planning Policy guidance and Policies EC3 EC4 and EC9 of the Unitary Development Plan 2008 to maintain and enhance the vitality and viability of existing shopping centres.

3 The proposed retail use is contrary to the Council objectives of resisting non-business uses within established industrial and commercial areas contrary to Policy EC3 of the Swansea Unitary Development Plan 2008.

5 WHAT YOU ARE REQUIRED TO DO

Cease the unauthorised use of the site as a hairdressing salon (Use Class A1)

6 TIME FOR COMPLIANCE

The period for compliance with the requirement set out in section 5 is:

3 Months from the date on which the Enforcement Notice takes effect.

7 WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 16th October 2014 unless an appeal is made against it beforehand.

Dated 17th September 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



ANNEX

YOUR RIGHT OF APPEAL

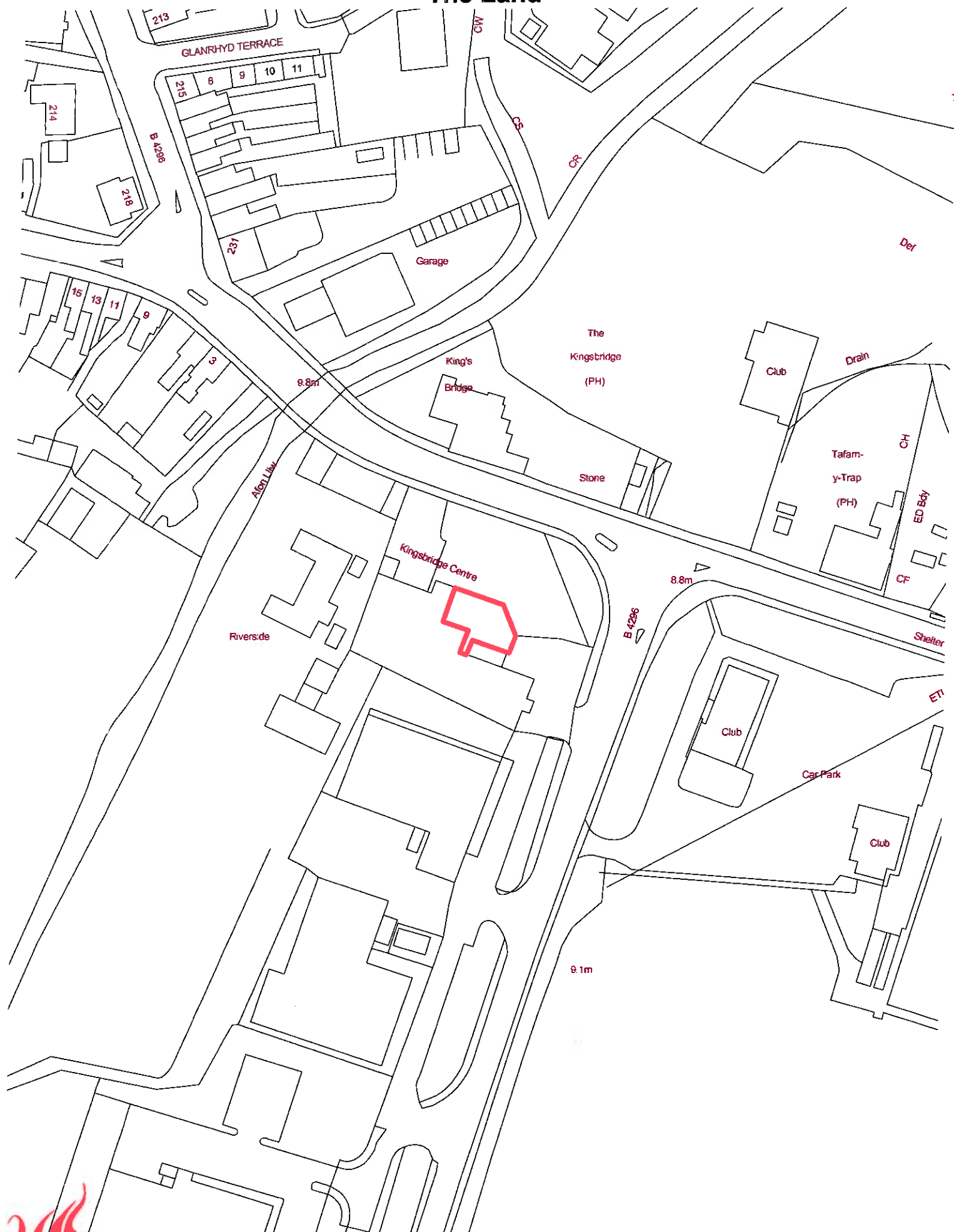
You can appeal against this notice, but any appeal must be **received**, or posted in time to be received, by the Planning Inspectorate appointed by the National Assembly for Wales **before** the date specified in paragraph 7 of the notice. The enclosed booklet "Enforcement Appeals - A Guide to Procedure"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

The Land



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Scale 1:1250

Phil Holmes
Head of Economic Regeneration
and Planning