

**IMPORTANT - THIS COMMUNICATION
AFFECTS YOUR PROPERTY**

ENFORCEMENT NOTICE

MATERIAL CHANGE OF USE



The Town and Country Planning Act 1990 (as amended)

**ISSUED BY THE CITY AND COUNTY OF SWANSEA ("The Council")
COUNCIL REFERENCE ENF2018/0243**

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 Adjacent To Aldi, Millers Drive, Gorseinon, Swansea SA4 4QN 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, the change of use of the land for the tipping of waste for the re-profiling of land

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 tipping of waste material and associated engineering operations is highly vulnerable development and the location of the site within a C2 flood zone means that the operation would have a detrimental impact upon the hydrological functioning of the site giving rise to an increase in the risk of flooding within the surrounding area, contrary to the provisions of Policies EV34, EV35 and R13 of the City and County of Swansea Unitary Development Plan 2008.

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

- (i) Cease the tipping of all material on site.
- (ii) Remove all the tipped material deposited on site and restore the land to its previous condition.
- (iii) Remove all drainage infrastructure installed without consent and restore the drainage system to its previous condition.

6. **TIME FOR COMPLIANCE**

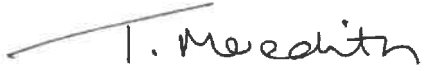
- (i) One day beginning with the day on which this notice takes effect.
- (ii) & (iii) ONE month from the date this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on the 5th November 2018, unless an appeal is made against it before that date.

Dated: 5th October 2018

Signed:

A handwritten signature in black ink that reads "T. Meredith". The signature is written in a cursive style with a long horizontal stroke at the beginning.

Designation: **Head of Legal, Democratic Services and Business Intelligence**
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 **£4180**. 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.

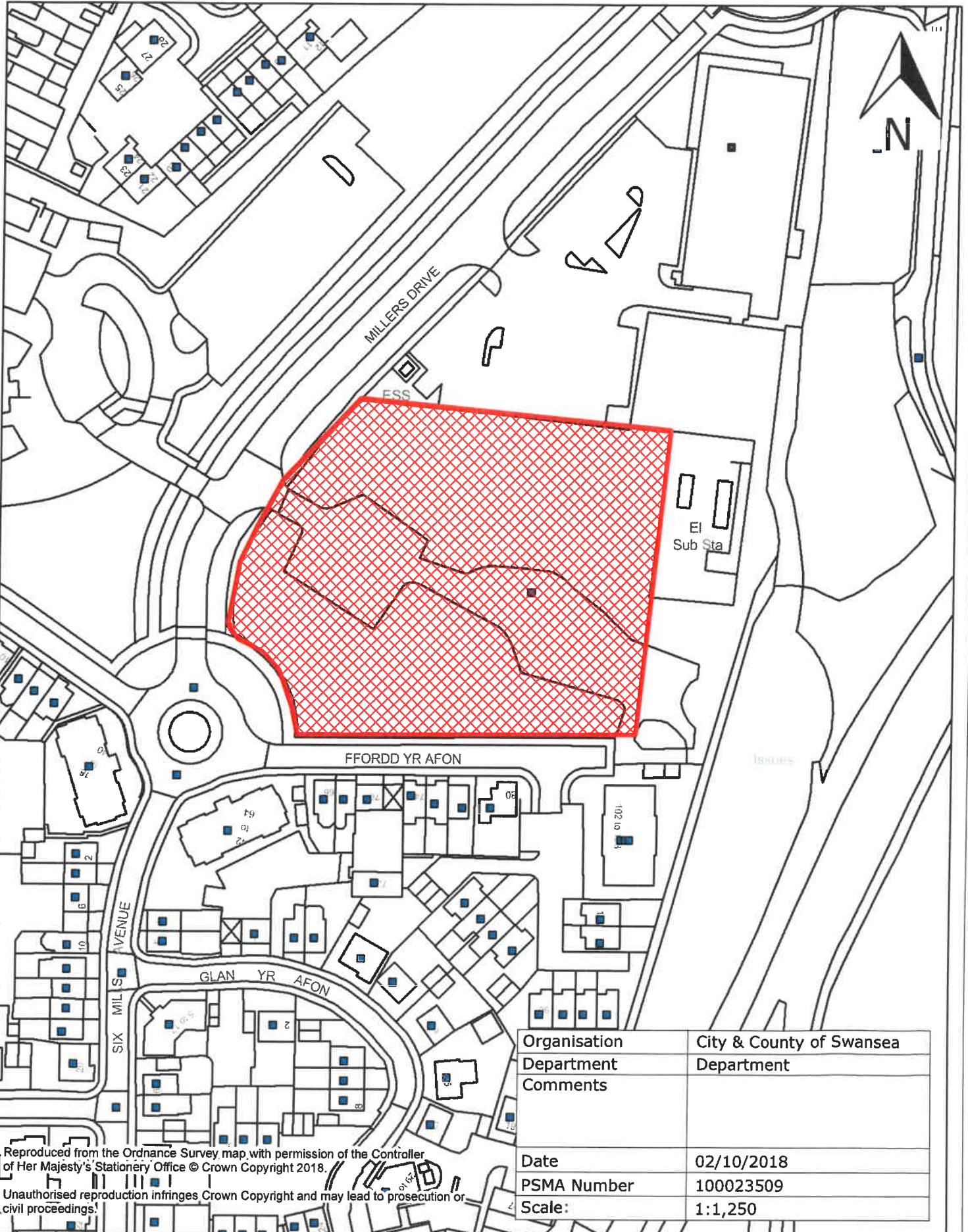
PERSONS TO WHOM THIS ENFORCEMENT NOTICE HAS BEEN SERVED

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

1. CK'S Supermarkets Limited, (Co. Regn. No.03639524) of 1 Embankment Road, Llanelli SA15 2BT.

The land

Land adjacent to Millers Drive and Ffordd Yr Afon



Organisation	City & County of Swansea
Department	Department
Comments	
Date	02/10/2018
PSMA Number	100023509
Scale:	1:1,250

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