

**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 ENF2019/0342**

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 at 6 Langland Road Mumbles Swansea SA3 4LX 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, use of the land as a car park, with associated signage and ticket machines

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 use of the land as a car park has previously been refused planning permission, (2016/3918/FUL) by reason of the proposed access being unsuitable for the level and type of traffic likely to be attracted to the car park and which would consequently result in an adverse impact upon highway safety conditions to the detriment of the safe and free flow of vehicles and pedestrians in the vicinity of the site contrary to Policies EV1 and EV3 of the Swansea Unitary Development Plan (2008) which was in force at the time of the decision.

Since that time, the Council has adopted the Swansea Local Development Plan 2010-2025, wherein Policies PS2 and T6 are considered of relevance in this matter. Both these policies relate to the same issues identified by Policies EV1 and EV3 of the previous development plan identified above; so that the Policy stance in the intervening period has not altered to any significant degree.

Based on previous decisions made on applications relating to the site, it is clear that uses other than residential/nursing home uses at the site would likely result in levels of vehicular movements which were considered to result in detriment to the safe and free flow of traffic in the vicinity, and in possible vehicle/pedestrian conflict when leaving the site, due to the inadequacy of visibility splays from the site entrance/exit and the lack of suitable footways in the immediate area; and this remains the thrust contained in the current/adopted development plan policy.

5. WHAT YOU ARE REQUIRED TO DO

- (i) Cease the use of the land as a car park
- (ii) Remove all associated signage and ticket machines from the land.

6. TIME FOR COMPLIANCE

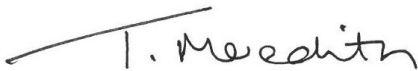
6 weeks beginning with the day on which this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on the 10th September 2021, unless an appeal is made against it before that date.

Dated: 13th August 2021

Signed:



Designation: **Chief Legal Officer**
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 **£920.00**. 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.

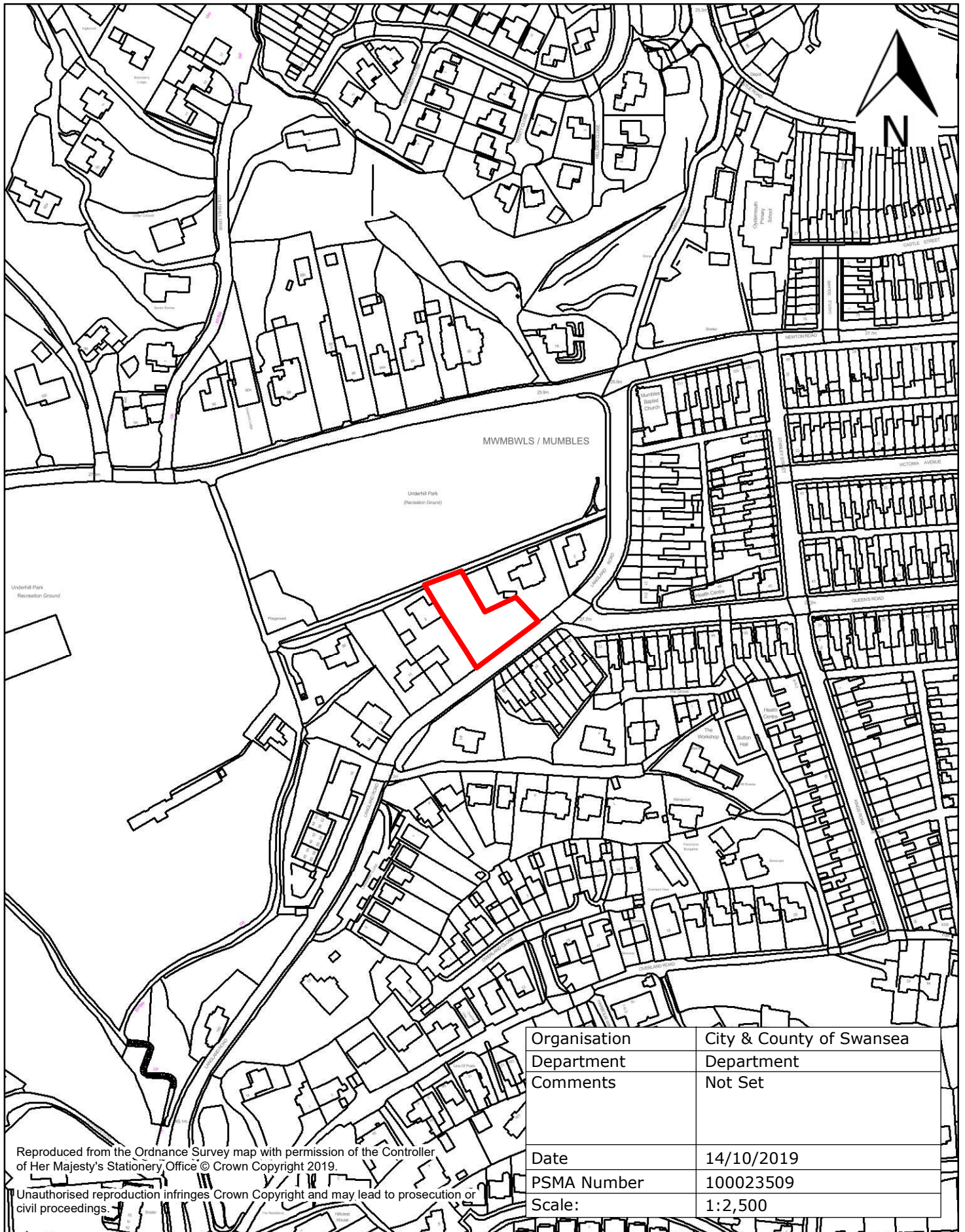
PERSONS TO WHOM THIS ENFORCEMENT NOTICE HAS BEEN SERVED

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

- 1. Mr Jason C Banfield, 42 Brynfield Road, Llangland, Swansea, SA3 4SX**
 - 2. Mr Kevin McManus, Alliance Parking UK Ltd, Unit 1A Newquay Road, St Columb Road, Newquay, Cornwall, TR9 6QZ**
-

The Land

Not Set



Organisation	City & County of Swansea
Department	Department
Comments	Not Set
Date	14/10/2019
PSMA Number	100023509
Scale:	1:2,500

Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2019.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.