

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 **710 Gower Road, Upper Killay, Swansea, SA2 7HQ**
(Shown edged red on the attached plan)

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

The unauthorised material change of use of land to land used for residential and business use

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 to land used for residential and business use is contrary to Policy EV1 of the City & County of Swansea Unitary Development Plan 2008 by virtue of it having a significantly detrimental impact on local amenity in terms of disturbance and traffic movements.

The unauthorised material change of use of land to land used for residential and business use is contrary to Policy EV1 of the City & County of Swansea Unitary

Development Plan 2008 by virtue of it failing to sensitively relate to existing development patterns of the area, as the general locality is predominantly a residential area with any small businesses being operated out of established commercial properties.

The unauthorised material change of use of land to land used for residential and business use is contrary to Policy EV2 of the City & County of Swansea Unitary Development Plan 2008 by virtue of it having a significant adverse impact on the general locality.

The unauthorised material change of use of land to land used for residential and business use is contrary to Policy EV3 of the City & County of Swansea Unitary Development Plan 2008 by virtue of it failing to provide satisfactory parking in accordance with Council adopted design standards to the detriment of highway safety.

5 WHAT YOU ARE REQUIRED TO DO

Cease the unauthorised business use of the land

6 TIME FOR COMPLIANCE

Six months from the date the notice takes effect

7 WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **1 June 2010** unless an appeal is made against it beforehand.

Dated **30 April 2010** Signed



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

Address to which all communication should be sent:

Bryan Graham
Head of Planning Services
County Hall
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. You may use the enclosed appeal forms:

- [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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