

CITY AND COUNTY OF SWANSEA

BREACH OF CONDITION NOTICE

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

**TOWN AND COUNTRY PLANNING ACT 1990
(AS AMENDED BY THE PLANNING AND COMPENSATION ACT 1991)**

**BREACH OF CONDITION NOTICE
SERVED BY : THE COUNCIL OF THE CITY AND COUNTY OF SWANSEA
("THE COUNCIL")**

TO: Malcolm Howell White Jones & Diane Elizabeth Jones, 325 Gower Road, Killay, Swansea SA2 7AE

1 THIS NOTICE is issued by the Council under section 187A of the above Act, because they consider that a condition imposed on a grant of planning permission, relating to the land described in paragraph 2 below, has not been complied with. The Council consider that you should be required to comply with the condition specified in this notice. The annex at the end of this notice contains important additional information.

2 THE LAND TO WHICH THE NOTICE RELATES

Land at **87 Brynymor Road, Swansea SA1 4JE** shown edged red on the attached plan.

3 THE RELEVANT PLANNING PERMISSION

The relevant planning permission to which this notice relates is the permission granted by the Council on 10th June 2003 for the change of use of the premises from retail (Class A1) to a Café (Class A3) , Ref **2003/0423** (copy enclosed).

4 THE BREACH OF CONDITION

The following condition has not been complied with

2. The premises shall not be used by customers before 08.00 nor after 22.00 hours on any day.

5 WHAT YOU ARE REQUIRED TO DO

As the person responsible for the breach of condition specified in paragraph 4 of this notice, you are required to comply with the stated condition by taking the following steps:

Stop customers using the premises before 08.00 and after 22.00 hours on any day
Period for Compliance: 30 days beginning with the day on which this notice is served on you.

Date **15th July 2011**

Signed



Designation : HEAD OF ECONOMIC
REGENERATION & PLANNING
(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

WARNING

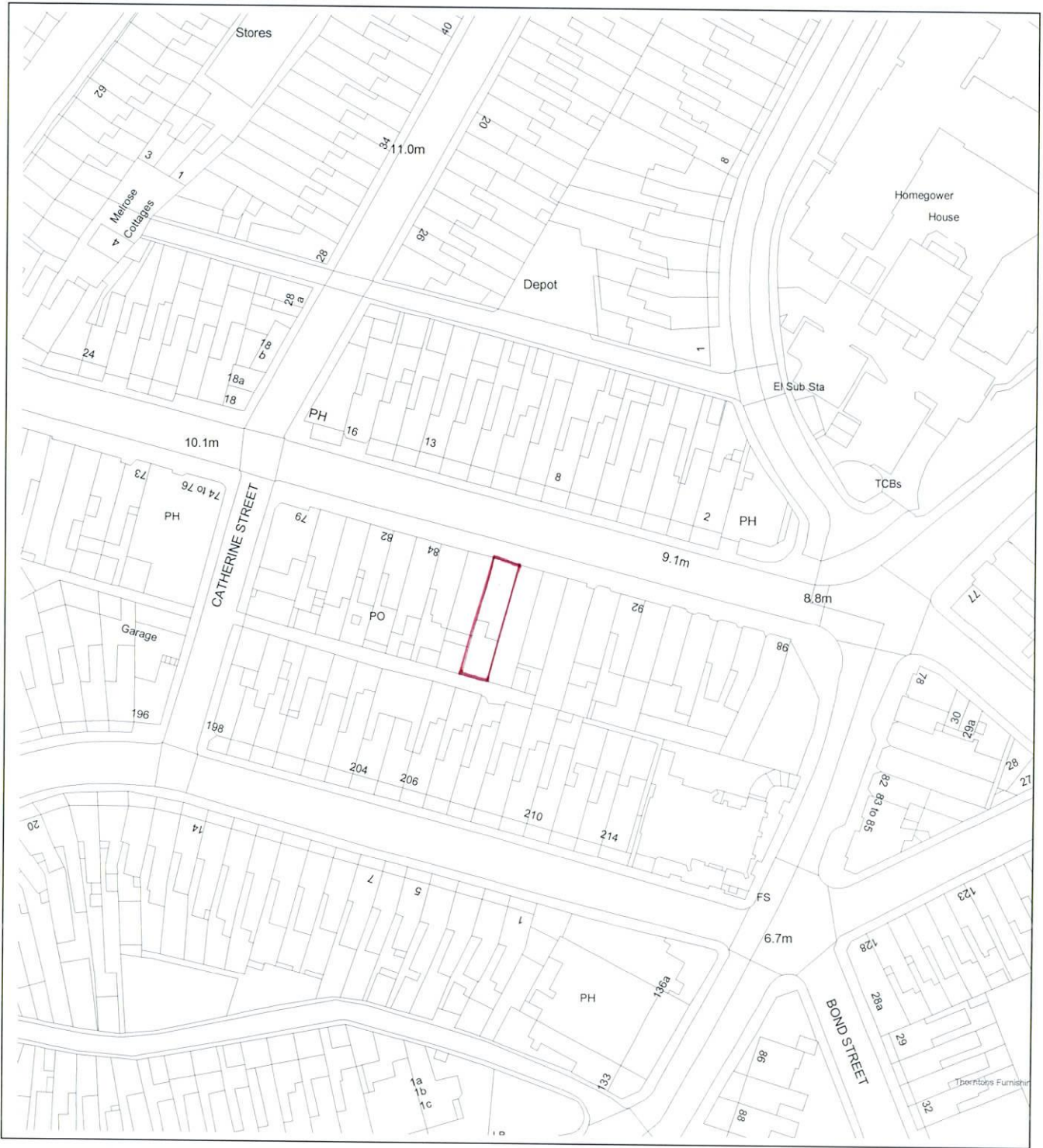
THIS NOTICE TAKE EFFECT *IMMEDIATELY* IT IS SERVED ON YOU IN PERSON OR ON THE DAY YOU RECEIVED IT BY POST

THERE IS NO RIGHT OF APPEAL TO THE NATIONAL ASSEMBLY FOR WALES AGAINST THIS NOTICE

It is an offence to contravene the requirements stated in paragraph 5 of this notice after the end of the compliance period. You will then be at risk of **immediate prosecution** in the Magistrates' Court, for which the maximum penalty is £1,000 for a first offence and for any subsequent offence. If you are in any doubt about what this notice requires you to do, you should get in touch **immediately** with **Ian Davies, Enforcement Team Leader, Economic Regeneration & Planning, Civic Centre, Oystermouth Road, Swansea. SA1 3SN. Tel 01792 635720.**

If you need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review.

87 Brynymor Road, Swansea



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CITY AND COUNTY OF SWANSEA

TOWN AND COUNTRY PLANNING ACT 1990

GRANT OF PLANNING PERMISSION

TO:
TOM DE VALL
8 BRYN TERRACE
MUMBLES
SWANSEA
SA3 4HD

DATE REGISTERED: 13th March 2003

APPLICATION NO: 2003/0423

APPLICANT: Tom De Vall

The CITY AND COUNTY OF SWANSEA, in exercise of its powers under the above ACT, hereby GRANTS planning permission for:-

PROPOSAL: Change of Use from retail (Class A1) to Cafe (Class A3)

SITE LOCATION: 87 Brynymor Road, Swansea, SA1 4JE

as referred to in your application and shown on the accompanying plan(s), subject to the following condition(s):-

1. The development shall be commenced not later than the expiration of 5 years from the date of this planning permission and shall be completed in accordance with the said application plans and conditions prior to any part thereof being brought into beneficial use.

Reason 1. To comply with the provisions of Section 91 of the Town and Country Planning Act, 1990 and to ensure that the development is completed in accordance with the plans approved by the City and County of Swansea, and so avoid any detriment to amenity or public safety by works remaining uncompleted.

2. The premises shall not be used by customers before 08.00 nor after 22.00 hours on any day.

Reason 1. To safeguard the amenities of the occupiers of neighbouring properties.

3. Prior to the use commencing, a method of ventilation and fume extraction shall be implemented in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason 1. To prevent any nuisance from fumes and/or cooking odours to the occupiers of neighbouring premises.

4. The premises shall be used as a cafe only and for no other purpose (including any other purpose in Class A3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason 1. To ensure that the Local Planning Authority maintain control over the future use of the property in the interests of neighbouring residents.

INFORMATIVES:

1. The drawing numbers/description to which this decision refers are as follows:

Drawing(s) No.(s): Site location plan, block plan, current plan, proposal, 12th March 2003.

2. The Developer is advised of the need to obtain planning permission for the extension proposed on the rear elevation of the property. The failure to obtain planning permission may result in enforcement action being taken against the owner of the property.

DATED: 10th June 2003

DIRECTOR OF DEVELOPMENT

PLEASE NOTE: Your attention is drawn to the attached notes which explain, amongst other things, your right of appeal against this decision.