

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

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 326 Oystermouth Road City Centre Swansea SA1 3UJ 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, an unauthorised change of use comprising of the creation of an 8 Bedroom House in Multiple Occupation (HMO) (Unique Use) and associated building works contrary to planning permission Ref: 2019/2063/FUL.

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.

1. The use of the building as an 8 Bedroom House in Multiple Occupation (HMO) without the provision of the approved car parking, secure cycle storage and secure bin storage as approved under planning permission 2019/2063/FUL is considered to have a significant adverse impact on the amenities of residents and highway safety contrary to Policies H9, PS2 and T6 of the City and County of Swansea Local Development Plan 2010-2025.
2. The unauthorised ground floor and second floor rear extensions and external alterations to the property, by virtue of their inappropriate form, massing and roof design, are considered to constitute an unsightly and discordant form of development, which fails to respect the form and character of the host dwelling and which detracts from the visual amenities of the surrounding area, contrary to Policy PS2 of the Swansea Local Development Plan 2010-2025.

5. WHAT YOU ARE REQUIRED TO DO

- i) **Cease the unauthorised use.**
- ii) **Restore the building to its previous configuration as illustrated in the existing plans submitted under planning Ref:2019/2063/FUL. (Appendix A).**
- iii) **Demolish the ground floor rear extension and second-floor rear roof extension.**
- iv) **Remove any waste arising from the operations above from the site.**

6. TIME FOR COMPLIANCE

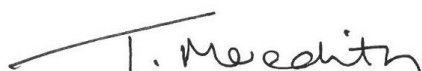
1. With regard to requirement (i) above 4 months beginning with the day on which this notice takes effect.
2. With regard to requirements (ii - iv) 8 months beginning with the day on which this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on the 22nd of March 2024, unless an appeal is made against it before that date.

Dated: 21/02/2024

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 and Environment Decisions Wales appointed by the Welsh Government 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 and Environment Decisions Wales has produced a booklet on "Making your Enforcement Appeal". You can access a PDF version of the booklet from the Planning and Environment Decisions Wales website to print <http://gov.wales/topics/planning/appeals/appeal-guidance-and-information/enforcement-appeals/?lang=en>.

Appeal forms can be obtained from the Planning and Environment Decisions Wales.

Address : Planning and Environment Decisions Wales
2nd Floor West
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

Telephone : Telephone: 0300 060 4400

E-mail : PEDW.Casework@gov.wales

or downloaded from the following website:

[Planning appeal forms | GOV.WALES](#)

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 and Environment Decisions Wales 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**. 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.

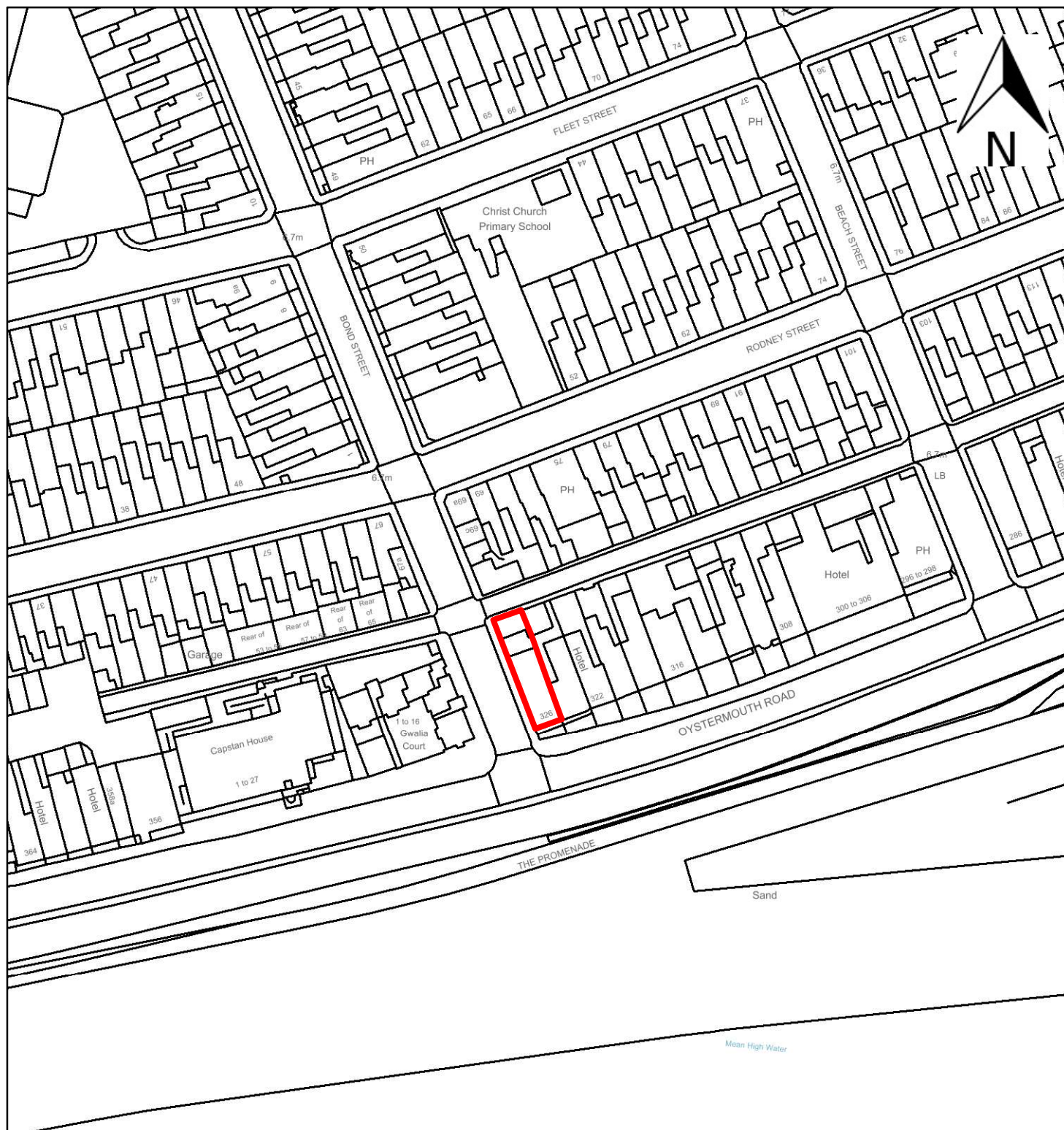
PERSONS TO WHOM THIS ENFORCEMENT NOTICE HAS BEEN SERVED

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 Hole, 39 Hendrefolian Road, Swansea, SA2 9LT
 2. Guerilla Property Group Ltd, Funky Pump, Northampton Lane, SA1 4EH
 3. One Savings Bank PLC, Reliance House, Sun Pier, Chatham, Kent ME4 4ET
 4. Occupiers Rooms 1-8 326 Oystermouth Road, Swansea, SA1 3UJ
-

The Plan

The Land



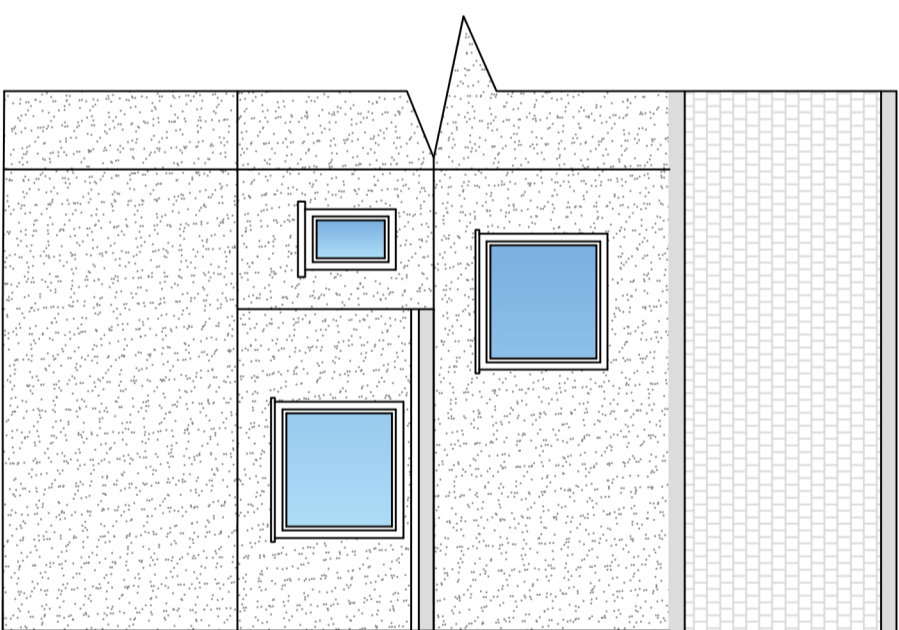
Organisation	City & County of Swansea
Department	Department
Comments	
Date	21/02/2024
PSMA Number	100023509
Scale:	1:1,250

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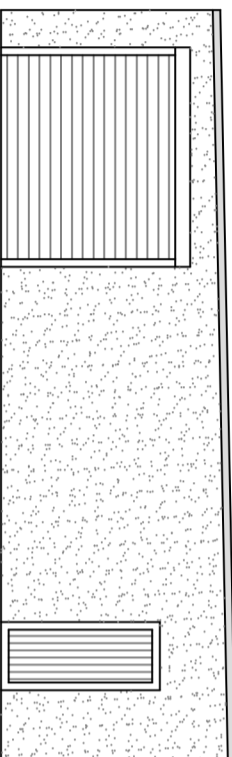
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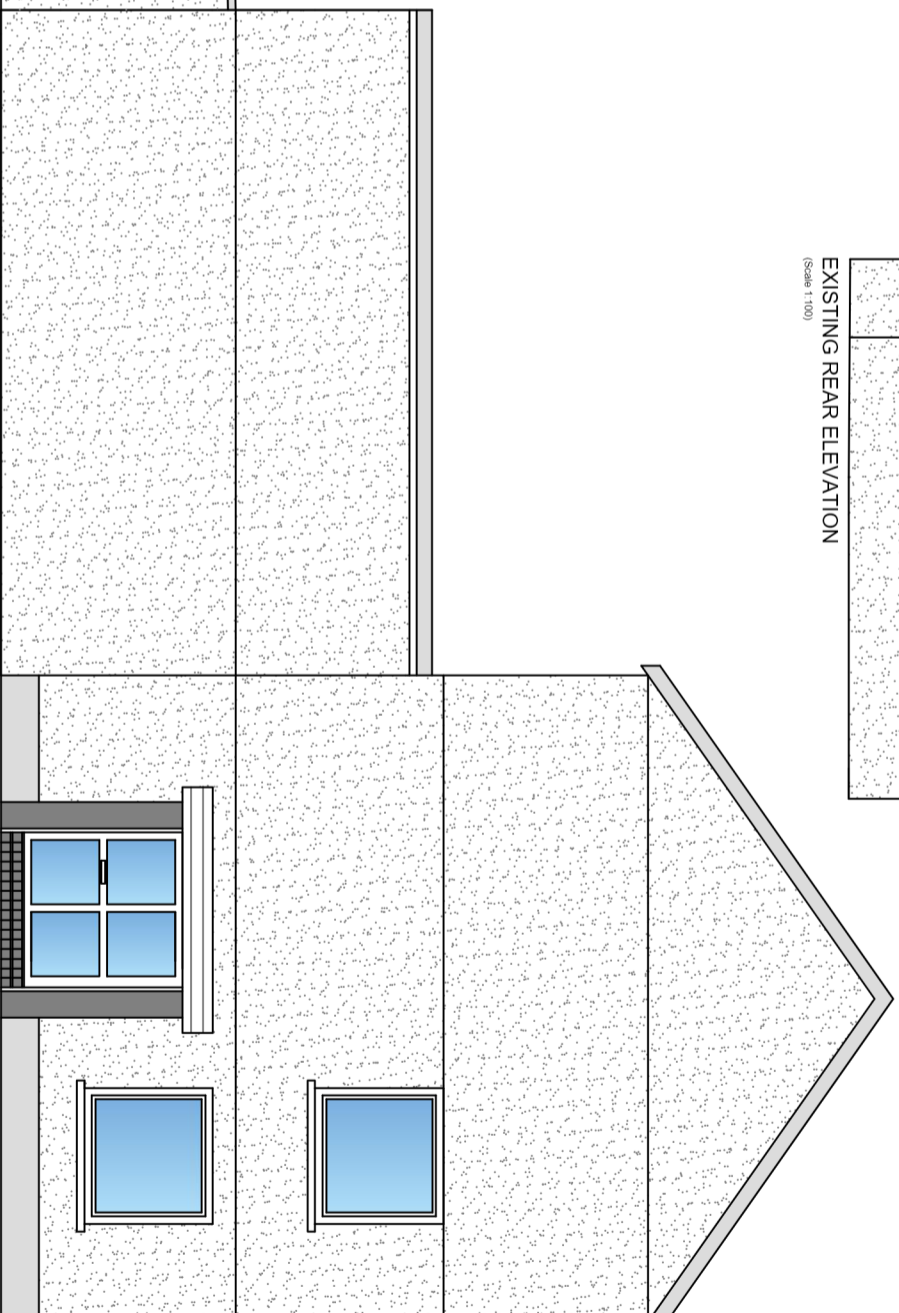
EXISTING FRONT ELEVATION
(Scale 1:100)



EXISTING REAR ELEVATION
(Scale 1:100)



EXISTING SIDE ELEVATION
(Scale 1:100)



Job Title:
PROPOSED RESIDENTIAL FLATS AT 326 OYSTERMOUTH ROAD

Drawing Title:
EXISTING ELEVATIONS

Job No:	Drawing No:	Rev:	Drawn By:	Date:
???	202	/	J.M	18.08.19
Scale: 1:100	?		Checked By:	Date:
			M.M	18.08.19
			Approved By:	Date:
			M.M	18.08.19

Client:
MR S.HALL

- NOTES
1. Do not scale from this drawing take figured dimensions only.
 2. Dimensions are in millimeters unless otherwise stated.
 3. All dimensions to be checked on site.

STAGE

EXISTING

No. REVISION

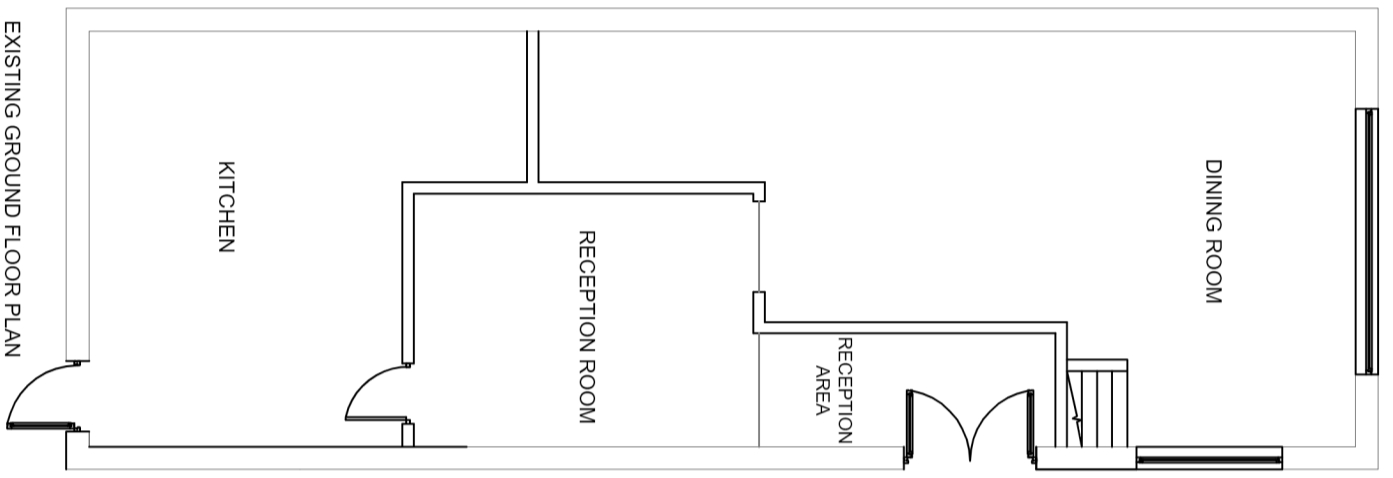
By Date

No. REVISION

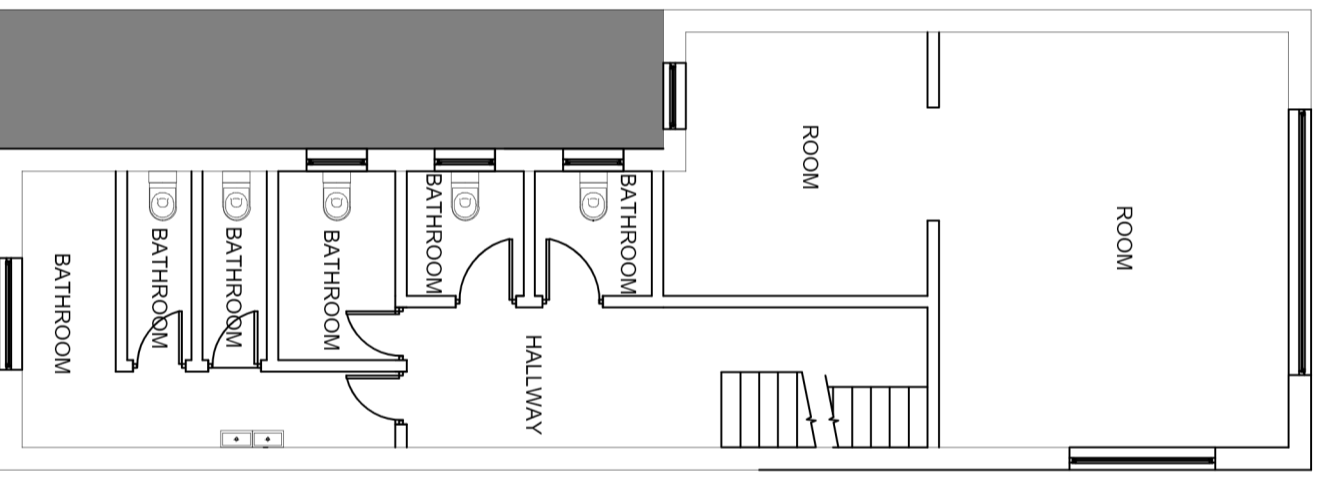
By Date



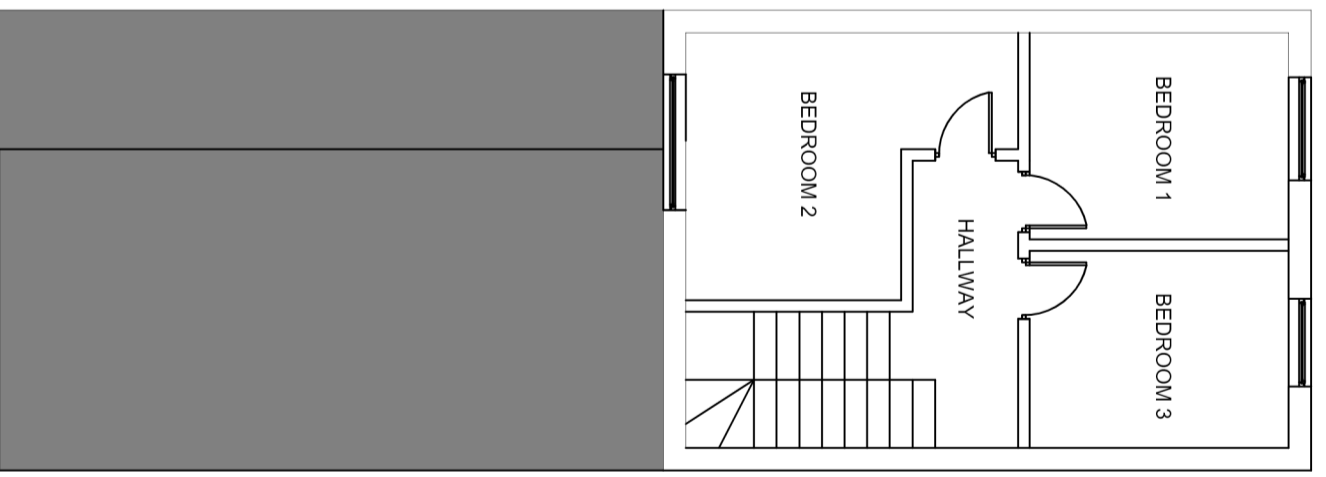
M&M Design Consultancy
Urban and Building & Planning Services



EXISTING GROUND FLOOR PLAN
(Scale 1:100)



EXISTING FIRST FLOOR PLAN
(Scale 1:100)



EXISTING SECOND FLOOR PLAN
(Scale 1:100)

- NOTES**
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STAGE

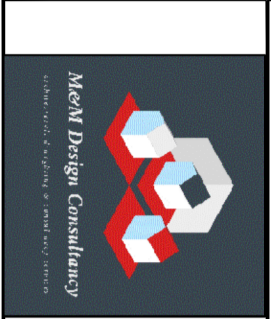
EXISTING

Client:
MR S.HALL

Job Title:
PROPOSED RESIDENTIAL FLATS AT 326 OYSTERMOUTH ROAD

Drawing Title:
EXISTING FLOOR PLANS

Job No:	Drawing No:	Rev:	Drawn By: J.M	Date: 18.08.19
???	201	/	Checked By: M.M	Date: 18.08.19
Scale: 1:100	3		Approved By: M.M	Date: 18.08.19
Email: Morgandesignconsult@gmail.com				



No. REVISION

By Date

No. REVISION

By Date