

**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 ENF2023/0278**

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 New Drummau House Birchgrove Road Birchgrove Swansea SA7 9EJ 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 unauthorised material change of use of the outbuilding, shown edged green on the plan appended hereto, from an office (Class B1) to a hairdressing salon (Class A1)

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 site is located within the countryside outside of a defined key village. The hairdresser salon use is not reliant upon the premises being located within the countryside in order to operate and is not well located in terms of access by active travel or public transport. It follows that the use is heavily reliant upon customers travelling by private vehicles. The use of the premises as a hairdresser is therefore an inappropriate and unsustainable form of development within the countryside that runs counter to the Council's sustainable settlement and employment strategies and is contrary to Policies PS1, PS4 and CV2 of the adopted Swansea Local Development Plan (2010-2025).

2 National and local policy steers development of this nature to established commercial centres. The site is not located in any established commercial centre and, as such, the development has a material adverse impact upon the vitality and viability of nearby district and local centres and there is no identified local need for the development within the countryside. The development is therefore contrary to Policies RC 2 and RC 6 of the adopted Swansea Local Development Plan (2010-2025)

5. WHAT YOU ARE REQUIRED TO DO

Permanently cease the use of the outbuilding, shown edged green on the plan appended hereto, as a hairdressing salon.

6. TIME FOR COMPLIANCE

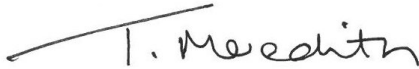
2 months beginning with the day on which this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on the 12th April 2024 unless an appeal is made against it before that date.

Dated: 12th March 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.

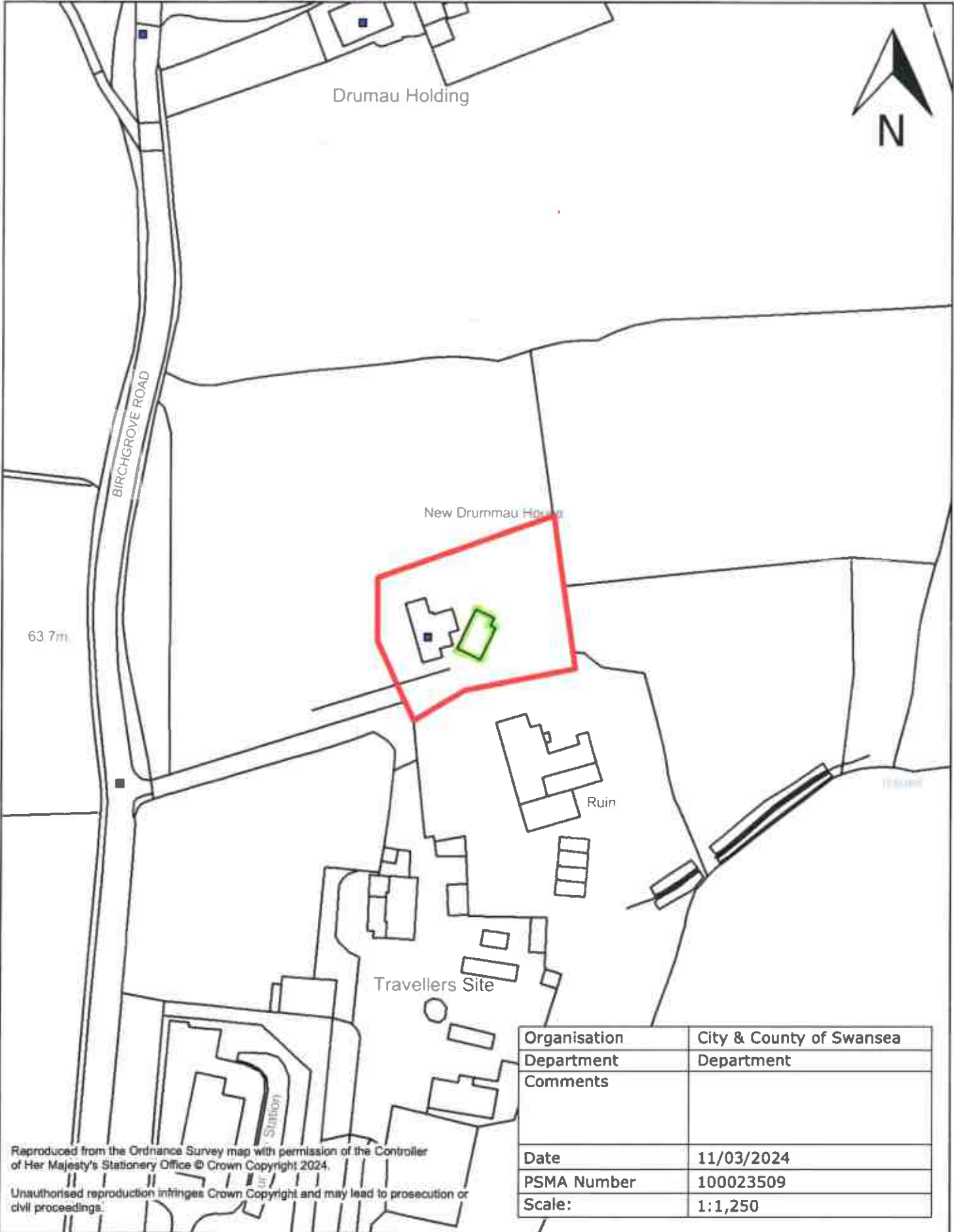
PERSONS TO WHOM THIS ENFORCEMENT NOTICE HAS BEEN SERVED

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

- 1. Mr D. Jones, New Drummau House, Birchgrove Road, Birchgrove, Swansea, SA7 9EJ**
 - 2. Mrs M. Jones, New Drummau House, Birchgrove Road, Birchgrove, Swansea, SA7 9EJ**
 - 3. Walters (UK) LTD, Hirwaun House, Hirwaun Industrial Estate, Hirwaun, Aberdare, CF44 9UL**
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The Land

The Plan



Organisation	City & County of Swansea
Department	Department
Comments	
Date	11/03/2024
PSMA Number	100023509
Scale:	1:1,250

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