

**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 ENF2021/0467**

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 off Manselfield Road, Newton, Swansea, SA3 3AA 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 material change of use of the land to a mixed use comprising residential use and educational use (and the associated erection of yurts and tents and siting of two storage containers).

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 mixed use of the land for residential use and educational use, represents an unjustified and unacceptable form of development in the open countryside, contrary to Policies PS 2 and CV 2 of the Swansea Local Development Plan (2019).

The unauthorised residential and educational use of the land is taking place in an uncontrolled manner, which could lead to increased levels of vehicular movements and increased levels of indiscriminate parking within the local highway (due to the absence of adequate parking facilities within the site), to the detriment of highway safety and the free-flow of traffic. The uncontrolled manner of the uses taking place at the site could also have an impact on pedestrian safety, due to the absence of dedicated footways serving the site entrance. The unauthorised residential and educational use of the land is therefore considered to be contrary to Policies PS2, T1, T2, T5 and T6 of the Swansea Local Development Plan (2019) and the Council’s Parking Standards SPG.

The unauthorised residential and educational use of the land is taking place in an uncontrolled manner, which has the propensity to have a future adverse impact on the living conditions of local residents, contrary to Policy PS2 of the Swansea Local Development Plan (2019).

The unauthorised siting of the storage containers on the site, by reason of their unsightly and alien appearance in this countryside setting, have an unacceptable impact on the visual amenities and character of the area and the Bishopston and Newton Green Wedge, contrary to Policies PS 2, ER 3 and CV 2 of the Swansea Local Development Plan (2019).

5. WHAT YOU ARE REQUIRED TO DO

- (i) Cease the educational use of the land
- (ii) Remove the tents and steel storage containers from the land
- (iii) Cease the residential use of the land and remove the yurts from the land

6. TIME FOR COMPLIANCE

Requirement (i) - 1 week beginning with the day on which this notice takes effect.

Requirement (ii) - 3 months beginning with the day on which this notice takes effect.

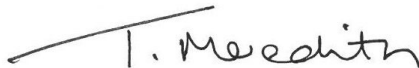
Requirement (iii) - 6 months beginning with the day on which this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

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

Dated: 14th 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 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 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 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 **£920.00**. 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:

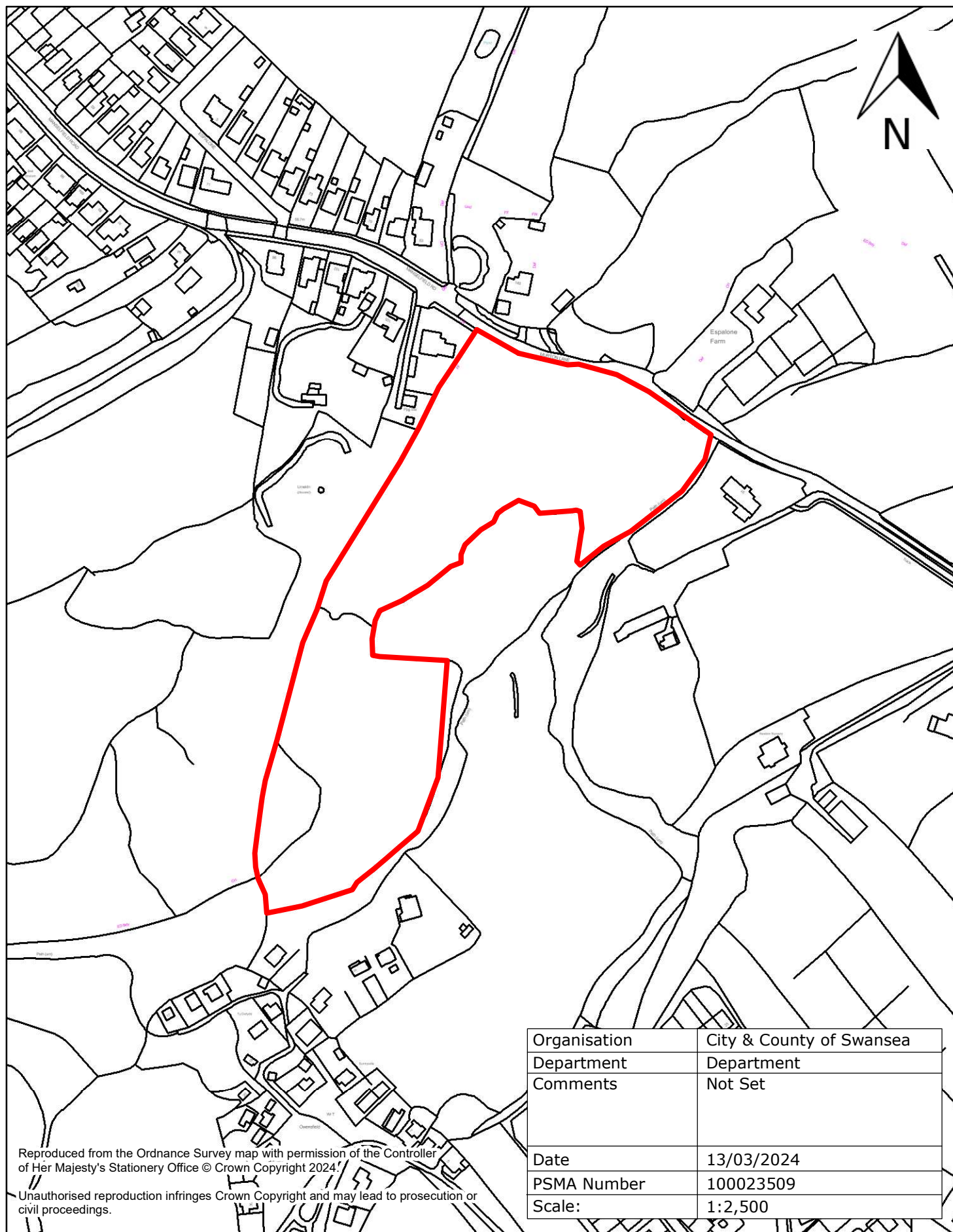
- 1. Mr Robert Anthony Hodson Smith, Yurt 1, land off Manselfield Road, Newton, Swansea, SA3 3AA**
- 2. Ms Julie Ann Wagstaff, Yurt 1, land off Manselfield Road, Newton, Swansea, SA3 3AA**
- 3. Climate and Community, CIO Registered No 1172500, land off Manselfield Road, Newton, Swansea, SA3 3AA**
- 4. Mr Robert Anthony Hodson Smith, Y Cwt Hen, Llwynceilyn, Cilgerran, Pembrokeshire, SA43 2PE**
- 5. Ms Julie Ann Wagstaff, Y Cwt Hen, Llwynceilyn, Cilgerran, Pembrokeshire, SA43 2PE**
- 6. Climate and Community, CIO Reg No 1172500, Y Cwt Hen, Llwynceilyn, Cilgerran, Pembrokeshire, SA43 2PE**
- 7. Mr David Jason Gwilym Williams, Brynfield, 23 Northway, Bishopston, Swansea, SA3 3JN**
- 8. Occupier, Yurt 2, land off Manselfield Road, Newton, Swansea, SA3 3AA**

Copy of Enforcement Notice and Plan also posted on site (on entrance gate post)

Land off Manselfield Road, Newton



"The Plan"



Organisation	City & County of Swansea
Department	Department
Comments	Not Set
Date	13/03/2024
PSMA Number	100023509
Scale:	1:2,500

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