

IMPORTANT - THIS COMMUNICATION  
AFFECTS YOUR PROPERTY



## ENFORCEMENT NOTICE

### OPERATIONAL DEVELOPMENT AND 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 ENF2023/0039**

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 37 Brunswick Street, Central Swansea, Swansea, SA1 4JP 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 conversion of the garage to a residential use contrary to planning permission 2018/1785/FUL.

#### 4. REASONS FOR ISSUING THIS NOTICE

It appears to the Council that the above breach of planning control has occurred within the last four years.

1. The material change of use of the building has resulted in an overdevelopment of the plot, which fails to demonstrate that the site and access is sufficient to safely accommodate and allow access to the proposed spaces, to the detriment of highway safety contrary to Policies PS2 and T6 of the Swansea Local Development Plan (2010-2025) and the aims of the Council's Design Guide: Car Parking Standards (Adopted March 2012).
2. The development, by virtue of the unfinished appearance of the front elevation of the garage, fails to respect the character and appearance of the street scene and surrounding area contrary to Policy PS2 of Swansea Local Development Plan 2010- 2025 and the Placemaking Guidance for Householder Development Supplementary Design Guide (2021).
3. The development, by virtue of the lack of outlook from windows within the habitable rooms, has resulted in unacceptable living conditions for the inhabitants

of the garage which fails to respect the residential amenity of these inhabitants contrary to Policy PS2 of Swansea Local Development Plan 2010- 2025 and the Placemaking Guidance for Householder Development Supplementary Design Guide (2021).

**5. WHAT YOU ARE REQUIRED TO DO**

- (i) Cease the residential use of the building known as The Garage at 37 Brunswick Street, and revert it back to its original purpose of garaging and storage purposes ancillary to the residential use of the existing flats at 37 Brunswick Street.
- (ii) Reinstate the garage door.

**6. TIME FOR COMPLIANCE**

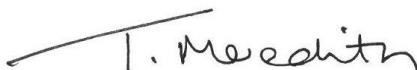
6 months beginning with the day on which this notice takes effect.

**7. WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on the 16<sup>th</sup> August 2024, unless an appeal is made against it before that date.

Dated: 18<sup>th</sup> July 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**

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# 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  
2<sup>nd</sup> Floor West  
Crown Buildings  
Cathays Park  
Cardiff  
CF10 3NQ

Telephone : Telephone: 0300 060 4400

E-mail : [PEDW.Casework@gov.wales](mailto: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 **£460**. 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. **Please note, restrictions apply to when a ground (a) appeal can be made so you should seek appropriate professional advice before appealing.**

#### **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. Jenna Shadrach, 28 Hillside Crescent, Ffynone, Swansea, SA2 0RD
  2. Steffan Christian Shadrach, 28 Hillside Crescent, Ffynone, Swansea, SA2 0RD
  3. The Occupiers, 37 Brunswick Street, Central Swansea, Swansea, SA1 4JP
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# The Plan

The Land



Organisation	City & County of Swansea
Department	Department
Comments	
Date	30/07/2024
PSMA Number	100023509
Scale:	1:1,250

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