

**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 ENF2024/0137**

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 60 Bryn Road Brynmill Swansea SA2 0AS 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 a dwellinghouse (C3) to a House in Multiple Occupation (Unique Use).

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 dwelling to a HMO, is detrimental to the social cohesion of the surrounding area through an over intensification that gives rise to an unbalanced and unsustainable community contrary to the provisions of Policies PS2 and H9 of the Swansea Local Development Plan and the National Policy aims set out in the Planning Policy Wales (Edition 12, February 2024) of creating sustainable and inclusive mixed communities.

2. The use of the property as a HMO for 8 people gives rise to an over intensive form of development which does not provide satisfactory living conditions for the future occupiers of the property by reason of a lack of outlook and natural light for the occupants of the rear first floor bedroom and attic room, contrary to Policies PS 2 and H 9 of the Local Development Plan (Adopted 2019), 'Houses in Multiple Occupation and Purpose Built Student Accommodation in Swansea' in (Adopted 2019) and advice provided within the 'Places to Live Residential Design Guide' SPG (Adopted 2021).

3. The change of use has a detrimental impact upon highway safety for both vehicles and pedestrians and impact upon the availability of off-road parking to the detriment of existing residents, contrary to Policies PS 2, H 9 and T 6 of the Local Development Plan (Adopted 2019) and the Parking Standards SPG (Adopted 2012)

5. WHAT YOU ARE REQUIRED TO DO

- (i) Cease the use of No.60 Bryn Road as a House in Multiple Occupation

6. TIME FOR COMPLIANCE

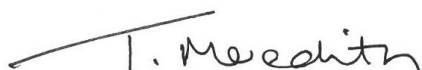
3 months beginning with the day on which this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on the 17th of June 2024 , unless an appeal is made against it before that date.

Dated: 16/05/2024

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 where no appeal has been previously heard, 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 where no appeal has been previously heard. The fee payable in this instance would be £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, where no appeal has been previously heard, 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.

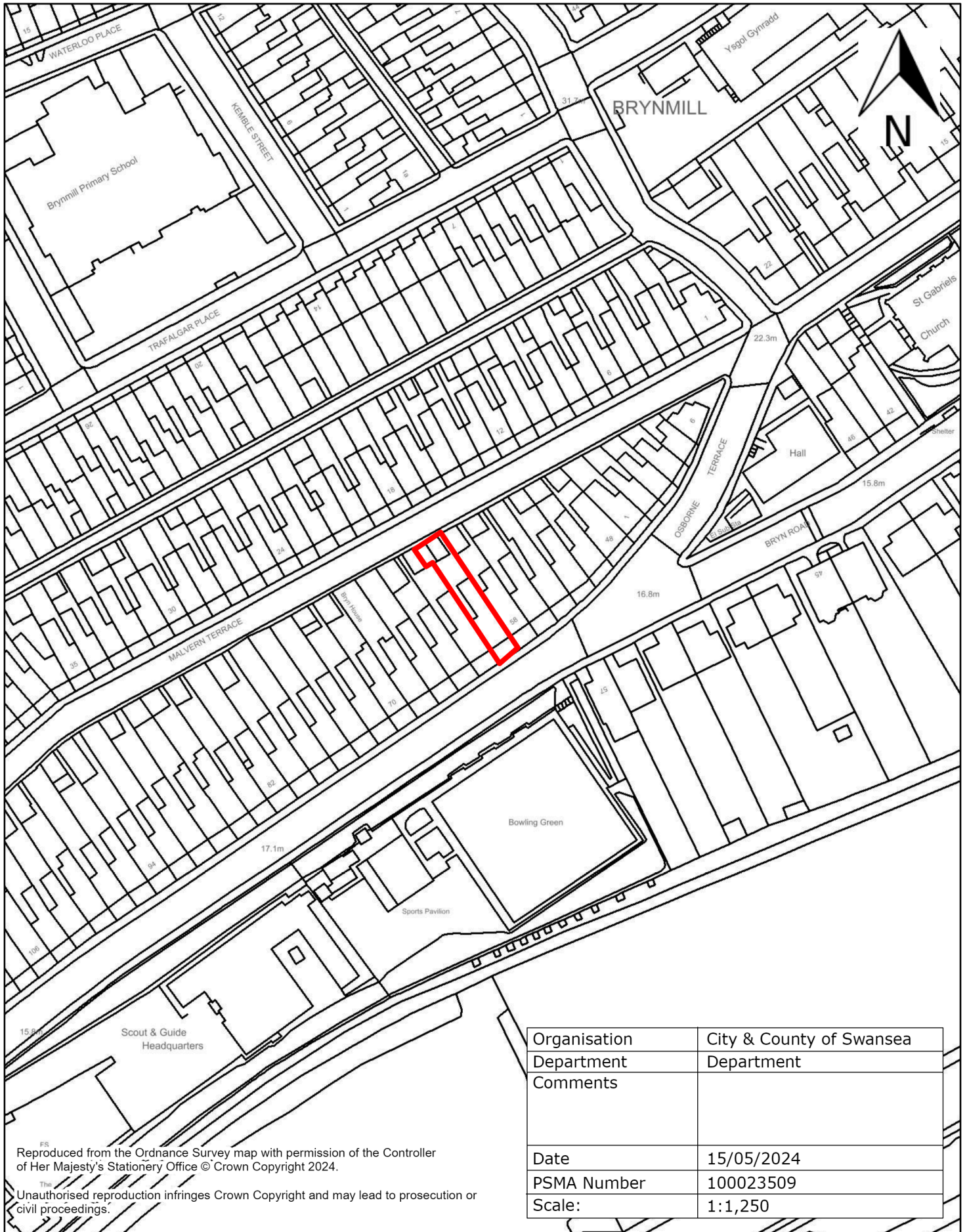
PERSONS TO WHOM THIS ENFORCEMENT NOTICE HAS BEEN SERVED

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

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- 1. Swan Letting Limited, 79 Uplands Crescent, Swansea, SA2 0EX**
 - 2. Occupants Rooms 1 -8 inclusive 60 Bryn Road, Brynmill, Swansea, SA2 0AS**

The Plan

The Land



Organisation	City & County of Swansea
Department	Department
Comments	
Date	15/05/2024
PSMA Number	100023509
Scale:	1:1,250

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