

**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 ENF2021/0011**

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 42 Myrddin Road Bonymaen Swansea SA1 7HF 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 of motor vehicle repairs and residential and the erection of a detached garage to facilitate the unauthorised 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 land for motor vehicle repairs is considered unacceptable at this location by virtue of noise, smell and general disturbance caused by activities associated with vehicle repairs and by vehicle movements to and from the premises, to the detriment of the residential amenity that can reasonably be expected to be enjoyed by occupiers of nearby residential properties. The development is therefore contrary to Policies PS2, RP1, RP2 and RP3 of the City and County of Swansea Local Development Plan 2010-2025.

2. The unauthorised garage which facilitates the use of the land for motor vehicle repairs, by virtue of its size and design is considered to be an overly large development which does not relate well to the domestic scale of the surrounding properties and the host dwelling to the detriment of visual amenity. As such the development is contrary to Policy PS2 of the City and County of Swansea Local Development Plan 2010-2025

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

(i) Cease the use of the land for motor vehicle repairs

- (ii) Demolish the unauthorised garage
- (iii) Remove the resultant materials from the site

6. TIME FOR COMPLIANCE

1. One day in relation to the use of the land described in 5(i) above
2. One month in relation to the demolition of the building and removal of materials as described in 5(ii) and 5(iii) above.

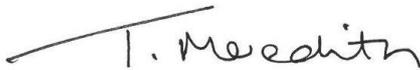
Beginning with the day on which this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on the, 11th June 2021 unless an appeal is made against it before that date.

Dated: 12th May 2021

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

Appeals can be made online from the Appeals Casework Portal at <https://acp.planninginspectorate.gov.uk/> and copies of the relevant appeal form can be obtained from the Planning Inspectorate.

Address : The Planning Inspectorate
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ
Telephone : 0303 444 5962
E-mail : wales@pins.gsi.gov.uk

or downloaded from the following website: <http://gov.wales/topics/planning/appeals/appeal-guidance-and-information/enforcement-appeals/?lang=en>

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 Inspectorate 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:

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- 1. Teodor Mihai Vieru, 42 Myrddin Road, Bonymaen, Swansea, SA1 7HF**
 - 2. Roxana Elena Vieru, 42 Myrddin Road, Bonymaen, Swansea, SA1 7HF**
 - 3. Nationwide Building Society, Nationwide House, Pipers Way, Swindon, SN38 1NW**
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"The Land"

"The Plan"



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