

IMPORTANT - THIS COMMUNICATION
AFFECTS YOUR PROPERTY



STOP NOTICE

The Town and Country Planning Act 1990
(as amended by the Planning (Wales) Act 2015)

ISSUED BY THE CITY AND COUNTY OF SWANSEA (“The Council”)
COUNCIL REFERENCE ENF2024/0071

To: Mr David Whitehead

Address: Bryn-y-Mor, Port Eynon, Swansea, SA3 1NL

1. The Council considers that there has been a breach of planning control on the land described in paragraph 4 below. The breach of planning control is ‘without planning permission, the demolition of a stone-faced retaining wall and excavation works’.
2. This stop notice is issued by the Council, in exercise of their power in section 183 of the Town and Country Planning Act 1990, because they think that it is expedient that the activity specified in this notice should cease on the land described in paragraph 4 below and which is also covered by the Enforcement Notice served on Mr David Whitehead on this 15th day of August 2024 (Copy of Enforcement Notice at **Annex 1** to this notice). The Council now prohibits the carrying out of the activity specified in this notice. Important additional information is given in **Annex 2** to this notice.

3. REASONS FOR ISSUING THIS NOTICE

The unauthorised engineering operations have a negative impact on the visual amenities of the area and on the character of this part of the Port Eynon Conservation Area and this part of the Gower Area of Outstanding Natural Beauty, contrary to Policies PS2, HC1 and ER4 of the Swansea Local Development Plan (2019).

The unauthorised engineering operations have the potential to have a harmful impact upon the stability of those properties situated to the north of the site known as Hillcrest, Greenways and Ty'r Gwynt and have the potential to have serious safety implications for the owners/occupiers of those properties. The unauthorised engineering operations also have the potential to be detrimental to the structural integrity of the Bryn Y Mor dwelling and have safety implications for its owner. The unauthorised engineering operations are therefore considered to be contrary to Policy RP7 of the Swansea Local Development Plan (2019).

4. THE LAND TO WHICH THIS NOTICE RELATES

Land at Bryn Y Mor, Port Eynon, Swansea, SA3 1NL in the City and County of Swansea (“the Land”), shown edged red on the plan appended hereto at **Annex 3** (“the Plan”).

5. **ACTIVITY TO WHICH THIS NOTICE RELATES**

Without planning permission, the demolition of a stone-faced retaining wall and excavation works.


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

Cease any further excavation works on the land and cease the removal of any excavated materials from the land.

7. **WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on the 18th day of August 2024.

Dated: 15th August 2024

Signed: 

Designation: **Chief Legal Officer**
The Council's Authorised Officer

WARNING: ANY PERSON CONTRAVENING THIS STOP NOTICE MAY BE PROSECUTED FOR AN OFFENCE UNDER SECTION 187 OF THE TOWN AND COUNTRY PLANNING ACT 1990

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 1

Copy of Enforcement Notice and plan served on Mr David Whitehead on 15th
August 2024

ANNEX 2

WARNING

THIS NOTICE TAKES EFFECT ON THE DATE SPECIFIED IN PARAGRAPH 7. THERE IS NO RIGHT OF APPEAL TO THE WELSH MINISTERS AGAINST THIS NOTICE.

It is an offence to contravene a stop notice after a site notice has been displayed or the temporary stop notice has been served on you (section 183 and 187(1) of the 1990 Act). If you then fail to comply with the stop notice you will be at risk of prosecution in the Magistrates' Court, for which the maximum penalty is £20,000 on summary conviction for a first offence and for any subsequent offence.

The fine on conviction on indictment is unlimited. If you are in any doubt about what this notice requires you to do, you should get in touch immediately with:

**Emma North/Chris Healey
Senior Planning Enforcement Officer/Area 2 Team Leader
Development Management Department
City and County of Swansea Council
Civic Centre
Oystermouth Road
Swansea
SA1 3SN**

e-mail: Enforcement.Development@swansea.gov.uk

If you need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters.

If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review.

ANNEX 3

The Plan

The Plan

The Land



Organisation	City & County of Swansea
Department	Department
Comments	Not Set
Date	29/04/2024
PSMA Number	100023509
Scale:	1:1,250

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