

**IMPORTANT - THIS COMMUNICATION
AFFECTS YOUR PROPERTY**



TEMPORARY 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 **unauthorised engineering operations**, comprising the demolition of a retaining wall and excavation of an earth and stone bank at the rear of the dwelling, without securing the appropriate consent.
2. This temporary stop notice is issued by the Council, in exercise of their power in section 171E 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. The Council now prohibits the carrying out of the activity specified in this notice. Important additional information is given in the Annex to this notice.

3. REASONS FOR ISSUING THIS NOTICE

The unauthorised engineering operations have the potential to have a negative and permanent effect on the character of this part of Port Eynon, and also to have a harmful safety impact upon those properties situated to the north of the site and known as Hillcrest and Greenways. The unauthorised works also have the potential to have serious health & safety implications for the owners of those properties as well as the owner and property on the complaint site.

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 (“the Plan”).

5. ACTIVITY TO WHICH THIS NOTICE RELATES

Undertaking unauthorised engineering operations on the site.

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

Cease the carrying out of all unauthorised engineering operations including excavation works and the use of plant and machinery within the area identified on “the Plan” for a period of 28 days.

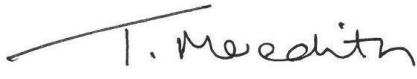
(*Only works agreed in writing in advance with the Local Authority may take place in the identified area within this period).

7. **WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 24th June 2024, when all the activity specified in this Notice must cease. This Notice will cease to have effect on 22nd July 2024.

WARNING: ANY PERSON CONTRAVENING THIS TEMPORARY STOP NOTICE MAY BE PROSECUTED FOR AN OFFENCE UNDER SECTION 171G OF THE TOWN AND COUNTRY PLANNING ACT 1990

Dated: 24th June 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

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 temporary stop notice after a site notice has been displayed or the temporary stop notice has been served on you (section 171E(4) and 171G of the 1990 Act). If you then fail to comply with the temporary 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.

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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