

**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 ENF2019/0133**

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 adjacent to 13 Penfilia Terrace and Entrance to Llangyfelach Road Brynhyfryd Swansea SA5 9HJ 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**

Change of use of land for storage, the erection of fencing and a storage container.

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.

The use of the land as storage in close proximity to residential properties is considered to be detrimental to the residential amenity of nearby occupiers by virtue of noise and disturbance associated with the use. In addition the associated fenced off area is considered to be out of keeping with the streetscene to the detriment of visual amenity.

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

- (i) Permanently cease the use of land for storage
- (ii) Remove the fencing.
- (iii) Remove the storage container.
- (iv) Reinststate the land to its former state.

6. **TIME FOR COMPLIANCE**

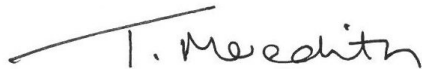
3 months beginning with the day on which this notice takes effect.

7. **WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on the 22<sup>nd</sup> April 2022, unless an appeal is made against it before that date.

Dated: 23<sup>rd</sup> March 2022

Signed:

A handwritten signature in black ink that reads "T. Meredith". The signature is written in a cursive style with a long horizontal stroke at the beginning.

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)

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 **£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**

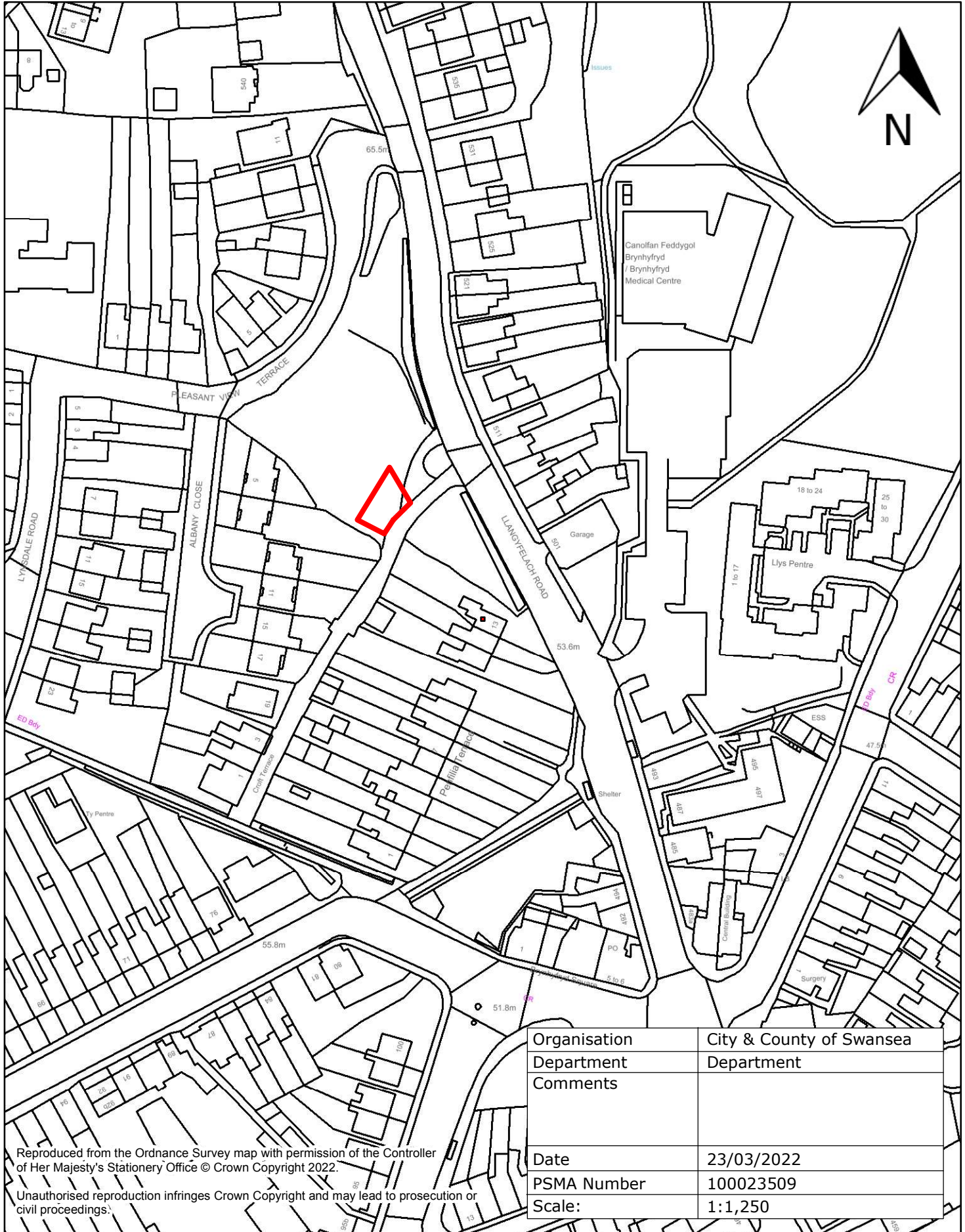
In accordance with Section 172(2) of the Town and Country Planning Act 1990 (as amended) this Notice has been served on:

**ANDREW JOHN BOTTO of 142 High Street, Swansea SA1 1NE.**

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# "The Plan"

"The Land"



Organisation	City & County of Swansea
Department	Department
Comments	
Date	23/03/2022
PSMA Number	100023509
Scale:	1:1,250

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