

**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 ENF2018/0121**

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 to the rear 235 and 237 Peniel Green Road Peniel Green Swansea SA7 9BA 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 change of use of the land to a builder’s yard, the siting of two portable buildings and the importation of waste building materials to re-profile the land and increase land level.

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.

- (i) The use of the land to a builder’s yard and associated storage of building materials and importation of waste is considered detrimental to the residential amenity of nearby occupiers by noise and general disturbance associated with this use. In addition, the siting of portable buildings are considered to be out of keeping with the streetscene to the detriment of visual amenity. The development is therefore contrary to policies PS2, RP1, RP2 and RP3 of the City and County of Swansea Local Development Plan 2010-2025.
- (ii) The raising of the land level by the deposit of waste materials has increased the level of overlooking into the adjoining property to the detriment of the residential amenity of the adjoining property and the compacted waste has created an unsightly parcel of land that harms the visual amenities of the area contrary to Policy PS2 of the City and County of Swansea Local Development Plan 2010-2025

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

- 1. Cease the use of the land as a builders yard and the importation of waste materials
- 2. Remove the portable buildings and all materials associated with the business from the land.

3. Remove all the tipped material deposited on the site, reduce the level of the land by 1m, and restore the land to its previous condition.

6. TIME FOR COMPLIANCE

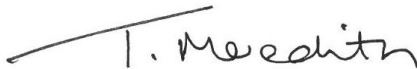
1. One day in relation to the use of the land and importation of waste materials described in 5(1) above
2. One month in relation to the removal of the portable buildings and building materials described in 5(2) above
3. Two months in relation to the removal of waste deposited and reduction in land level described in 5(3) above

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on the, 08.08.2022 unless an appeal is made against it before that date.

Dated: 07.07.2022

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 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

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.

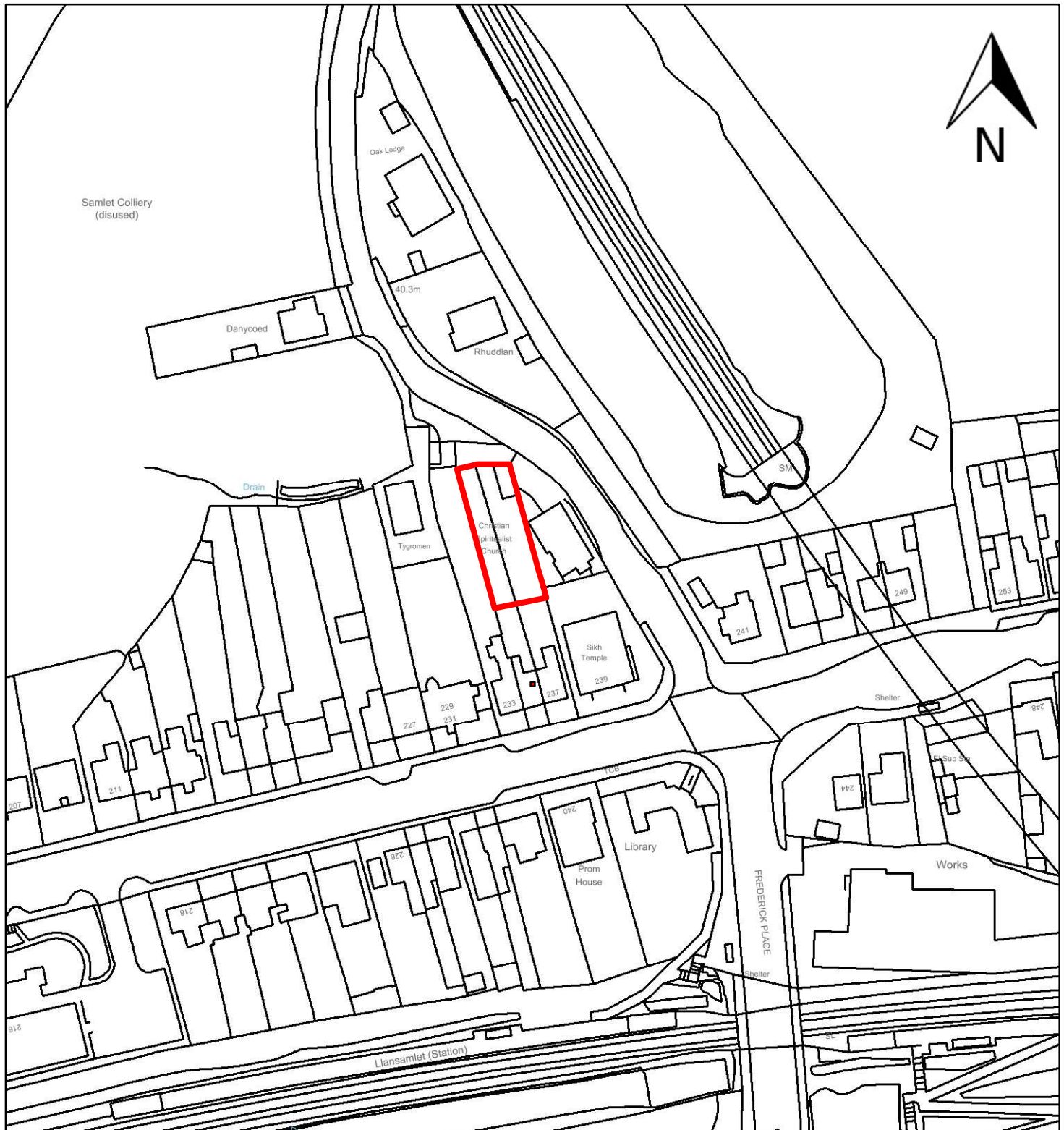
PERSONS TO WHOM THIS ENFORCEMENT NOTICE HAS BEEN SERVED

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

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- 1. Darran Goulding, 235 Peniel Green Road, Llansamlet, Swansea, SA79BA**
 - 2. Alun Jones and Barbara Ann Jones, 122 Pennard Drive, Southgate, Swansea, SA3 2DP**
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The Plan

The Land



Organisation	City & County of Swansea
Department	Department
Comments	
Date	07/07/2022
PSMA Number	100023509
Scale:	1:1,250

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