

4 Bryn Terrace, Burry Port, SA16 0EE

Leighton Evans <[REDACTED]>

Mon 06/03/2023 12:20

To: Mark Evans <[REDACTED]>

Cc: Jonathan M Field <[REDACTED]>

Dear Mr Evans

Re: 4 Bryn Terrace, Burry Port, SA16 0EE

Further to our site inspection on Friday 24th February 2023, I write to confirm matters discussed.

The assessment was carried out as it appeared, following complaints, that a survey and examination was necessary in order to decide whether any powers under Part 1 of the Housing Act 2004 would require actioning. Part 1 covers enforcement of housing standards and to determine whether any hazards exist under the Housing Health and Safety Rating System (HHSRS). As discussed, this means of assessment is a risk assessment to determine whether Category 1 or Category 2 hazards exist. Where there exist Category 1 Hazards, the Local Authority is duty bound to take action. We discussed the various forms of action, which range from an advisory notice, all the way through to demolition orders.

You did inform us of your concerns with regards to the possibility of a demolition order and contested our concerns regarding the structural integrity of the building. As the conversation developed, it was apparent that you were concerned by the prospect that if the building was demolished, that you may lose the residential status of the land and thus, lose any future ability to rebuilding. As discussed, any demolition order which may be served, does have a clause which states that *The Owner may submit proposals to the authority for the execution by him of works designed to secure the reconstruction, enlargement or improvement of the premises or of buildings including the house*. We would be happy to include this provision, if a demolition order was to be served. (HA.1985, S274) This provides you with the option to submit an alternative course of action proposal to improve, enlarge or reconstruct the dwelling.

I have since spoken with colleagues in Planning regarding this matter. They have advised that, *if a replacement dwelling is to be provided then an application for planning permission is submitted for the demolition of the existing property and proposals for a replacement dwelling in its place. Obtaining planning permission for demolition and a replacement dwelling would ensure that the residential use is not lost following the demolition*.

Regrading the matter of the structural integrity, we had concerns over the significant structural cracking to the external walls, the apparent leaning outwards of the front elevation wall, an ill-supported lintel to the side elevation, the absence of a suspended first floor and partial roof structure which would deny the building any lateral restraint, together with a partially collapsed roof structure. These are all matters that we believe would constitute a Category 1 hazard under Hazard 29 (Structural Collapse and Falling Elements) of the Housing, Health & Safety Rating System.

As you disputed the structural failings of the building, we advised that we may appoint an independent Structural Engineer, who's report may be used to support such findings and subsequent enforcement action. In the event of such an action, we would need to revisit the property by again serving a Notice before exercising Powers of Entry, to take a Structural Engineer to site, to assess the property. Given you limited availability with working away, can you please advise whether you would like to be present for such an assessment, or would you be happy for us to arrange a site inspection, in your absence, given that the building is currently not secure and accessible?

Kind regards

Leighton

Leighton Evans

Cynghorydd Eiddo Gwag / Empty Property Advisor

Cartrefi a Chymunedau Mwy Diogel / Homes and Safer Communities

Adran Cymunedau / Department for Communities

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Tel:

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Mae croeso i chi gysylltu â mi yn Gymraeg neu Saesneg

You are welcome to contact me in Welsh or English

