



Cwm Planning & Design Ltd.
(Civil, Structural & Architectural)

PLANNING APPLICATION STATEMENT **(Lawful Development)**

Project: Proposed Dwelling on land off Cemetery Road, Cwmgors
(Previous approved ref: P2004/0686)
Date: 28th February 2022

General Introduction:

This planning statement has been prepared to accompany a **Lawful Development Certificate application for Existing Use** for a previously approved planning application to confirm permission should still be extant.

The application relates to a new dwelling (Planning application ref P2004 / 0686) with associated off street parking on land off Cemtre Road, Cwmgors. (approval date: 20th July 2004)



Aerial view of application site and surrounding area

The Proposal:

The original application was for full planning and was subject to 8 planning conditions, with only 1 of which being a 'pre-commencement' condition. (Condition 2 – Provision of samples)

The remaining conditions are not relevant for the purpose of this application. However Condition 1 stated the development should commence within 5 years of the date of the approval (20th July 2004). Given that, foundations were subsequently excavated and cast in February 2009 and inspected by Neath Port Talbot CBC's building Control Inspector (*email dated 9th October 2018 included in application for reference*).

The pre-commencement Condition, relating to the provision of samples, was not however discharged prior to the excavation of the foundations and the subsequent confirmation of commencement of works.

It should be noted the original application and subsequent foundation works were not undertaken by the current applicant but by the previous owner of the land. The plot was purchased in good faith, presuming the planning permission for the dwelling was still in place and no issues were therefore expected.

Grounds for Certificate:

Although the pre-commencement condition was not discharged it related to a condition that was not yet relevant to the work being carried. No materials, for which approval was needed, had been used and as such the condition should remain.

The works carried out to the foundations constituted a material start on site and so we feel the permission should remain extant as an existing use.

Should this certificate be approved, all planning conditions will be applied for and all material samples provided to discharge the outstanding pre-commencement planning condition.