

Our Ref / Fy nghyf: 1665.a

Date / Dyddiad: 27th October 2023

Head of Planning & Public Protection
Neath-Port Talbot County Borough Council
The Quays
Brunel Way
Baglan Energy Park
Neath SA11 2GG

Dear Sir,

Proposed Certificate of Lawfulness for a Use / Development
Use of Land as an Extended Residential Curtilage
at Land Adjoining 6 Prettyman Drive, Llandarcy, Neath

We have been instructed by Mrs. J. A. Tranter to prepare and formally apply for a Certificate of Lawfulness for the above existing use of land immediately adjoining the above property. This application is in response to your Planning Enforcement Officer's site visit and subsequent letter of 19th September 2023 (reference E2023/0188).

The application contains the following plans and documents:

- Completed application forms
- Location plan
- Sworn Statements by the Applicant
- Fee of £460.00

We consider it appropriate to outline the history of events relating to the site in subject. The following should therefore be read in conjunction with accompanying plans and statement.

Mrs Tranter purchased the property known as 6 Prettyman Drive in August 1992, and has lived at the property continuously ever since as her main place of residence.

In February 2002, she purchased an additional sliver of land off the western side perimeter of the property's curtilage and absorbed that additional piece of land into her domestic garden area.

Two months later, in April 2002, she entered a formal lease agreement with St Modwen Developments Limited to lease the remainder of land, in their ownership, along and parallel to the entire western boundary of her property. That leased land extends in width of an established drainage ditch running parallel to the west and set at the edge of a copse of deciduous woodland to the west of Prettyman Drive.

Mrs Tranter set about domesticating the leased tract of land, by formalising it with a well-maintained grass lawn and adding domestic items such as garden ornaments, and in later years an old, redundant telephone box. She has regularly mowed the lawn and used it for personal domestic purposes in an identical manner to the use of original garden area off the rear of the dwellinghouse. It has in fact formed an extension to the residential curtilage.

We have noted that Google Earth recorded the form of the land when their Streetview vehicle captured imagery of the property in May 2012. The character and appearance of the land takes on a very different form from the neighbouring woodland, being manicured with well-cut lawn and displaying garden features. To all intents and purposes, any member of the public viewing the site at that time and since, would have taken a view that the land appears as part of the domestic garden area of No. 6 Prettyman Drive.

The additional garden area has been enclosed at its road frontage throughout this time to avoid incursion by passers-by, initially with ranch fencing, and in later years with a timber close-boarded fence.

Mrs Tranter has provided a sworn statement to this application, recalling the above events, and clarifying that without doubt that she has used this tract of land for ancillary domestic purposes since 2002.

We submit based on the above evidence that upon the balance of probabilities, the use of land, as edged in red on the attached location plan, has been used as an extended residential curtilage to the adjacent dwellinghouse, and has remained continuous for a period in excess of 10 years. It should accordingly be declared lawful, and a Certificate of Lawfulness duly issued.

We trust that the above and attached will enable the Local Planning Authority to positively determine the application. However, should you require any additional information please do not hesitate to contact us.

Yours sincerely

R. A. Banks

Director

Enc.

Cc client