

Application for a Lawful Development Certificate for a Proposed Use or Development

Town and Country Planning Act 1990: Section 192, as amended by Section 10 of the Planning and Compensation Act 1991; Town and Country Planning (Development Management Procedure) (Wales) Order 2012

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Details

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

3 & 4

Address Line 1

Clyne Court

Address Line 2

Clyne

Town/city

Neath

Postcode

SA11 4EU

Description of site location (must be completed if postcode is not known)

Easting (x)

279854

Northing (y)

200240

Description

Applicant Details

Applicant Details

Name/Company

Title

Mrs

First name

W M

Surname

Pedrick

Company Name

Address

Address line 1

3 Clyne Court

Address line 2

Clyne

Address line 3

Town/City

Neath

Country

Postcode

SA11 4EU

Are you an agent acting on behalf of the applicant?

☒ Yes

☐ No

Contact Details

Primary number

***** REDACTED *****

Secondary number

Email address

***** REDACTED *****

Agent Details

Name/Company

Title

Mr

First name

David

Surname

Braund

Company Name

Address

Address line 1

154 Newton Nottage Road

Address line 2

Address line 3

Town/City

Porthcawl

Country

United Kingdom

Postcode

CF36 5ED

Contact Details

Primary number

***** REDACTED *****

Secondary number

Email address

***** REDACTED *****

Description of Proposal

Does the proposal consist of, or include, the carrying out of building or other operations?

☐ Yes

☒ No

Does the proposal consist of, or include, a change of use of the land or building(s)?

☐ Yes

☒ No

Has the proposal been started?

☐ Yes

☒ No

Grounds for Application

Information about the existing use(s)

Please explain why you consider the existing or last use of the land is lawful, or why you consider that any existing buildings, which it is proposed to alter or extend are lawful

The proposed conversion of 2 no. Existing Flats (Use Class C3) to a Single Dwellinghouse (Use Class C3) does not comprise development as defined by Sec. 55 of the Town & Country Planning Act 1990

Please list the supporting documentary evidence (such as a planning permission) which accompanies this application

SL001 - Site Location Plan (Scale 1:1250)
E001 - Floor Plans Existing
P002 - Floor Plans Proposed
EP003 - Existing & Proposed Elevations

If you consider the existing or last use is within a 'Use Class' in the Town and Country Planning (Use Classes) Order 1987 (as amended) state which one:

C3 - Dwellinghouses

Information about the proposed use(s)

If you consider the proposed use is within a 'Use Class' in the Town and Country Planning (Use Classes) Order 1987 (as amended), state which one:

C3 - Dwellinghouses

Is the proposed operation or use

☒ Permanent

☐ Temporary

Why do you consider that a Lawful Development Certificate should be granted for this proposal?

The proposal does not comprise development as defined by Sec. 55 of the Town & Country Planning Act 1990 ('the Act').

No material change of use of the land and buildings is proposed the existing and proposed use comprises a use within Class C3 of the Schedule to The Town & Country Planning (Use Classes) Order 1987 ('the Use Classes Order'). Sec. 55(2)(f) of the Act states that 'in the case of buildings or other land which are used for a purpose of any class specified in an order made by Secretary of State under this section, the use of the buildings or other land or, subject to the provisions of the order, of any part of the buildings or the other land, for any other purpose of the same class' shall not comprise development, this is effectively reiterated in Art. 3(1) of the Use Classes Order. Whilst Sec. 55(3)(a) of the Act and Art. 4 of the Use Classes Order define that it is development, comprising a material change of use, to create additional dwelling units there is no similar provision in respect of reducing the number of dwelling units. As a reduction in the number of units represents no material increase in activity or significant changes it does not, as is commonly accepted, constitute development consisting of a material change of use.

Furthermore, the proposal to convert the building to a single dwellinghouse comprises no operations, as defined by Sec. 55(1) of the Act, that would materially affect the external appearance of the building and any alterations would only affect the interior of the building, both of which are defined by Sec. 55(2)(a) of the Act to not involve development of the land.

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- ☒ Yes
☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact? (Please select only one)

- ☐ The agent
☐ The applicant
☒ Other person

If Other has been selected, please provide contact details:

Title

***** REDACTED *****

First name

***** REDACTED *****

Surname

***** REDACTED *****

Phone Number

***** REDACTED *****

Email

***** REDACTED *****

Pre-application Advice

Has pre-application advice been sought from the local planning authority about this application?

- ☒ Yes
☐ No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title

***** REDACTED *****

First Name

***** REDACTED *****

Surname

***** REDACTED *****

Reference

n/a

Date (must be pre-application submission)

31/07/2024

Details of the pre-application advice received

Telephone advise provided that the proposal, to convert 2 flats to a single dwellinghouse, would not comprise development requiring planning permission.

Authority Employee/Member

With respect to the Authority, is the applicant or agent one of the following:

- (a) a member of staff
- (b) an elected member
- (c) related to a member of staff
- (d) related to an elected member

Do any of these statements apply to you?

- ☐ Yes
- ☒ No

Interest in the Land

Please state the applicant's interest in the land

- ☒ Owner
- ☐ Lessee
- ☐ Occupier
- ☐ Other

Declaration

I/We hereby apply for Lawful development: Proposed use as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.
I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.
I/We also accept that:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be made available as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☒ I / We agree to the outlined declaration

Signed

David Braund

Date

16/08/2024