



SUPPORTING STATEMENT
APPLICATION FOR A CERTIFICATE OF LAWFULNESS
RELATING TO THE USE OF THE FIRST FLOOR OF A BUILDING AS
THREE INDEPENDENT RESIDENTIAL UNITS AT 5, 7 AND 9
CHURCH LANE, CWMGORS

On behalf of
Mr Jason Phillips

Our Ref: 1810.a
Date: March 2025
Prepared by: JDE

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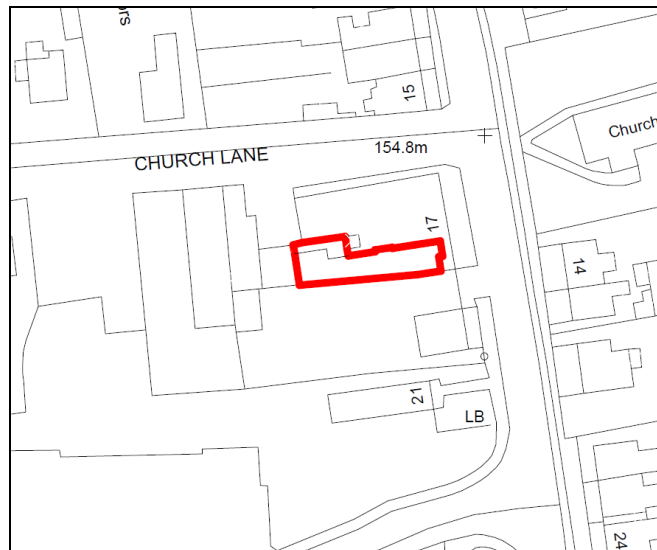
1.0 INTRODUCTION

- 1.1 Evans Banks Planning has been instructed by Mr J Phillips (the Applicant) to prepare and submit an application for a Certificate of Lawfulness for the use of the first floor of a building as three residential units at 5, 7 and 9 Church Lane, Cwmgors.
- 1.2 This application is made under the provisions of the Town and Country Planning Act 1990 (as amended) and relates to the area edged red on the accompanying plan.
- 1.3 This Statement is therefore submitted in support of the application in question, through providing the following information, making reference where necessary to the accompanying submitted items of evidence:
- A brief description of the site and surrounding area
 - Legal Context for Consideration of Case
 - Evidence of Development

2.0 SITE DESCRIPTION

2.1 THE SITE AND SURROUNDING AREA

- 2.1.1 The application relates to the first floor of an existing building (edged red on Plan A and Photograph 1).

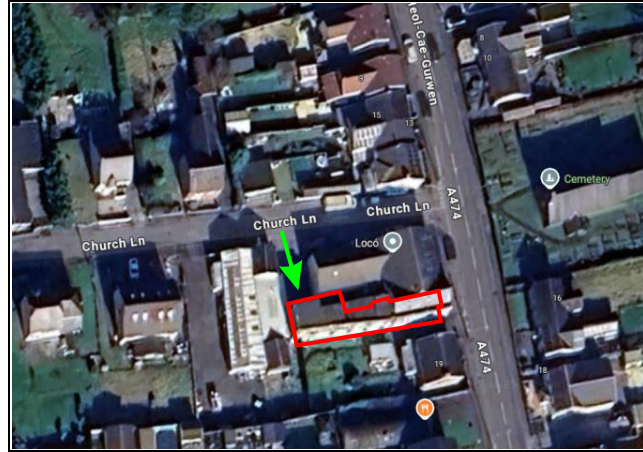


Plan A



Photograph 1

- 2.1.2 Access to the three flats is gained via a metal stairwell on the northern elevation of the building, access to which is gained from a courtyard just off the southern edge of Church Lane from the point indicated by the green arrow in Photograph 2.



Photograph 2

- 2.1.3 Internally, the application site is split into three separate one bedroom residential units, each served by their own electric meter, which are illustrated below.



Photograph 3

2.1.4 Until their recent purchase by the Applicant, the three units were in full use. However, they are presently vacant to allow for refurbishment by the Applicant, before then being let out for residential purposes once again.

3.0 LEGAL CONTEXT

- 3.1 From discussions with the Applicant, it is clear that the first floor of the building subject of this application has been used for the purposes of three independent residential units for some time. Through this application therefore, the Applicant wishes to regularise the situation.
- 3.2 Under the provisions of the Town and Country Planning Act 1990, Section 171B sets out a series of time limits where should certain changes of use or forms of development take place for a set period of time, no enforcement action may be taken.
- 3.3 In the case of the change of use of land or buildings, section 171B (3) outlines that evidence must be provided to demonstrate that the change of use has taken place for a period of at least 10 years. In the case of the application proposal, the property has clearly been used for the purposes of three residential units for in excess of 10 years.
- 3.4 It is therefore on the basis of the above that evidence has been obtained and is now presented in support of this application.

4.0 EVIDENCE OF USE AND DEVELOPMENT

4.1.1 Through discussions with the Applicant, it has been established that the property in question has been present in its current position and form for in excess of 10 years. Furthermore, it is clear that for far in excess of this period, the property in question has been used for, and solely as, three independent residential units.

4.1.2 The above has been confirmed through a mix of written and physical evidence, which is now set out below.

Written Evidence

4.1.3 This application is accompanied by two forms of written evidence –Council Tax records and confirmation of installation of electric meters.

4.1.4 In terms then of Council Tax records, a Freedom of Information request was made to Neath Port Talbot Council in December 2024 enquiring what records were held for the application site. The Council responded on 9th December 2024 (a copy of the response accompanies these submission), confirming the following:

“... I can confirm that the property known as 5, 7 and 9 Church Lane, Cwmgors, SA18 1PF is being billed for Council Tax purposes as 3 separate properties and has been since 2006.”.

4.1.5 The above evidence, again, confirms therefore that the property has been categorised and used (i.e. no vacancy submission made to the Council) as three independent residential properties for in excess of 10 years.

4.1.6 The final item of written evidence to be considered then is in relation to the provision of independent electricity supplies to the three residential units. As can be seen from Photograph 3, three individual residential electricity meters are installed at the

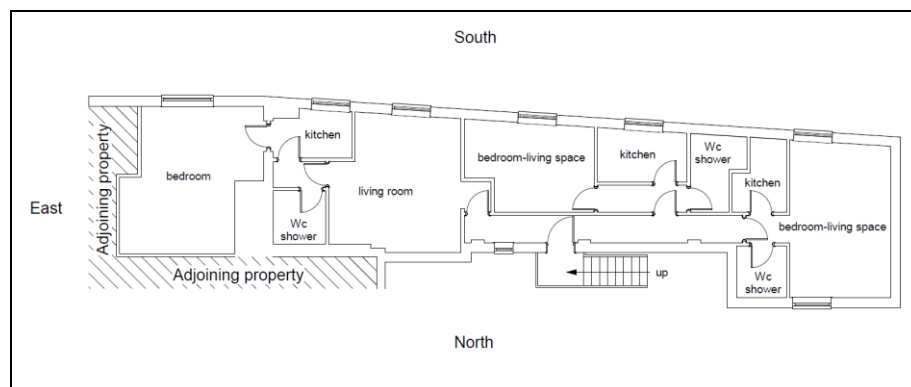
property, supporting the fact that the application site is split into three individual residential units.

4.1.7 In addition to the above, confirmation has been obtained from the National Grid (see accompanying correspondence) with regards to when they installed the three meters at the application property. As the accompanying correspondence illustrates, the meters were installed on 21st February 2004 (more than 10 years ago) and (b) a separate meter was installed for each of 5, 7 and 9 Church Lane.

4.1.8 On the basis of the above written evidence therefore, it is therefore clear that application site has been used as three independent residential units for in excess of 10 years.

Physical Evidence

4.2.1 In addition to the above, the physical format of the application site is testament to it being used as 3 independent residential units. Below is an illustration of the property and its current layout:



Plan B

4.2.2 As can be seen from the above, whilst the application site is served by a shared means of access (similar to many groups of such units), each residential unit is

served by its own independent means of access. In addition, each unit is also served by a kitchen and bathroom, further illustrating their independence from one another.

- 4.2.3 As Building Regulation records will demonstrate, the application site has seen no change to its physical layout as three residential units for at least the last 10 years. As a result, it is therefore clear from the on-site physical evidence that application site has been used as three independent residential units for in excess of 10 years.

5.0 SUMMARY AND CONCLUSION

- 5.1 This application is for a Certificate of Lawfulness for the use of the first floor of a building as three residential units at 5, 7 and 9 Church Lane, Cwmgors.
- 5.2 This Statement is supported by written evidence that clearly demonstrates that the application property has been used for the purposes of three residential units for at least the last 10 years.
- 5.3 In view of the above and the accompanying evidence, it is therefore clear that the application meets the requirements of all relevant sections of the relevant Act and that a Certificate of Lawfulness be issued in relation to the use in question.