

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

5

Suffix

Property Name

Address Line 1

Darwin Road

Address Line 2

Town/city

Sandfields

Postcode

SA12 6BT

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

Easting (x)

275464

Northing (y)

189315

Description

Applicant Details

Applicant Details

Name/Company

Title

Mr

First name

Liam

Surname

Maguire

Company Name

Address

Address line 1

5 Darwin Road

Address line 2

Sandfields

Address line 3

Port Talbot

Town/City

Port Talbot

Country

United Kingdom

Postcode

SA126BT

Are you an agent acting on behalf of the applicant?

☐ Yes

☒ No

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

There is already established precedent in Neath Port Talbot for this exact use. A Certificate of Lawful Development (CLD) has previously been granted by NPT Council for a home of the same size, layout, and operational model, confirming that such use does not amount to a material change of use and falls within Use Class C3(b).

This current application reflects that same lawful arrangement: a domestic-style home for no more than two children, supported by two care staff, including overnight sleep-ins. The children are legally classed as residents, and the staff operate on a rota, meaning only two are present at any one time. No structural alterations are required, and the use is consistent with a typical residential dwelling in terms of activity, traffic, and parking.

Class C3(b) of the Town and Country Planning (Use Classes) Order 1987 (as amended) allows:

“Use as a dwellinghouse by not more than six residents living together as a single household where care is provided.”

In addition to the NPT precedent, other Welsh local authorities such as Caerphilly and Wrexham have confirmed this same use as lawful under C3(b) without the need for full planning.

Professional advice has also been sought from both a qualified planning consultant and a Business Wales mentor — both with direct experience of similar cases — and both confirmed that this proposal does not amount to development, as defined under the Town and Country Planning Act 1990, and therefore is lawful.

Accordingly, this use does not require planning permission, and a Certificate of Lawful Development is entirely appropriate under the legal framework and based on clear local and national precedent.

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

This application is for a Certificate of Lawfulness for a proposed use falling under Class C3(b). No structural changes are proposed. Supporting evidence consists of a written statement detailing the proposed use and referencing relevant case law and local precedent, including a recent CLD granted in Neath Port Talbot for the same type of residential care use.

No planning permission is required or relevant for this application type.

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 (main residences)

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 (main residences)

Is the proposed operation or use

- ☒ Permanent
☐ Temporary

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

The proposed use falls under Class C3(b) of the Use Classes Order, which permits use as a dwellinghouse by up to six residents living together where care is provided. The proposal is to accommodate two children with care provided by rotating staff (two at a time, including overnight sleep-ins), and no structural changes are being made to the property.

This does not amount to a material change of use, as supported by local precedent within Neath Port Talbot and other Welsh authorities. Similar use has already been deemed lawful in comparable circumstances, including in a nearby property of similar size and use model, where the same planning team confirmed it fell within C3(b).

No intensification of use, external impact, or operational change will occur beyond that of a typical family home, and therefore the development is lawful and does not require full planning permission.

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

Pre-application Advice

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

- ☐ Yes
☒ No

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

Liam Maguire

Date

19/01/2026