SUPPORTING STATEMENT

Application for a Certificate of Lawfulness for the Proposed Use of a Dwelling House for the Care & Supervision of a Maximum of Two Young People with Specific Needs, Supported by a Rotating Team of up to Two Qualified and Experienced Staff Members During the Day and Two at Night at 130a Dynevor Road, Skewen, Neath, SA10 6TH

On behalf of
Safe Steps Care

Our Ref: 1875.b
Date: January 2026
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1.0 INTRODUCTION

1.1 Evans Banks Planning has been instructed by Safe Steps Care (the Applicant) to prepare and apply for a Certificate of Lawfulness for a Proposed Use / Development (CLOPUD) for the use of a dwellinghouse for the care & supervision for up to two young people aged 5-17 with specific needs, supported by two qualified and experienced staff members during the day and two at night, at 130a Dynevor Road, Skewen, SA10 6TH.

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, referring where necessary to the accompanying submitted items of evidence:

- A description of the site and surrounding area
- A description of the proposed development
- Consideration of the proposed use in light of a recent planning application and appeal decisions.

1.4 This application for a CLOPUD is made to establish that planning permission is not required to use an existing two-storey dwellinghouse into a Residential Care facility to accommodate two children, each aged between 5-17 years of age, and who will be afforded 24 hours / 7 days a week supervised care, under a formal licence issue by the Care Inspectorate for Wales (CIW).

1.5 The Social Care Act (Wales) 2016 requires Applicants to register with the Care Inspectorate Wales (CIW) prior to providing a care service. The CIW require Applicants to have first sought planning permission for the intended use, if indeed planning permission is required for such a proposed use. In the case of the existing property, it is a detached dwellinghouse and thus falls under Use Class C3, as defined with the Town & Country Planning (Use Classes Order) 1987.

1.6 Safe Steps Care intends to place up to two youngsters at the property, where they will be supported with a **minimum staffing ratio of 1:1**. Two professionally qualified and trained members of staff will be present on site throughout the day, and two members of staff will remain permanently at the property during the evening and throughout the night. The management of the property will be regulated by CIW who may visit upon residents and staff as part of a regular, yet rigorous inspection regime.

1.7 The proposed use is designed to provide a safe, nurturing, and family-style environment to help the young residents develop essential life skills and prepare for independent living. The residing youngsters will attend local schools or colleges and participate in community life, in the same manner as any young person living in a traditional family home.

1.8 The attention of Safe Steps Care has been brought to an identical proposal for the use of a dwellinghouse at Croeshowell Cottage, Croeshowell Lane, Burton, LL12 0LB. In that case, the Care Provider also intended residing youngsters in a dwellinghouse, under the supervision and care of a 1:1 ratio of staff. The Care Provider in that instance applied under Section 192(1)(a) of the Town & Country Planning Act 1990 (as amended) for a Lawful Development Certificate for that Proposed Use.

1.9 Wrexham County Borough Council refused that application on the grounds that they considered that a material change of use would take place. They considered that the proposed use would fall under Use Class C2.

1.10 The Care Provider in that case lodged an Appeal against the decision, and the appointed Planning Inspector issued his decision on 21st August 2020, under Appeal Reference **APP/H6955/X/20/3247381.** The Appeal was upheld, and a **Lawful Development Certificate was issued**, based on the Inspector's findings that a **material change of use was not proposed**. In reaching his conclusion, the Inspector made the following key observation:

"The adults would cook, clean, ferry the children about, care for them and largely carry out the same duties as a parent. I do not consider the difference would be

sufficiently noticeable or material in a planning use sense to constitute a change of use."

1.11 In addition, we have researched the planning application records of Neath Port Talbot Council and Swansea Council where similar establishments have been founded. It is noted that the Councils received CLOPUD submissions at the following properties, and in all cases agreed that a material change of use was not proposed, and it was in order for those Care Providers to proceed with the intended use without the need for planning permission.

Neath Port Talbot –

- *P2025/0746 – The Copper House, Heol Crwys, Neath Port Talbot, SA12 9NT*
- *P2025/0356 – 2 Carlyle Street, Briton Ferry, Neath Port Talbot, SA11 2LB*
- *P2024/0265 – 40 Lletty Dafydd, Clyne, Neath, Neath Port Talbot, SA11 4BG*
- *P2023/0731 – 16 Gron Road, Gwaun Cae Gurwen, Ammanford, Neath Port Talbot, SA18 1HD*
- *P2023/0323 – 103 Main Road, Dyffryn Cellwen, Neath Port Talbot, SA10 9LG*
- *P2022/0819 – 25 Auburn Avenue, Sandfields, Neath Port Talbot, SA12 7RD*
- *P2021/0817 – Graig Madoc, Pyle, Bridgend, Neath Port Talbot, CF33 6RL*

Swansea –

- *2020/1531/PLD - 120 Salem Road, Plasmarl, Swansea, SA6 8NN*
- *2021/1080/PLD - 156 West Cross Lane, West Cross, Swansea, SA3 5NG*
- *2021/2397/PLD – Ty Newydd, Garnswllt Road, Pontardulais, SA4 8QG*
- *2024/1456/PLD – 21 Pentrepoeth Road, Morriston, SA6 6AA*
- *2025/1215/PLD – Gower House, Burry View, Penclawdd, SA4 3XS*
- *2025/1441/PLD – Cwrt Bach, Weig Lane, Gendros, Swansea, SA5 8JS*

1.12 Therefore, based upon these decisions by Neath Port Talbot Council and Swansea Council, as well as the Wrexham appeal decision, Safe Steps Care is seeking a Lawful Development Certificate for the Proposed Use at 130a Dynevor Road, Skewen, Neath.

2.0 SITE AND SURROUNDING AREA

2.1 Figure 1 below displays the location plan of 130A Dynevor Road.

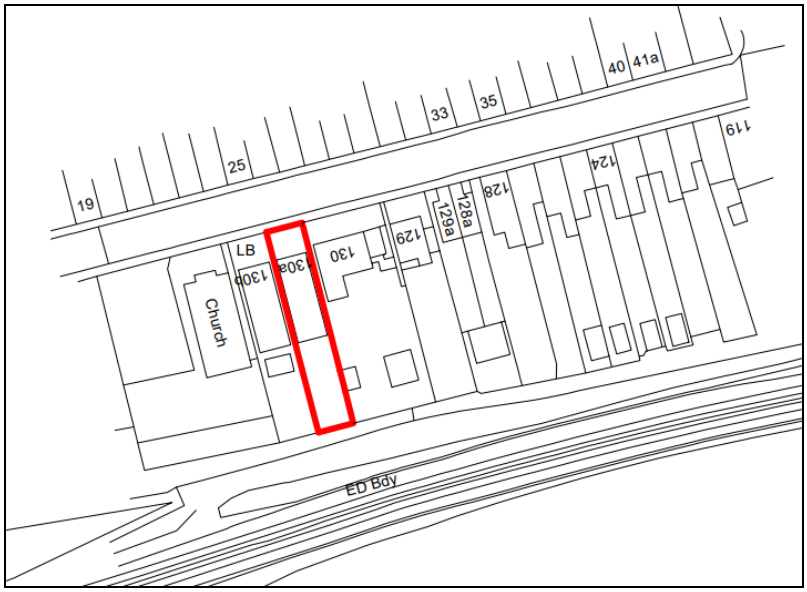

Figure 1

2.2 Photograph 1 below displays the front and rear elevations of the property, respectively.

Photograph 1

Photograph 2

2.3 As shown in the photographs above, the application site comprises a detached dwelling. The property is characterised by red facing brick at ground floor level, with

cream-coloured render to the first-floor end and side elevations. It features a steeply pitched gabled roof and a side-facing dormer window. Fenestration consists of white uPVC windows.

2.4 Furthermore, the dwelling benefits from a front driveway providing off-street parking for approximately three vehicles, shown in Photographs 2 and 3 below.

Photograph 2

Photograph 3

2.5 As shown in Photographs 4 and 5, the associated visibility splay is excellent, affording clear and unobstructed views along Dynevor Road.

Photograph 4

Photograph 5

2.6 Figure 2 below displays a Google Earth aerial image of the application site captured in July 2024. As can be seen, the property is located on the set off the southern flank of Dynevor Road, surrounded by other residential development.

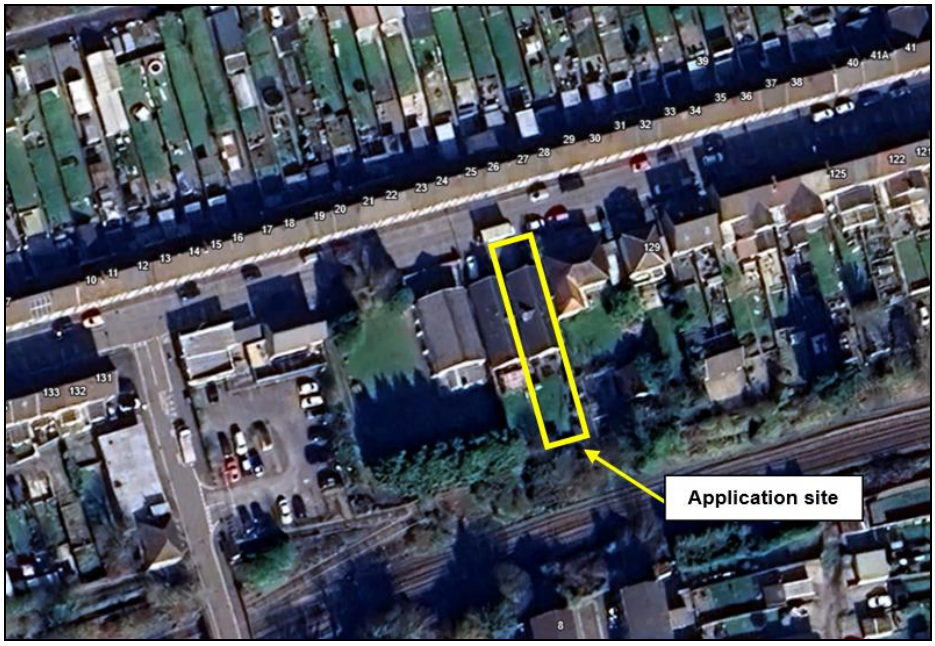

Figure 2

2.7 As illustrated in Figure 2 above, the rear garden to the dwelling is of a reasonable size, providing sufficient outdoor amenity space to the property. This is further illustrated by Photograph 6 below.

Photograph 6

2.8 In the wider sense, the site is located within Skewen, a village within the county borough of Neath Port Talbot which offers a diverse range of community facilities and local services. This includes a library, nursery, general practitioner, surgery, pharmacy, football club, cricket club, community centres, primary schools, convenience stores, churches, cafés, restaurants, bars, amongst others.

2.9 Skewen is also well served by public transport, with the application site being only 110 metres from **Skewen Railway Station**, which offers frequent services to Cardiff Central, Pembroke Dock and Swansea. In addition, the application site is only 50 metres from the nearest bus stop, which offers the 155 Service which runs between Neath and Llandarcy Village.

3.0 THE PROPOSED USE

3.1 This application for a CLOPUD is made to establish that planning permission is not required to use an existing two-storey, semi-detached dwelling as a residential care facility to accommodate up to **two children aged 5-17 years old**, who will be afforded 24 hour, 7 days a week supervised care by a team of staff, under a formal licence issued by the Care Inspectorate for Wales (CIW).

3.2 Care will be provided by up to **two members of staff**. Further operational details are set out below:

- During overnight periods, one carer will remain awake while the second carer sleeps.
- A registered manager will not be present at the property at any time.
- The children will attend school during term time in the same manner as other children of a similar age.
- Carers will remain at the property while the children are at school, except when undertaking school drop-off and collection.
- Social workers may occasionally visit the children, in accordance with current care standards, comparable to arrangements in foster care or other domestic settings.
- The property will be used solely for residential purposes.
- Standard domestic locks will be installed, as would be expected in any family home; however, the property will not operate as a secure unit.
- No alterations are proposed to the external scale, layout, or appearance of the dwellinghouse.

3.3 Figures 3 and 4 below display the existing and proposed floor plans, respectively.

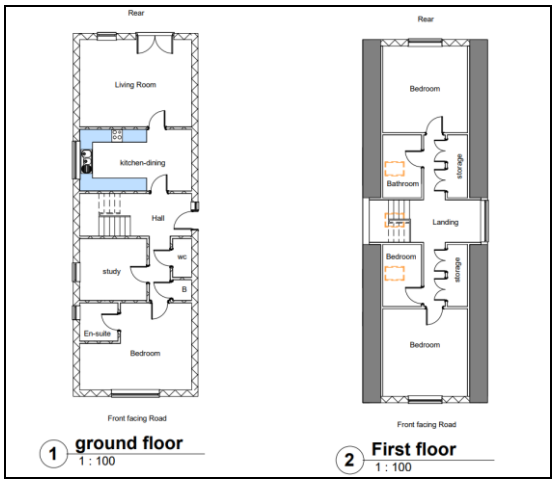

Figure 3

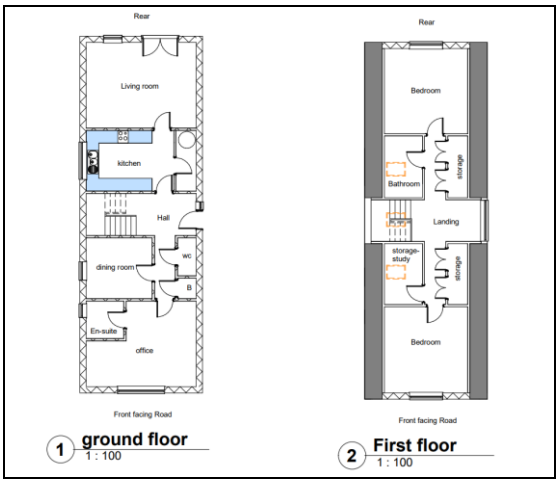

Figure 4

3.4 As illustrated in the plans above, minor amendments are proposed to the ground floor layout. The existing ground floor bedroom is to be repurposed as an office, the current study is to be converted into a dining room, and the existing open-plan kitchen/dining room will be changed to function solely as a kitchen. The revised ground floor layout will therefore comprise a living/dining room, a kitchen, a hallway, a staff bedroom, a WC, an office, and an en-suite associated with the office.

3.5 The first floor will remain unchanged and will continue to provide **two bedrooms designated for the children**, a study/storage room, two additional storage rooms, and a bathroom.

3.6 The proposed use will see **no physical change to the application building or its associated adjoining areas**. As a result, no additional floor space is proposed beyond that currently present on the application site. In addition, the site will continue to be accessed as it is at present, with **parking arrangements also remaining unchanged.**

3.7 Similarly, children and staff will make use of the property's garden area for outdoor amenity and undertake leisure trips away from the locality in the same manner as a conventional family would undertake daily leisure/recreational trips. At any given time, **up to two members of staff will provide care and supervision to the two children.** Whilst those staff are employees of the company that will be responsible for

the management of the application building, they will nevertheless carry out duties which are not materially different to those performed by a parent living at the property.

3.8 In short, the comings and goings of the children and their dedicated carers would be no different to the mechanics and movements of a typical family residing in the home, and accordingly, any neighbour or passer-by would not be able to distinguish that the residential property was being put to any distinguishable use other than a dwellinghouse.

4.0 CONSIDERATION AND CONCLUSION

4.1 The Social Care Act (Wales) 2016 requires Applicants to register with the Care Inspectorate Wales (CIW) prior to providing a care service. The CIW require Applicants to have first sought planning permission for the intended use, if indeed planning permission is required for such a proposed use. In the case of the existing property, it is a detached dwellinghouse and thus falls under Use Class C3, as defined with the Town & Country Planning (Use Classes Order) 1987.

4.2 It is the intention to place up to two young people at the property, where they will receive care from up to two professionally qualified and trained members of staff. The management of the property will be regulated by CIW who may visit upon residents and staff as part of a regular, yet rigorous inspection regime.

4.3 The qualified and experienced staff will prepare those children for their re-introduction back into a life without supervised care. The residing youngsters would attend the local school or further education college, as would any youngster under 18 living in a family home.

4.4 Given that the pattern of use of the application site – both existing and proposed – will remain unchanged, it is evident that no material change of use will occur. Therefore, the proposed use of the site is both permitted and lawful. This position is supported by the decisions of Neath Port Talbot Council and Swansea Council, which granted CLOPUDs in similar cases (as discussed in Section 1.0), as well as the Wrexham appeal referenced earlier **(Planning Inspectorate Ref. No. APP/H6955/X/20/3247381)**.

4.5 In summary and conclusion therefore, we respectfully request that in view of the above and previously made decisions by the LPA, a Lawful Development Certificate for the proposal in question should now be issued.