

## Supporting Statement

### CLOPUD Application

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Proposed Installation of Photovoltaic (PV) Solar Panels  
Reconfiguration of Internal Layout of Building

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at  
Former Blazers Caravans Site  
Elba Crescent  
Crymlyn Burrows  
Swansea  
SA1 8QQ

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For Pursey & Ball Ltd

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April 2026



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# 1 Introduction

- 1.1 Ceri Davies Planning Ltd has been instructed by Pursey and Ball Ltd (the applicants) to prepare and apply for a Certificate of Lawfulness for a Proposed Use/Development (CLOPUD) for the “***proposed installation of Photovoltaic (PV) Solar Panels on the roof of the building and reconfiguration of the internal layout of the building***,” at the Former Blazers Caravans Site, Elba Crescent, Crymlyn Burrows, Swansea, as shown on the accompanying location plans.
- 1.2 This supporting statement has been prepared by Ceri Davies BA Hons, Dip UP, MRTPI, (Director) Ceri Davies Planning Ltd. The statement is based on information provided by the applicant.
- 1.3 The Certificate of Lawfulness application details include:
  - Application Forms
  - Statement
  - Supporting Evidence/Information
- 1.4 The application for a CLOPUD is made to establish that planning permission is not required for the installation of the Photovoltaic (PV) Solar Panels, neither is it required for the reconfiguration of the internal layout of the building.
- 1.5 The CLOPUD is required to supplement Pursey & Ball’s application for grant funding under Tata Steel UK Transition Business Growth Fund.

# 2 The Site

- 2.1 The application site is located in an industrial setting on the western edge of Crymlyn Burrows. Whilst the actual site is not allocated for employment purposes in the Local Plan, the site itself has an established commercial use and is located in an industrial/commercial setting, occupying a position between the A483 (Fabian Way) and the existing employment area referred to as EC2/1 in the LDP.

- 2.2 The EC2/1, Fabian Way Site is an established and designated employment area in the Neath Port Talbot Local Development Plan, which lies just off the A483 Trunk Road, one of the main thoroughfares into the city of Swansea.
- 2.3 The precise location of the application site and the 'red line boundary' are indicated on the 'Site Plan' attached to this pre-application submission. The aerial photograph below (Figure i) indicates the position of the site in relation to the adjacent employment area; the aerial photograph also illustrates the proximity of the site to Crymlyn Burrows and the A483 Trunk Road, as well as the University of Swansea Bay Campus to the south.



Figure i – Aerial Photograph (Courtesy of Apple Maps)

- 2.4 The site, measuring 0.729 acres (0.295 ha) is relatively flat in nature and broadly rectangular and backs onto an adjacent industrial site to the west and a recreational community park to the south-east. Occupying a 'corner' plot, the site fronts onto both Elba Crescent and Baldwins Crescent. Access to the site is gained directly off Baldwins Crescent, which links up with the A483 (Fabian Way). The site was used previously for caravan sales, offices, storage and repairs / maintenance.
- 2.5 The aerial photograph below (Figure ii) shows the immediate site context and the proximity of the application site to adjacent and neighbouring industrial units. In addition there are residential dwellings to the east with Elba Crescent consisting of a row of terraced and semi-detached dwellings. The configuration

and extent of the application site is also highlighted on the aerial photograph below.



Figure ii – Aerial Photograph (Courtesy of apple maps)

- 2.6 The location plan below (Figure iii) illustrates the proximity of the application site to the surrounding commercial/industrial units at Crymlyn Burrows.

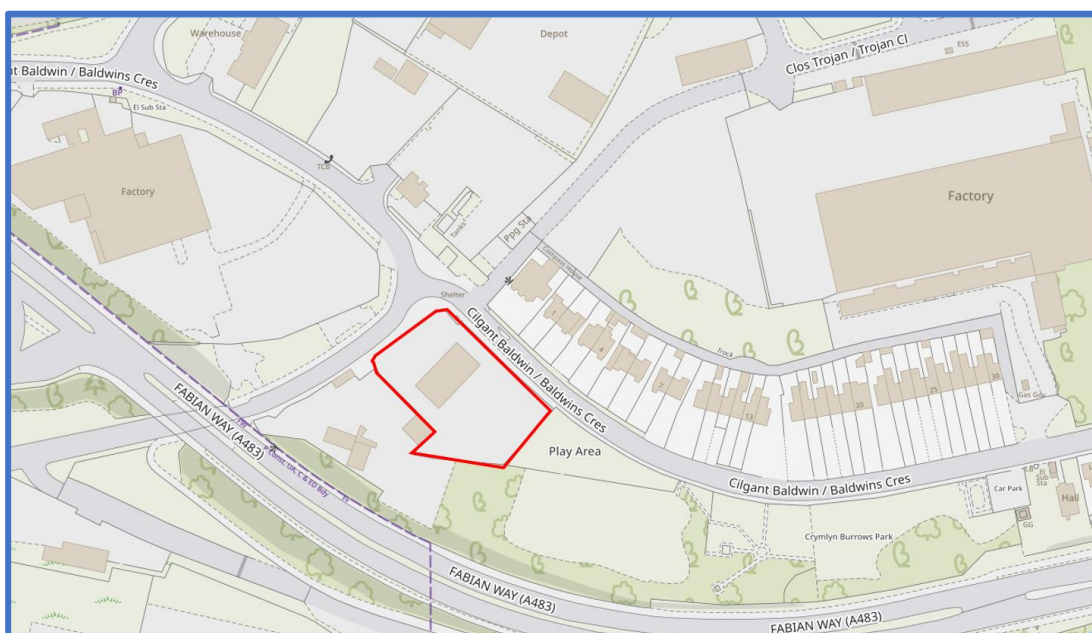


Figure iii – Location Plan (Courtesy of Data Map Wales)

- 2.7 The series of photographs below illustrate the appearance of the site viewed from the adjacent highway prior to the applicants taking it over last year.



Figures iv-vi

### 3 Applicants

- 3.1 The applicants are Pursey & Ball Building Ltd, a Mechanical Services company originally based in Kenfig Hill Industrial Estate, Margam. The company, established back in 1982, specialise in plumbing & heating, air conditioning, ventilation and renewable/sustainable energy installations.
- 3.2 Pursey & Ball currently have over 20 directly employed personnel, and, having outgrown their operating base in Kenfig Hill, acquired the former Blazers Caravans site with the view of further expansion and taking on more personnel/staff. The intention is to establish a commercial hub including new office/storage space and a more functional operating base for the company.

### 4 Background to the Proposed Use

- 4.1 The main considerations in this case is whether sufficient evidence is presented to the Local Planning Authority to demonstrate that the proposed works at the site are lawful. The application therefore seeks to obtain a certificate of lawfulness for a proposed development, under section 192 of the Town and Country Planning Act 1990 (The Act).
- 4.2 Section 192 of the Act refers to the certificates of lawfulness of proposed use or development. Subsection (1) states:- “If any person wishes to ascertain whether:- any proposed use of buildings or other land; or any operations proposed to be carried out in, on, over, under land; Would be lawful, he may make an application for the purpose to the local planning authority specifying the land and describing the use or operation in question.”
- 4.3 Section 192 (2) states:- “If, on an application under this section, the local planning authority are provided with information satisfying them that the use or operation described in the application would be lawful if instituted or begun at the time of the application, they shall issue a certificate to that effect; and in any other case they shall refuse the application.”
- 4.4 As such, under Section 192(2) of the Act, the LPA is required to issue a Certificate of Lawfulness where it is satisfied, on the basis of the information provided, that the proposed use or operations would be lawful at the date of the application. If the LPA is not so satisfied, the application must be refused.

- 4.5 Section 57 of the Town and Country Planning Act 1990 establishes that planning permission is required for the carrying out of development, unless such development is permitted by statute or falls within an identified exemption.
- 4.6 Section 55(2) of the Act defines certain operations and uses which do not constitute “development.” These include works undertaken for the maintenance, improvement, or alteration of a building which:
- affect only the interior of the building; or
  - do not materially affect the external appearance of the building.

Such works are not considered development provided they do not involve the creation of additional space underground (subject to the relevant statutory provisions).

- 4.7 The term “materially affect” is not defined within the Act. Its interpretation is a matter of fact and degree, having regard to the scale, nature, and visual impact of the works on the external appearance of the building. The definition of works that do not amount to ‘development’ includes amongst other things “building operations that do not materially affect the external appearance of a building”. The term ‘materially affect’ has no statutory definition but is linked to the significance of the change which is made to a buildings external appearance.
- 4.8 In an application for an CLOPUD, the onus is on the applicant to provide all the relevant information and evidence to support their case. The determination of an application for a Certificate of Lawfulness of Proposed Use or Development (CLOPUD), the decision must be based solely on legal considerations. The planning merits of the proposal are not a material consideration in this context.
- 4.9 The applicant must show, on the balance of probabilities, that the use proposed would be lawful. The burden of proof therefore rests with the applicant, who must demonstrate that the proposed use or development would be lawful at the date of the application.
- 4.10 The Courts have held that the relevant test of the submitted evidence on such matters is ‘the balance of probability’. Accordingly, in order to grant a certificate of lawfulness for a proposed use, the onus of proof is on the applicant to show that on ‘the balance of probability’ a certificate ought reasonably to be issued. A Local Planning Authority should not refuse a certificate because the applicant has failed to satisfy the stricter ‘beyond reasonable doubt’ test.

- 4.11 The relevant evidential test is the civil standard of the “balance of probability.” As established through case law, a certificate should be granted where it is more likely than not that the proposal would be lawful. The LPA should not apply the higher standard of “beyond reasonable doubt.”
- 4.12 In view of the above, this application seeks to demonstrate that the proposed installation of photovoltaic (PV) solar panels on the roof of the building at the former Blazers Caravans site constitutes permitted development under the provisions of the Town and Country Planning (General Permitted Development) (Wales) Order 2015 (as amended).
- 4.13 In addition, the application demonstrates that the reconfiguration of the internal layout of the building similarly falls within the scope of permitted development rights under the same Order. Accordingly, this application for a Lawful Development Certificate is submitted on the basis that the proposed works, as outlined below, constitute permitted development and therefore do not require express planning permission
- 4.14 The site location plan below (Figure vii), illustrates the position of the building within the former Blazers Caravans Site. The site plan provides a clear indication of the building subject of this CLOPUD Application.

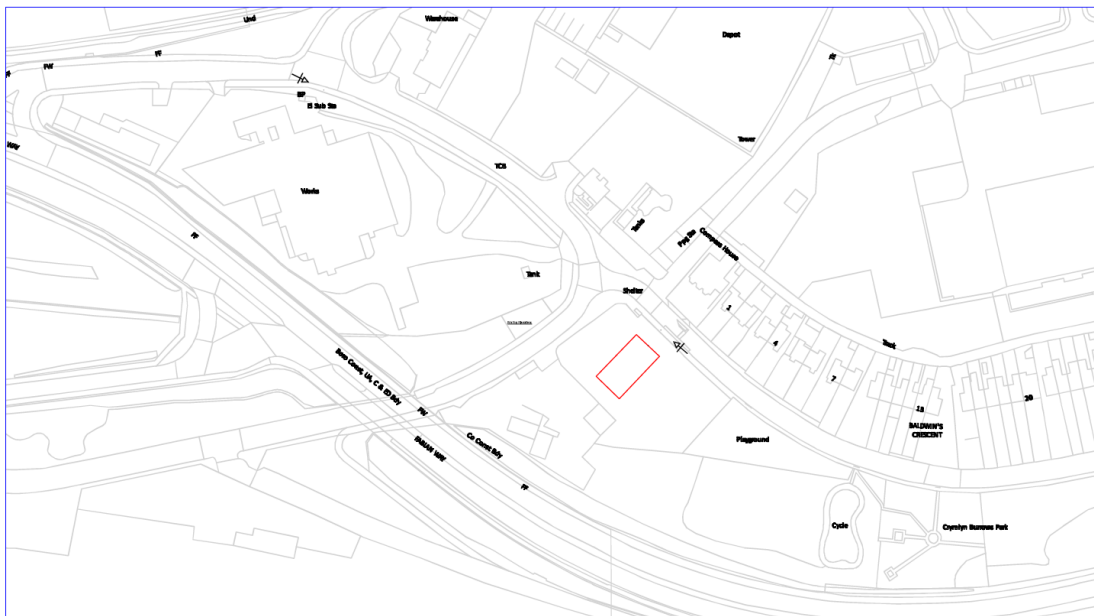


Figure vii – Site Location Plan

4.15 The floor plans below (Figures viii & ix) illustrate the current layout of the commercial building.

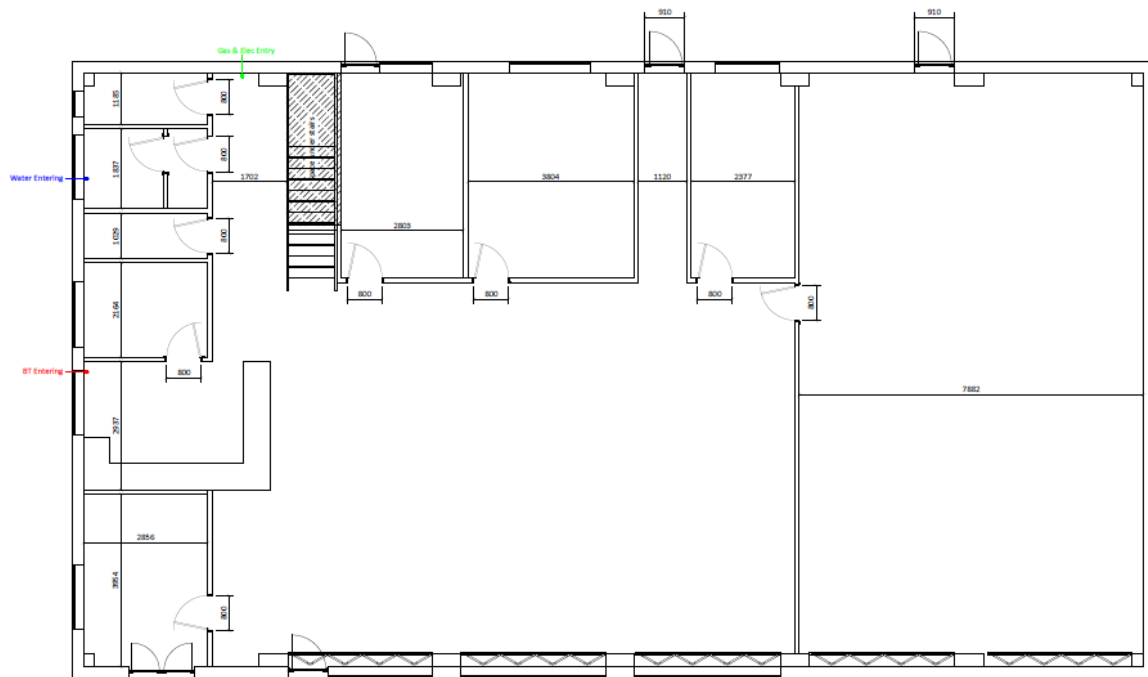


Figure viii – Existing Ground Floor Plan

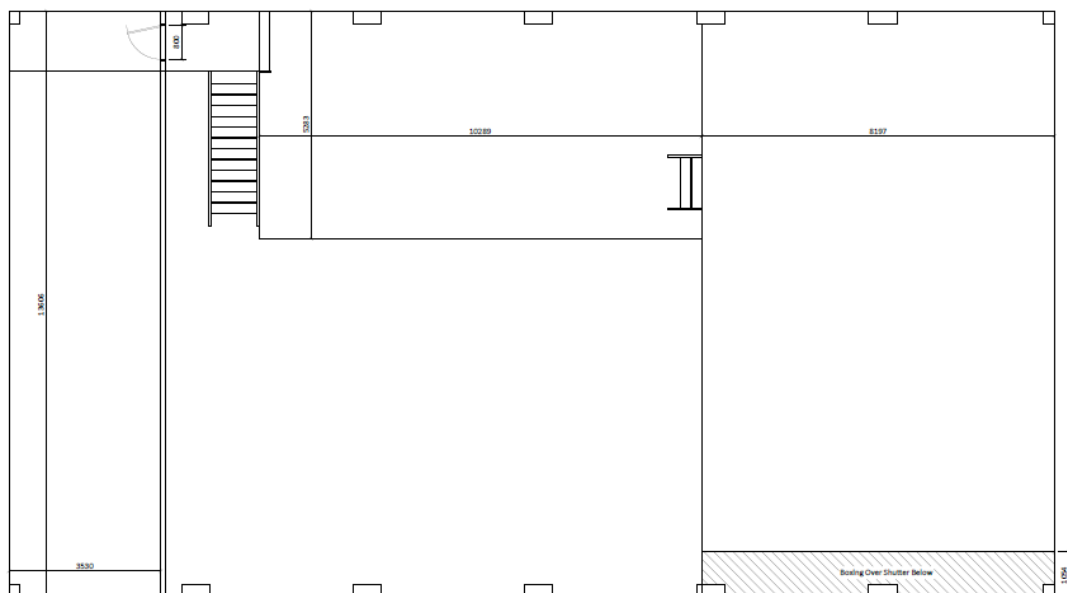


Figure ix – Existing First Floor Plan

## 5 Proposed Development

## Internal Works

- 5.1 The internal works and alterations subject to this CLOPUD application comprise the reconfiguration and rearrangement of both the ground and first floor layouts. At ground floor level, the existing storage section will be retained. The general arrangement of rooms at ground floor—including offices, stores, amenities, and meeting rooms—will largely remain as existing; however, some spaces will be repurposed or redesignated.
- 5.2 The revised ground floor layout will primarily consist of offices, administrative areas and storage rooms, it will also incorporate training and meeting rooms together with staff amenities such as WCs, a shower room, canteen and welfare space.
- 5.3 The ground floor retail element associated with the former caravan sales use will be retained. The existing open-plan caravan display area and associated accessory sales space will be reconfigured to provide a product display area and trade counter.
- 5.4 The proposed ground floor layout plan illustrating the extent of the internal reconfiguration is provided below (Figure x).

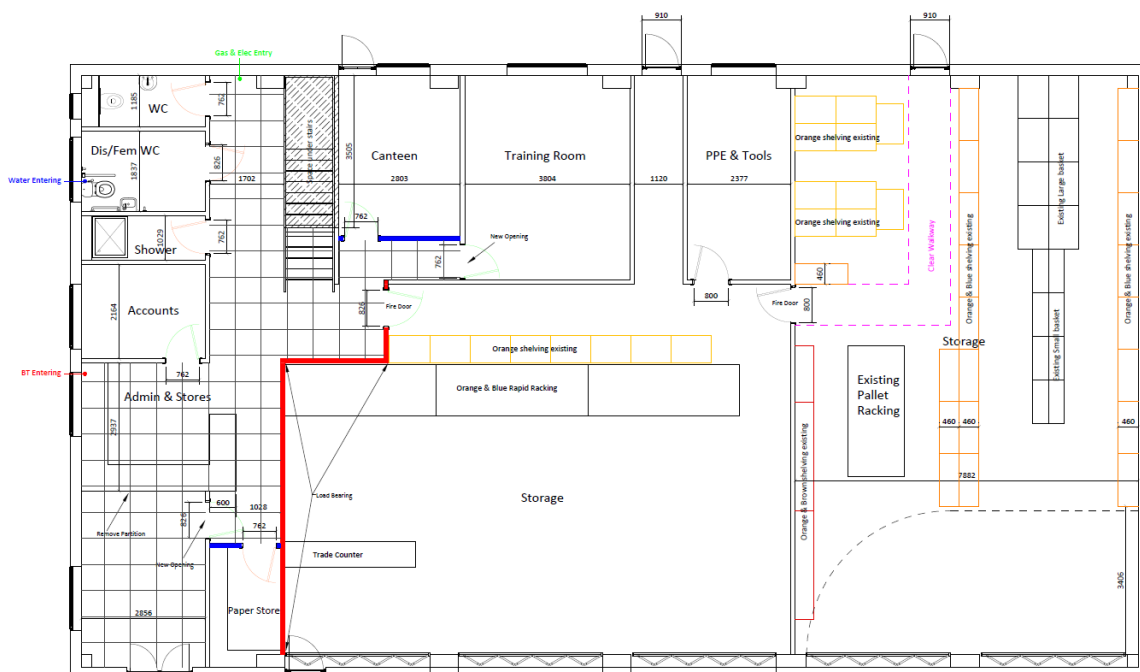


Figure x – Proposed Ground Floor Plan

- 5.5 The existing open-plan office arrangement at the first-floor mezzanine level will also be reconfigured, with part of the space sub-divided and partitioned to create smaller individual office units.
- 5.6 The proposed first floor layout plan illustrating the internal reconfiguration is provided below (Figure xi).

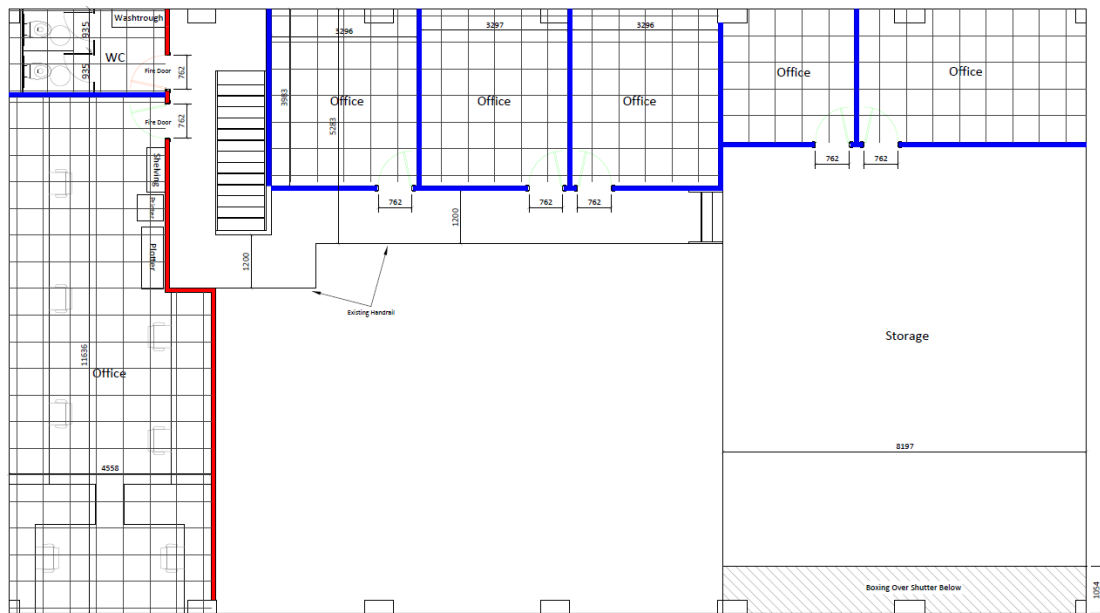


Figure xi – Proposed First Floor Layout

- 5.7 All existing door and window openings will be retained and no additional openings or alterations are proposed. The external fabric of the building, including the external walls, will therefore remain unchanged.

### External Works

- 5.8 The proposed external works comprise the installation of photovoltaic (PV) solar panels on both roof planes of the building. The panels will be positioned, insofar as practicable, to minimise their visual impact on the building and to preserve the amenity of the surrounding area.
- 5.9 The solar (PV) panels will not project more than 200mm beyond the plane of the roof slope. Furthermore, the panels will be set back a minimum of 1 metre from all external edges of the roof and will not be installed on any flat roof surfaces.

- 5.10 The former Blazers Caravans building is situated within an established industrial setting and is not located within Article 1(5) land (such as a Conservation Area or World Heritage Site). The building is not listed, nor is the site designated as a Scheduled Monument.
- 5.11 In terms of location, the proposed installation is not located within 3km of an airport or aerodrome. The total generating capacity will not exceed 50kW and therefore qualifies as microgeneration development.
- 5.12 The roof plan below (Figure xii) illustrates the proposed layout of the solar (PV) panels. A total of 130 panels are proposed, comprising 65 panels on each roof plane. Each panel measures approximately 1145mm by 1772mm. The plan also confirms that all panels are positioned at least 1 metre from the external edges of the roof.

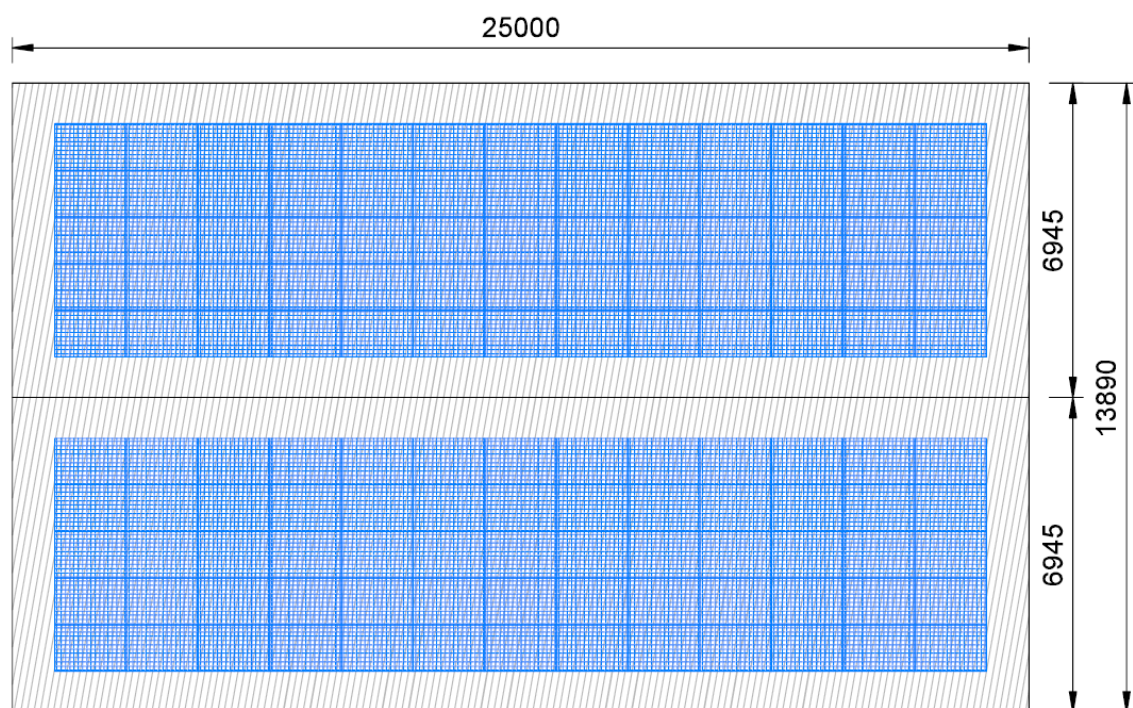


Figure xii – Proposed Roof Plan

- 5.13 The plan extracts below (Figures xiii and xiv) illustrate how the solar (PV) panels will sit on the actual roof plane(s); the plan extracts indicate that the solar (PV) panels will not protrude more than 20cm beyond the plane of the wall or roof slope.



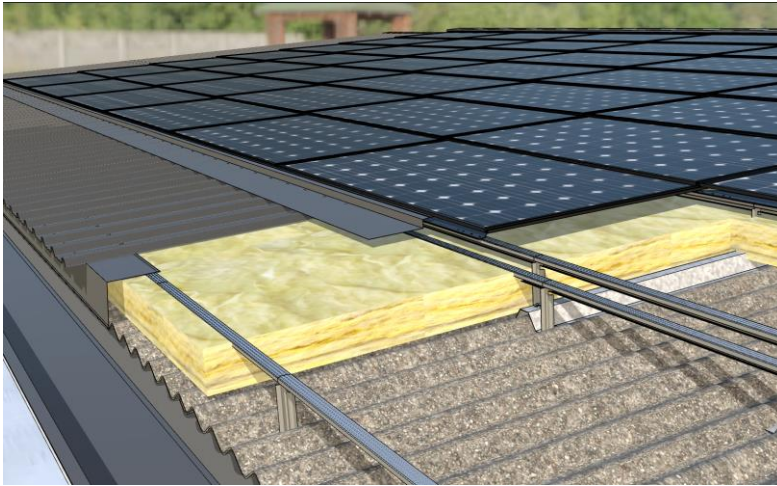


Figure xv

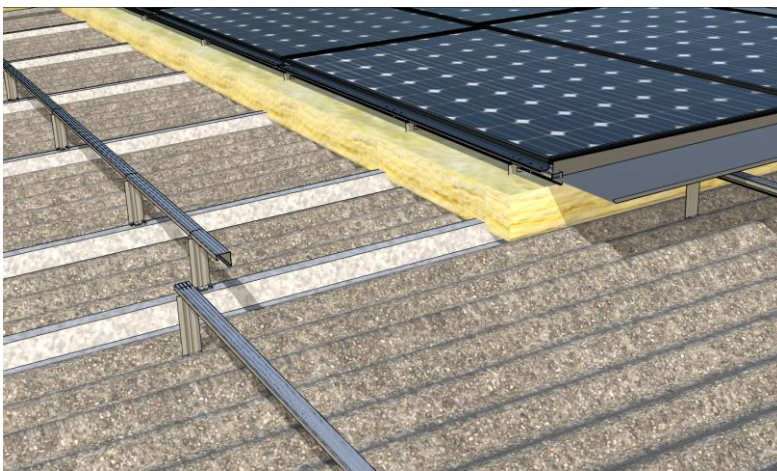


Figure xvi

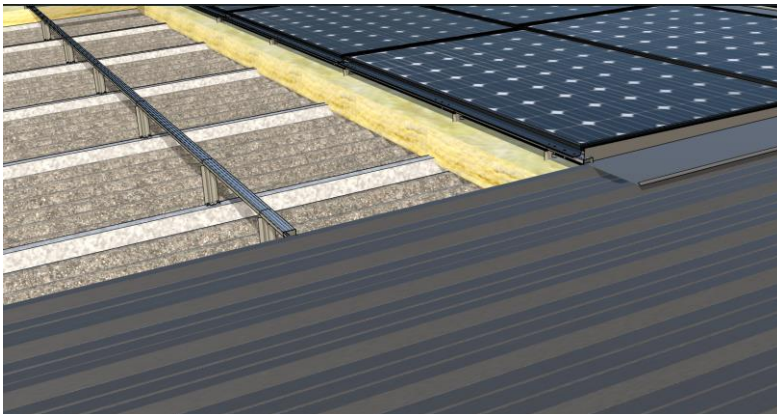


Figure xvii

- 5.14 It is considered that the proposed installation of solar photovoltaic (PV) panels on the roof of the existing commercial building constitutes permitted development under Class A, Part 43 (Installation of non-domestic microgeneration equipment) of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended), subject to compliance with the relevant limitations and conditions set out therein.

- 5.16 In view of the aforementioned, it is asserted that the supporting information submitted with this application is to prove, beyond any doubt, that the proposed internal works along with the proposed installation of solar (PV) panels on the roof do not constitute development requiring planning permission. On this basis, it is considered that the proposal is lawful and that a Certificate of Lawfulness for a Proposed Use or Development (CLOPUD) should be granted.

## 6 Conclusion

- 6.1 The Local Planning Authority has been supplied with evidence and adequate information to demonstrate that the proposed works stated, on the balance of probabilities, is lawful and the evidence submitted clear enough to justify the issue of a certificate.
- 6.2 The submitted evidence in support of this CLOPUD application is both comprehensive and unequivocal. It is clear that, on the basis of the information submitted with this certificate of lawfulness for a proposed development, the position is sufficiently precise and unambiguous to enable the granting of a certificate on the basis of the test set i.e. 'on the balance of probability'.
- 6.3 We respectfully request that the Authority therefore issue a Certificate of Lawfulness as the evidence provided leaves no reason to refuse it.
- 6.4 The above statement is made truly and sincerely and to the best of my knowledge.

**H Ceri Davies** BA Hons, Dip UP, MRTPI,  
Director  
Ceri Davies Planning Ltd