

The Head of Planning
Reading Borough Council
Civic Offices
Bridge Street
Reading
RG1 2LU

26th April 2018

Dear Sir/Madam

Application for a Certificate of Lawful Use - 7 Argyle Street Reading RG1 7YP

We refer to the application for a Certificate of Lawful Use for the lawful retention of the existing three flats at the above property. We purchased 7 Argyle Street on 12th December 2012 in the Romans Auctions as Lot 15, with the auctioneers listing describing the property as "A vacant 3 storey house historically arranged as three flats.....".

Since acquiring the property, each of these flats has been occupied separately as specified below, we attach Assured Shorthold Tenancy agreements to this effect:

1. Flat 1 (Ground Floor Flat) has been continuously occupied as an independent dwelling since 15th March 2013 by Mr and Mrs Durga Bahadur Rana.
2. Flat 2 (1st Floor Flat) has been continuously occupied as an independent dwelling since 1st May 2013 by Mr & Mrs Til Bahadur Gurung.
3. Flat 3 (Top Floor Studio/Flat) has been occupied by the following tenants,
Mr Arthur Bowers from 20th April 2013 to 26th June 2015 (Tenancy became a periodic one from 20th April 2014 to 26th June 2015).
Mr Naser Shah and Mrs Sabreen Al-Sherif from 17th July 2015 to 30th April 2016.
Mr and Mrs Aita Sing Gurung from 1st May 2016 to Date.

The three flats have been separately and independently occupied and all flats have their own front door, kitchen and bathroom and the only communal areas are the ground floor hallway and staircases leading up to Flat 2 and Flat 3. All three flats have separate electricity sub meters and only Flat 1 receives gas. The tenants pay their own council tax.

This Application is supported by the following documents:-

1. Application Form
2. Location Plan of the Land edged red
3. Block Plan
4. Existing Floor Plans and Elevations
5. Tenancy Agreements
6. Listing from Valuation Office Agency(VOA) website showing the Council Tax banding for the three flats starting from 2002
7. Other evidence
 - Romans Auction Ad
 - Zoopla Ads showing the flats advertised for rent dated, Sep 2011 (Top Floor Flat), Sep 2011 (Ground Floor Flat) and Apr 2013 (Top Floor Flat)
 - Thames Water Leak Report dated 12th July 2013 with the address on the form shown as three flats
 - Signed Declaration from Tenant (arthur Bowers) and Letting Agent (Hamlet Homes) stating occupancy for Top Floor Flat
 - Signed Declaration from Tenant (Naser Shah) stating occupancy for Top Floor Flat
 - Council Tax reminder letter for Ground Floor Flat dated 14th January 2014

This letter forms part of the formal application as the planning statement.

We have taken an extract from Paragraph 171B(1) of The Town and Country Planning Act 1990 which states that:

[171B Time limits.

(1)Where there has been a breach of planning control consisting in the carrying out without planning permission of building, engineering, mining or other operations in, on, over or under land, no enforcement action may be taken after the end of the period of four years beginning with the date on which the operations were substantially completed.

(2)Where there has been a breach of planning control consisting in the change of use of any building to use as a single dwellinghouse, no enforcement action may be taken after the end of the period of four years beginning with the date of the breach.

(3).....]

Section(2) states that ***‘Where there has been a breach of planning control consisting in the change of use of any building to use as a single dwellinghouse, no enforcement action may be taken after the end of the period of four years beginning with the date of the breach.’*** In this case the change of use to three single “dwellinghouses” had already taken place to convert the house into three flats each with their own front door, kitchen and bathroom and the occupation of these flats as separate dwellinghouses over four years ago.

The National Planning Policy Guidance (NPPG) states that “The applicant is responsible for providing sufficient information to support an application. In the case of applications for existing use (section 191 of the Town and Country Planning Act 1990), if a local planning authority has no evidence itself, nor any from others, to contradict or otherwise make the applicant’s version of events less than probable, there is no good reason to refuse the application, provided the applicant’s evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probability”.

We hope you will accept from the evidences submitted, that the building has had three self-contained residential flats and have been occupied as such, for more than four years. We request that the “Certificate of Lawful Use” be granted.

If you require any more information, please do not hesitate to contact us.

Yours Faithfully

Rohit and Seema Mayor