

DELEGATED APPLICATION REPORT

Ward: Battle Ward

App Ref: PL/25/0527 Lawful development: Existing use

Address: 3 LITTLE JOHNS LANE, READING, RG30 1LG

Proposal: 3 Little Johns Lane has been used as 2 self-contained flats for more than 4 years.

Applicant: Mr Chris Noble & Jones Property Management

Received date: 03/04/2025

Target Decision date: 29/05/2025

Case Officer: Sian Hickey

SITE DESCRIPTION

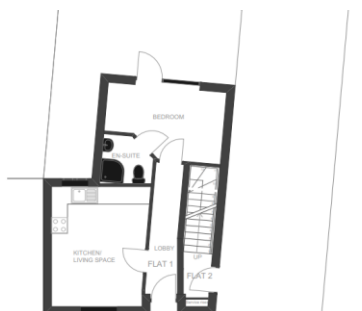
The application site comprises an end of terrace two storey dwelling on the west side of Little Johns Lane. The surrounding area is a mix of commercial and residential. The application site is not listed nor within a conservation area.



Site visit date: 06/05/2024

PROPOSAL AND SUPPORTING INFORMATION

The application seeks to demonstrate the existing use of 3 Little Johns Lane as 2x 1-bedroom self-contained flats (use class C3).



Little Johns Lane



AS-01

Ground Floor

1:100



Little Johns Lane



AS-02

First Floor

1:100

RELEVANT PLANNING HISTORY

None

Equality Act 2010:

In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. However, there is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application. Therefore in terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

CONSULTATIONS

Reading Borough Council, Electoral Registration – Response received on 23/04/2025

The Electoral Registration team have confirmed that there have been up to 2 persons registered during the qualifying period.

Reading Borough Council, Council Tax – Response received on 02/05/2025

Council Tax records show that there are two flats banded at this property, known as Ground Floor Flat 3A Little Johns Lane & First Floor Flat 3 Little Johns Lane, banded since 07.10.2018 and both flats have been separately let out to tenants since the date of the banding.

Reading Borough Council, Enforcement – Response received on 09/05/2025

No case record found

Reading Borough Council, Environmental Health – No response received

Reading Borough Council, Legal Services – Response received on 22/05/2025

The applicant's evidence is sufficiently precise and unambiguous. None of the information gathered by RBC contains anything to make the applicant's description less than probable. I therefore agree with your recommendation to grant a CLE in this case.

SUBMITTED EVIDENCE

The applicant has provided the following evidence to support the use of 3 Little Johns Lane, Reading, RG30 1LG as 2 x 1-bedroom self-contained flats:

- Location Plan
- Floor Plans
- Photographs
- Deposit Protection Certificates
- Tenancy Agreement, Top Floor Flat, 19/02/2023 to 18/08/2023 then periodic
- Tenancy Agreement, Top Floor Flat, 25/03/2019 to 31/03/2019 then periodic
- Tenancy Agreement, Ground Floor Flat, 18/12/2020 to 17/06/2021 then periodic
- Tenancy Agreement, Ground Floor Flat, 08/11/2019 to 07/05/2020 then periodic
- Electrical installation condition report, Top Floor Flat dated 16/02/2020
- Landlord Gas Safety Certificate, Top Floor Flat, dated 23/08/2024

- Energy performance certificate, Top Floor Flat (valid until 8/11/2028)
- Landlord Gas Safety Certificate, Ground Floor Flat dated 02/08/2024
- Energy performance Certificate, Ground Floor Flat, dated 4/12/2020
- Electrical installation condition report dated 16/02/2020

ASSESSMENT

In order for a certificate of lawfulness to be granted for this application, the applicant must demonstrate that the use of 3 Little Johns Lane as 2 x one-bed self-contained flats began more than 4 years before the date of this application of 3rd April 2025. The application form states that the use of both flats began on 20th March 2019, but the four year period for this application runs from 3rd April October 2021 – 3rd April 2025.

Turning to the evidence submitted by the applicant to support the claims made within this application, the PPG makes the position clear on how the evidence submitted is to be considered. It says:

“In the case of applications for existing use, 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”

The evidence submitted (tenancy agreements, deposit protection certificates, gas safety certificates, energy performance certificates, electrical installation condition reports, emails, closing inventory) supports the claim that the property has been in continuous use as two self-contained flats for four years prior to the application being submitted. The site visit carried out by the planning officer on 6th May 2025 provides a good confirmation of the floor plans accuracy which further supports the claim. In the absence of evidence to contrary, on the balance of probabilities, it can be confirmed that 3 Little Johns Lane has operated as two self-contained flats (Use Class C3 residential) for a period of 4 years and is therefore immune to enforcement action.

On this basis, and without being made aware of any information to the contrary, the Certificate should be granted. The certificate will relate only to the subject land, by reference to the plan shown below.

RECOMMENDATION

GRANT CERTIFICATE

The applicant has provided sufficient evidence or other information that satisfies the Local Planning Authority that the use of 3 Little Johns Lane as 2x 1-bedroom self-contained flats (C3 use) began more than 4 years ago and there is no evidence to suggest this use was lost or changed. It follows that there is sufficient justification to grant the certificate of lawfulness applied for by the applicant.



Location Plan (not to scale)