

Application for Certificate of Lawfulness – Existing Use

Address: 48 Connaught Road, Reading, RG30 2UP.

Applicant: Mr. Paul Wayman

1. Description of the Existing Use

This application seeks a Certificate of Lawfulness under Section 191 of the Town and Country Planning Act 1990 for the existing use of 48 Connaught Road, Reading, RG30 2UP as two self-contained residential flats. The building was subdivided into two flats in January 2014 and has been in continuous use as two separate residential units since that time.

A previous application was withdrawn REF:PL/22/0330. It was withdrawn for 2 reasons:

1. The council tax didn't cover the required period.
2. Discrepancies in the dates submitted.

This application seeks to clarify all key dates and evidence is provided below and attached.

2. Ground Floor Flat

- The ground floor flat has been let continuously since **1 January 2014**.
 - A tenancy agreement dated **01/01/2014** confirms the initial occupation of the ground floor flat.
 - The flat is registered separately for Council Tax purposes under **reference number 65639394** which has been billed since Sept/October 2018.
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3. First Floor Flat

- The first floor flat has been let continuously since **1 February 2014**.
 - A tenancy agreement dated **01/02/2014** confirms the initial occupation of the first floor flat.
 - This flat is registered separately for Council Tax purposes under **reference number 65601564** which has been billed since Sept/October 2018.
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4. Supporting Evidence

The following documents are submitted in support of this application:

- Copy of tenancy agreement for the ground floor flat dated 01/01/2014
- Copy of tenancy agreement for the first floor flat dated 01/02/2014
- Confirmation of Council Tax registration for each flat, with separate reference numbers

Additional supporting documents (e.g., utility bills or photographs) can be provided if requested.

5. Lawful Use Justification

Under Section 191 of the Act, a change of use to two self-contained dwellings becomes lawful after a continuous period of **four years** if no enforcement action has been taken. In this case, the use as two flats has continued for **over 11 years**, with no known enforcement notices issued by the Council.

Note on Legislative Changes:

As of 25 April 2024, the 4-year enforcement period under Section 171B of the Town and Country Planning Act 1990 has been replaced with a 10-year period, pursuant to Section 115 of the Levelling-up and Regeneration Act 2023. However, this application pertains to a change of use that occurred in 2014 and has continued uninterrupted since that time. Therefore, the previous 4-year rule remains applicable to this case.

6. Declaration

The applicant, Mr. Paul Wayman, has provided a declaration attached confirming the date and continuity of the use as two flats.

7. Conclusion

As provided the evidence demonstrates that the flats have been separate units since 2014 and therefor exceed the 4 years required. We politely request that the Lawful Development Certificate is issued.

Should the LPA require any further information that would assist with the issuing of the certificate then please contact the applicant's agent on the details below.

Chris Yeates

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