

# STATUTORY DECLARATION

Section 191 of the Town and Country Planning Act 1990 ("The Act")

Re: Property at known as:-

Flat 4, 10-12 Lind Road Sutton SM1 4PJ ("The Property")

I [REDACTED] of Flat 4 located on loft spaces running along 10-12 Lind Road Sutton SM1 4PJ DO SOLEMLY AND SINCERELY DECLARE as follows:-

- 1) I am one of the co-tenants of the Property occupying the same under an AST dated 31 Oct 2019. Prior to that date our flat only ran across the original loft space of 10-12 Lind Road. But with the completion of the extension to the side of 12 Lind Road, the loft space created by that build was incorporated into our original flat so enlarging it to form a 1 bedroom flat.
- 2) I live at the Property to this day with my partner. We are holding over under the AST as statutory periodic tenants as the law permits by virtue of section 5 of the Housing Act 1988.
- 3) The Property is a one bedroom flat with its own shower room and WC, cooking and living area and separate bedroom. My partner and I occupy all of the Property and share none of its facilities with anyone else. The property is a self contained dwelling.
- 4) My partner and I like our Property hence the reason why we have continued to live here despite the tenancy agreement having ended nearly 4 years ago.

- 5) It has been brought to my attention that the floor to ceiling height of our Property is below regulation requirements of the Nationally Described Space standards by small a number of centimetres. For this reason, the council is of the view that the Property fails to provide an acceptable form of accommodation.
  
- 6) We disagree entirely with the council. We have lived here for almost 5 years and have had no reason whatsoever to complain or object to anyone with regards to the level of accommodation afforded by the Property. The accommodation is more than acceptable. If it had not been, we would have moved out long ago. The fact that we are still happily living here testifies to the fact that the accommodation is not substandard or not acceptable in any way.
  
- 7) I speak from experience and would politely point out to the council that their assessment of the living conditions at the Property and the impact of the minor shortfall in the floor to ceiling height of the Property is incorrect. It is so small as to be insignificant. The Property is bathed with excellent daylight and sunlight and outlook from the Property is more than acceptable. There are many more worse flats in the centre of Town which the council should direct its attention to.
  
- 8) The Property is successfully providing much needed accommodation in the Borough and I urge that the council permits that this state of affairs continues to thrive and grant the permission that the landlord applies for.

AND I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act 1835.

Declared at \_\_\_\_\_ in the \_\_\_\_\_  
 county of \_\_\_\_\_  
 this \_\_\_\_\_ day of \_\_\_\_\_ 2023  
 Before me  
 Officer of a Court, appointed by the Judge  
 to take Affidavits / Solicitor