

DELEGATED APPLICATION REPORT

Ward:

App Ref: PL/25/1331 Lawful development: Existing use

Address: 24 BAKER STREET, READING, RG1 7XX

Proposal: Certificate of existing lawfulness for Change of use from C3 family dwelling to C4 House in Multiple Occupation.

Applicant: Mustafa Abdel Halim

Received date: 19/09/2025

Target Decision date: Extension of time agreed until 9/1/2025

Case Officer: Catrin Davies

1. SITE DESCRIPTION

The application site is a two-storey mid-terraced property with basement located on the north side of Baker Street. The site is located within the Castle Hill/Russell Street/Oxford Road Conservation Area. The site is not covered by an Article 4 Direction area.

2. PROPOSAL AND SUPPORTING INFORMATION

A lawful development certificate is applied for in relation to the proposed change of use of the property from C3 dwellinghouse to C4 small HMO.

No external alterations to the building are proposed.

Submitted Plans:

- Location Plan received 19/09/2025
- Floor plans and elevations 2906 A002P3 received 4/12/2025

Relevant Planning history:

PL/25/1329- Erection of a single storey outbuilding within the rear garden of the property, incidental to the use of the host dwelling: Under Consideration

PL/25/1815- Erection of outbuilding in rear garden. Refused

3. CONSULTATIONS

Private Sector Housing

Private Sector Housing Records show:

- There is currently a pre-application being made for an HMO licence for 6 people. We have no other information.

As there is a pre-application on our record it is assumed that the owner is actively pursuing an HMO licence.

This will result in a full inspection that will enable the PSH team to establish if any upgrades/safety measures to the building are required in line with the Housing Act 2004 and HMO Licence. Also, to establish the maximum number of occupants based on the facilities, amenities and room sizes.

There are no objections to the “Change of use from C3 family dwelling to C4 House in Multiple Occupation.”

Council Tax

This property is banded as a single dwelling and banded for CT purposes since at least 01.04.1997. The property was sold to a new owner from 27.03.2025 and our records show the property is being let out as a HMO for CT purposes since this date.

Electoral Registration Consultations

	24 Baker St	24A Flat 1	24A Flat 2	24A Flat 3	24A Flat 4	24A Flat 5	24A Flat 6	24A Flat 7	24A Flat 8
2025	1	1	1	0	1	2	1	0	
2024	1	1	2	1	0	1	2	1	0
2023	1	1	2	1	0	0	2	4	0
2022	2	1	2	1	0	1	2	4	0
2021	2	1	2	1	0	1	2	3	0
2020	1	1	2	1	0	0	2	3	2
2019	2	0	2	1	0	0	0	3	2
2018	1	0	2	1	0	2	0	1	2
2017	1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
2016	2	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Legal

Following review of the available evidence, I have no concerns about your recommendation to grant a CLE for this development on the grounds that no further planning permission is required.

4. LEGAL AND PLANNING POLICY CONTEXT

National Planning Practice Guidance

The Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) (as amended)

5. ASSESSMENT

The application site falls outside of the nearby Article 4 areas which removes permitted development rights for changes of use from C3 to C4. The permitted development rights, therefore, remain for this site.

A Certificate of Lawfulness for a proposed development has been submitted as the applicant considers the proposal falls within the permitted development rights of the property. The property's lawful use is a C3(a) single family dwellinghouse, the applicant has stated that the house has been used as a C4 HMO for several years stating the change of use begun prior to 2014. Based on the evidence submitted it is unclear as to when the change of use begun and it has not been demonstrated the breach begun prior to 2014 as such the application will be assessed via the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

The application must be assessed to ensure that it complies with the conditions of Class L, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), which relates to small HMOs to dwellinghouses and vice versa.

The Town and Country Planning (Use Classes) Order 1987 (as amended) defines a C4 HMO as small shared houses, occupied by between 3 and 6 unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.

Permitted development

L. Development consisting of a change of use of a building—

- (a) from a use falling within Class C4 (houses in multiple occupation) of the Schedule to the Use Classes Order, to a use falling within Class C3 (dwellinghouses) of that Schedule;
- (b) from a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order, to a use falling within Class C4 (houses in multiple occupation) of that Schedule.

Development not permitted

L.1 Development is not permitted by Class L if it would result in the use—

- (a) as two or more separate dwellinghouses falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order of any building previously used as a single dwellinghouse falling within Class C4 (houses in multiple occupation) of that Schedule;- **Complies**

or

- (b) as two or more separate dwellinghouses falling within Class C4 (houses in multiple occupation) of that Schedule of any building previously used as a single dwellinghouse falling within Class C3 (dwellinghouses) of that Schedule.- **Complies**

The main consideration is that the proposed use would fall into the C4 (small HMO) category.

The application form and plans submitted indicate that:

- The property would house up to 6 occupants who live independently
- There are 6 bedrooms in total
- The property has one communal area from the site visit this is the kitchen.

Based on the above information, it is considered that the proposed use would fall within use class C4. As such, the proposed change of use is considered to qualify as permitted development under Class L, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

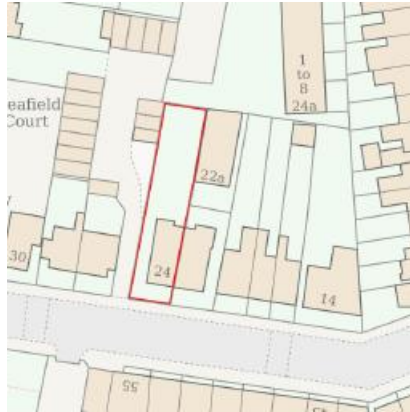
6. RECOMMENDATION

The proposal has been assessed against Class L, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). It can be confirmed that the proposed operation would be lawful for planning purposes on the basis of the following drawings received on 4/12/2025:

- Location Plan received 19/09/2025
- Floor plans and elevations 2906 A002P3 received 4/12/2025

Sufficient evidence has been provided to demonstrate that a Certificate of Lawfulness should be granted for the existing use from C3 to C4 small HMO. Therefore, the Local

Planning Authority can issue the applicant with a Certificate of Lawfulness for the proposed use and development.



Location Plan