

DELEGATED APPLICATION REPORT

Ward: Abbey Ward

App Ref: PL/26/0086 Lawful development: Existing use

Address: 62 George Street, Reading, RG1 7NT

Proposal: Certificate of Lawfulness for existing use of Flat 1 (basement, ground, first and second floor levels) as a 6 bedroom, 6 person HMO (Class C4) and Flat 2 (ground and mezzanine floor levels) as 1 self-contained residential unit (Class C3).

Applicant: Mr Paul Fenton, AY Properties

Received date & Valid from date: 26/01/2026

Target Decision date: 23/03/2026

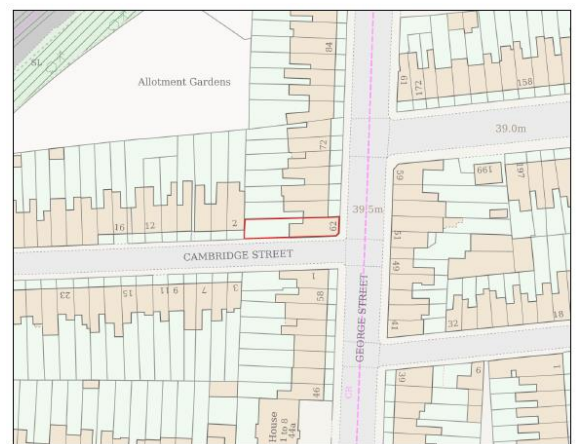
Case Officer: Jonathan Markwell

1. SITE DESCRIPTION

Site visit date: 11/02/2026 to erect the site notice & 24/02/2026 to view the interior of the buildings.

The application site is a basement, ground, first and roofspace second storey end of terrace property located on the west side of George St, at the junction with Cambridge Street. The ground floor entrance is located on Cambridge Street and there is a rooflight in the front roofslope and dormer in the rear roofslope. There is a rear projection (with a lean-to sloping roof) to the rear, along with off-site vehicular parking and bin storage areas (all accessed off Cambridge Street). The site comprises, as observed during the site visit, the following:

- Basement – utility room and separate toilet, shower and wash basin room
- Ground floor – a kitchen (including kitchen facilities) / living room; the hallway/entrance; bedroom 1 of flat 1, which includes a kitchenette and separate toilet, shower and wash basin room. Then a separately accessed (from the rear of the building) flat 2, which includes a kitchenette and separate toilet, shower and wash basin room, with a mezzanine floor level providing a bedspace.
- First floor – 2 x single occupancy rooms without any basic amenities (no toilet, personal washing facilities, or cooking facilities), shown as bedrooms 3 & 4 of flat 1; a toilet, shower and wash basin room; bedroom 2 of flat 1, which includes a kitchenette and separate toilet, shower and wash basin room.
- Second floor – 2 x single occupancy rooms without any basic amenities (no toilet, personal washing facilities, or cooking facilities), shown as bedrooms 5 & 6 of flat 1;



Left: Site photograph 25/07/2025

Right: Site Location Plan submitted by the applicant.

The application site is not listed, nor in a conservation area. The proposal site is not within an Article 4 restricted area either. It is however within an Air Quality Management Area and George Street is designated cycle route. The surrounding area is predominantly residential in character.

2. PROPOSAL AND SUPPORTING INFORMATION

An application is made for a Lawful Development Certificate for existing use under section 191 of the Town and Country Planning Act 1990. A certificate is sought to confirm that the existing use of

- Flat 1 (basement, ground, first and second floor levels) as a 6 bedroom, 6 person HMO (Class C4) and
- Flat 2 (ground and mezzanine floor levels) as 1 self-contained residential unit (Class C3).

The basis for the application is as per the application form:

Grounds for application for a Lawful Development Certificate

Under what grounds is the certificate being sought

Where the use, building works or activity began before 25 April 2024

- ☒ The use began more than 10 years before the date of this application
- ☒ The use, building works or activity in breach of condition began more than 10 years before the date of this application
- ☐ The use began within the last 10 years, as a result of a change of use not requiring planning permission, and there has not been a change of use requiring planning permission in the last 10 years
- ☒ The building works (for instance, building or engineering works) were substantially completed more than four years before the date of this application.
- ☐ The change of use to use as a single dwelling house began more than four years before the date of this application.
- ☐ Other - please specify (this might include claims that the change of use or building work was not development, or that it benefited from planning permission granted under the Act or by the General Permitted Development Order).

Where the use, building works or activity began on or after 25 April 2024

- ☐ The use, building works or activity began more than 10 years before the date of this application.
- ☐ The use began within the last 10 years, as a result of a change of use not requiring planning permission, and there has not been a change of use requiring planning permission in the last 10 years.
- ☐ Other - please specify (this might include claims that the change of use or building work was not development, or that it benefited from planning permission granted under the Act or by the General Permitted Development Order).

Is the certificate being sought for a use, operation, or activity in breach of a condition or limitation?

- ☐ Yes
- ☒ No

Please state why a Lawful Development Certificate should be granted

The properties provide valuable lower cost accommodation to residents who are on lower incomes, one of whom is on Universal Credit and would struggle to afford anywhere else.

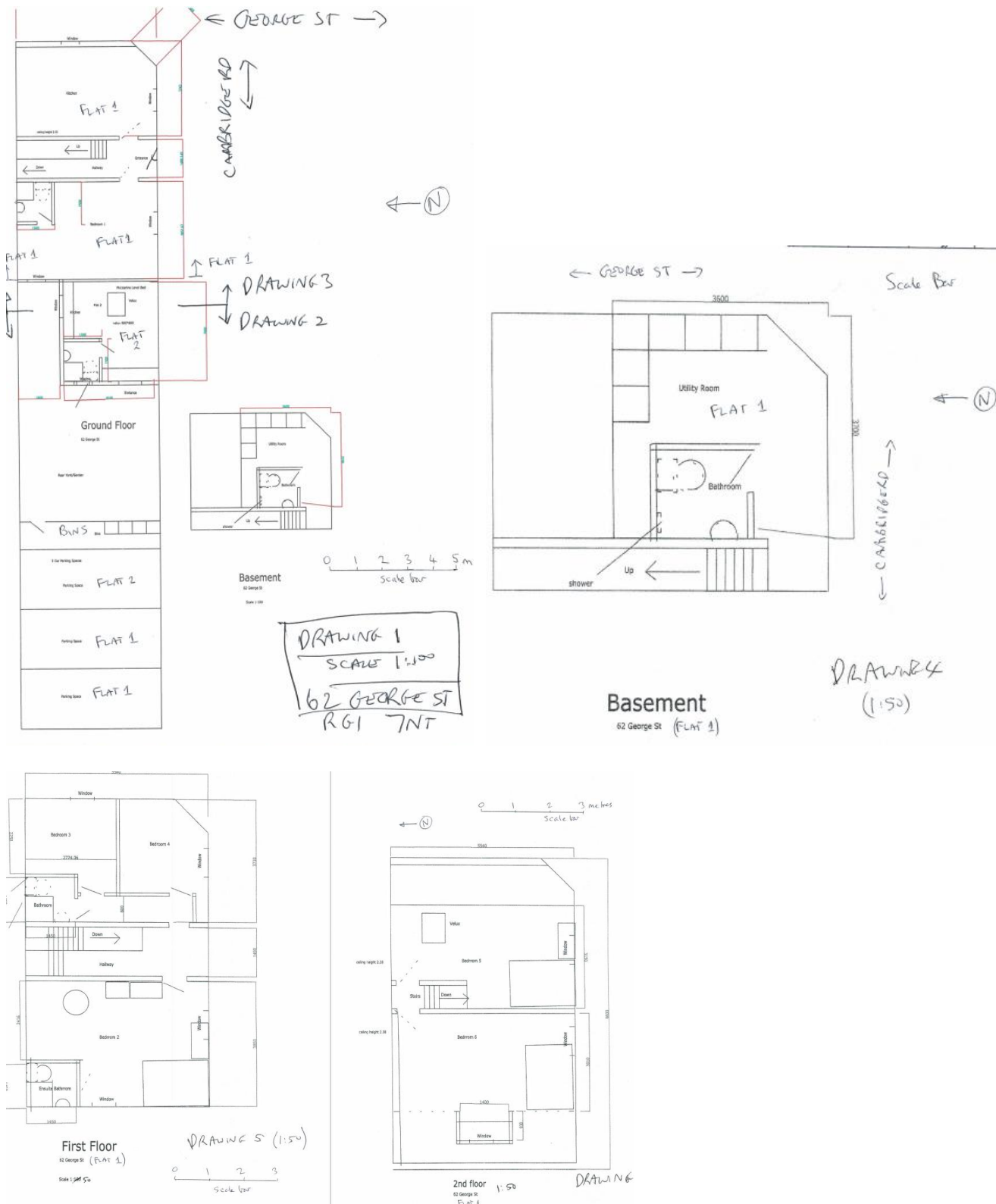
The Property was split into 2 residential units in 2007 with planning permission. Since pre 2013 - Flat 1, 62 George St, Reading RG1 7NT has been an HMO over 4 levels with 6 bedrooms and a lounge diner and basement utility room. The rear annex to the property remained as a flat, and has the address Flat 2 62 George st, Reading RG1 7NT. To the rear of the property 3 parking spaces have been created by removing a large shed in around 2010 Evidence HMO licences years 2013 to 2028, Property layout Current Tenancy Agreement Flat 2 which has been in place since 2017. Statutory Declarations. Council Tax Bills

HMO licences state 62 George st but should state Flat 1, 62 George St as the licence for the HMO does not cover Flat 2. The HMO licencing department have had this pointed out and this should be rectified. It is quite evident on the HMO application that the licence covers only Flat 1 given the sizing of rooms, an attached plan is in the documents details this. Reading Council HMO licencing officers have been out since 2013 to do routine inspections which would have verified this on each application for a licence so a minimum of 3 times over the last 13 years.

Information in support of a Lawful Development Certificate

When was the use or activity begun, or the building works substantially completed (date must be pre-application submission)?

21-03-2013



Floor plans submitted by the agent

The officer site visit on 24/02/2026 verified that the floor plans are largely accurate, with the following exceptions noted: (there is a kitchenette in both bedroom 1 and bedroom 2 of flat 1 and the layout of the

bathroom/shower rooms were slightly different in layout terms, but all included a toilet, shower and washing facilities).



Utility room and bathroom door at basement floor level



Ground floor living/kitchen room



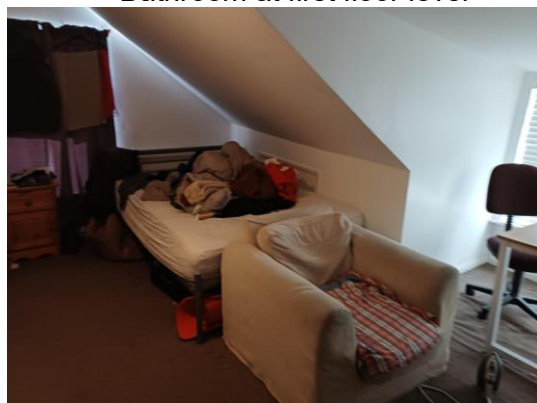
Bedroom 1 at ground floor level



Bathroom at first floor level



Bedroom 5 at second floor level



Bedroom 6 at second floor level



Flat 2 at ground floor level and external parking / bins on Cambridge Street



Officer site visit photographs on 24/02/2026

The application form states that the use or activity begun, or the building works substantially completed, on 21/03/2013 and that there has been no interruption since that date, nor has there been any change of use since the start of the use.

Plans and other information considered:

General information relating to both Flat 1 and Flat 2

- Application for a Lawful Development Certificate for an Existing Use or Operation or Activity, including those in breach of a planning condition Ref PP-14649946, dated 25/01/2026
- Location Plan - Planning Portal Reference: PP-14649946v1, dated 25/01/2026
- Drawing 1 (Basement and Ground Floor level)
- Drawing 2 (Ground Floor level rear (Flat 2))
- Drawing 3 (Ground Floor level)
- Drawing 4 (Basement Floor level)
- Drawing 5 (First Floor level)
- Drawing 6 (Second Floor level)
- Email correspondence from TV Licensing to the applicant referencing Flat 1 & 2, dated 28/01/2025
- "Evidence of HMO for Flat 1, 62 George Street – Room sizes with layouts for 4 levels (annotated versions of Drawings 1-6) – 8 pages in total

Flat 1 specific information

- (Flat 1 – manually added) 62 George Street – Mandatory Licensing of Houses in Multiple Occupation Licence Housing Act 2004, Part 2 Ref 432498 – start dated 25/03/2013. End dated 24/03/2018. Decided to grant licence on 21/03/2013. This property is licensed for a maximum of 6 people (2 pages)
- (Flat 1 – manually added) 62 George Street, Reading – Housing Act 2004 - Mandatory Licensing of Houses in Multiple Occupation (HMO), Ref HMO/611563 – start date 25/03/2018. Expiry date 24/03/2023. Decided to grant licence on 25/10/2018. This property is licensed for a maximum of 6 people (3 pages)
- (Flat 1 – manually added) 62 George Street RG1 7NT – Licensing of Houses in Multiple Occupation (Housing Act 2004 Part 2 Section 64) Notice of Approval to Grant a Licence (Schedule 5 Part 1) Ref RBC-900171206218 – valid from 25/03/2023. Expiry date 24/03/2028. Decided to grant licence on 05/06/2023. This property is licensed for a maximum of 6 people living as 6 households regardless of age (9 pages)
- Council Tax Summary – Flat 1, 62 George Street, Reading, RG1 7NT. Liable at property since 01/08/2007. Charging details for 01/04/2017 – 31/03/2018.
- Council Tax Summary – Flat 1, 62 George Street, Reading, RG1 7NT. Liable at property since 01/08/2007. Charging details for 01/04/2020 – 31/03/2021.
- Reading Council Tax 2023/2024 for Flat 1, 62 George Street, Ref 63571957, dated 09/03/2023 (2 pages)
- Statutory Declaration by SM of Flat 2, 62 George St, Reading, RG1 7NT in relation to Flat 1, 62 George St, Reading, RG1 7NT. Various details confirmed, including specifying that since SM's residence at Flat 2 (starting on 27/04/2017) Flat 1 has been configured as set out in plans submitted and been in HMO use continuously (undated as to when this was declared – the date field was not completed). Witnessed by Setfords Solicitors (7 pages).

Flat 2 specific information

- Letter from Reading Borough Council Revenues and Benefits - '2022/2023 Award Notification' – dated 26/02/2022 (Letter addressed to Flat 2, 62 George Street)
- Letter from Reading Borough Council Revenues and Benefits - '2024/2025 Award Notification' – dated 02/03/2024 (Letter addressed to Flat 2, 62 George Street)
- Reading Council Tax 2013/2014 for Flat 2, 62 George Street, Ref 63571974, dated 10/03/2013
- Assured Shorthold Tenancy Agreement for Flat 2, 62 George Street, Reading, RG1 7NT. Tenancy commencement dated 27/04/2017 for SM. Signed and dated 26/04/2017 (8 pages).
- Statutory Declaration by SM of Flat 2, 62 George St, Reading, RG1 7NT in relation to Flat 2, 62 George St, Reading, RG1 7NT. Various details confirmed, including specifying that SM's primary residence started on 27/04/2017 and currently lives at the property (dated 22/01/2026), as a self-contained studio flat, single private dwelling, with its own dedicated kitchen, bathroom and living area with bed, exclusive garden and bins. The property was laid out in its current confirmation (floor plan included) without major structural changes and been used continuously. Witnessed by Setfords Solicitors (2 pages).

All received on 26/01/2026

The following additional information was submitted on 11/03/2026:

- Flat 1, 62 George Street RG1 7NT – Licensing of Houses in Multiple Occupation (Housing Act 2004 Part 2 Section 64) Notice of Approval to Grant a Licence (Schedule 5 Part 1) Ref RBC-900171206218 – valid from 25/03/2023. Expiry date 24/03/2028. Decided to grant licence on

11/03/2026. This property is licensed for a maximum of 7 people living as 6 households regardless of age (10 pages).

3. RELEVANT PLANNING HISTORY

06/00224/FUL/JM1 (now referenced as PL/06/0319) – Subdivision of former fish and chip shop into 2 dwellings. Granted 30/05/2006.

07/00229/FUL/JJD (now referenced as PL/07/0480) - Change of use of ground floor from hot food takeaway to residential to form a single dwelling house consisting of all four floors, and extension of outbuilding to rear to form car port. Granted 31/05/2007.

PL/25/1416 - Certificate of lawfulness for existing use of the dwelling 62 George Street as a 6 bedroom HMO over 4 levels with 6 bedrooms. Granted 23/12/2025 as the applicant had provided sufficient evidence or other information that satisfies the Local Planning Authority that the use of 62 George Street as a 6-bedroom HMO over 4 levels with 6 bedrooms began 10 years ago and there was no evidence to suggest that this use was changed or lost. It follows that there was sufficient justification to grant the certificate of lawfulness applied for by the applicant.

Officer comment: this CLE related solely to 'Flat 1' and the decision notice did not reference 'Flat 2'.

4. CONSULTATIONS

RBC Building Control: This site was subject to a building regulations application deposited in 2007. Application number BC07/0247. This application was never completed. The drawings are pretty basic but are in line with what was deposited in 2007. I have no further comments to make on this application.

Planning Enforcement: No response received.

Case Officer note: there is a record of a case from August 2007 relating to implementation without discharge of condition. This aligns with the Planning History (see above)

Electoral Registration:

Please see below the number of electors registered at 62 George Street, Reading.

	62 George Street	62 George St, Flat 1	62 George St, Flat 2
2026	N/A	4	0
2025	N/A	4	0
2024	N/A	3	0
2023	N/A	4	0
2022	N/A	5	0
2021	N/A	4	0
2020	N/A	2	0
2019	N/A	2	0
2018	1	N/A	N/A
2017	1	N/A	N/A

Council Tax: No response received.

Case Officer note: The Government's Council Tax band checking [website](#) (accessed by the case officer on 19/03/2025, screenshots below), indicates the building was banded as 2 flats in 2007, which is consistent with the Planning History (see above). Flats 1 and 2 at the site were separately banded between 2007 and 2023, whereby on 1 December they were deleted and replaced with a single entry solely for '62 George Street'.

GOV.UK		
Check and challenge your Council Tax band		
BETA This is a new service – your feedback will help us to improve it.		
< Back		
Search results for RG1 7NT		
Search again		
Showing 81 - 100 of 120 results		
Last updated on 18 March 2026		
Address	Council Tax band	Local Authority
FLAT 7, GROSVENOR HOUSE 44A, GEORGE STREET, READING, RG1 7NT	B	Reading
FLAT 8, GROSVENOR HOUSE 44A, GEORGE STREET, READING, RG1 7NT	B	Reading
46, GEORGE STREET, READING, RG1 7NT	C	Reading
48, GEORGE STREET, READING, RG1 7NT	C	Reading
BST FLAT AT 50, GEORGE STREET, READING, RG1 7NT	A	Reading
50, GEORGE STREET, READING, RG1 7NT	Deleted	Reading
50, GEORGE STREET, READING, RG1 7NT	B	Reading
FLAT BST 52, GEORGE STREET, READING, RG1 7NT	A	Reading
52, GEORGE STREET, READING, RG1 7NT	B	Reading
52, GEORGE STREET, READING, RG1 7NT	Deleted	Reading
54, GEORGE STREET, READING, RG1 7NT	B	Reading
56, GEORGE STREET, READING, RG1 7NT	B	Reading
58, GEORGE STREET, READING, RG1 7NT	B	Reading
FLAT 1 AT 62, GEORGE STREET, READING, RG1 7NT	Deleted	Reading
FLAT 2 AT 62, GEORGE STREET, READING, RG1 7NT	Deleted	Reading
62, GEORGE STREET, READING, RG1 7NT	B	Reading
A 62, GEORGE STREET, READING, RG1 7NT	Deleted	Reading
64, GEORGE STREET, READING, RG1 7NT	B	Reading
66, GEORGE STREET, READING, RG1 7NT	B	Reading
68, GEORGE STREET, READING, RG1 7NT	B	Reading
< Previous 1 2 3 4 5 6 Next >		

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Property information for	
FLAT 1 AT 62, GEORGE STREET, READING, RG1 7NT	
Local Authority	Reading
Local authority reference number	00043820062001
Council Tax band	Deleted
Improvement indicator	No
With effect from	1 December 2023
Mixed-use property	No
Court code	None

GOV.UK	
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< Back	
Property information for	
FLAT 2 AT 62, GEORGE STREET, READING, RG1 7NT	
Local Authority	Reading
Local authority reference number	00043820062002
Council Tax band	Deleted
Improvement indicator	No
With effect from	1 December 2023
Mixed-use property	No
Court code	None

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Previous Council Tax bands for
**FLAT 1 AT 62, GEORGE STREET,
READING, RG1 7NT**

Council Tax band	With effect from
A	1 August 2007

► [What does my property information mean?](#)

Check and challenge your Council Tax band

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Previous Council Tax bands for
**FLAT 2 AT 62, GEORGE STREET,
READING, RG1 7NT**

Council Tax band	With effect from
A	1 August 2007

► [What does my property information mean?](#)

Check and challenge your Council Tax band

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Property information for
**62, GEORGE STREET, READING, RG1
7NT**

Local Authority	Reading
Local authority reference number	00043820062001
Council Tax band	B
Improvement indicator	No
With effect from	1 December 2023
Mixed-use property	No
Court code	None

Check and challenge your Council Tax band

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Property information for
**A 62, GEORGE STREET, READING, RG1
7NT**

Local Authority	Reading
Local authority reference number	00043820062007
Council Tax band	Deleted
Improvement indicator	No
With effect from	1 August 2007
Mixed-use property	Yes
Court code	None

Check and challenge your Council Tax band

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Previous Council Tax bands for
**A 62, GEORGE STREET, READING, RG1
7NT**

Council Tax band	With effect from
B	1 April 1993

► [What does my property information mean?](#)

Environmental Protection: Has confirmed to have no comments on the application.

Private Sector Housing: No substantive response received.

Legal Services: The application was made on the basis that the relevant period for enforcing the unauthorised changes in use has expired. The relevant period is 10 years in relation to Flat 1 (26 January 2016 – 26 January 2026) and 4 years in relation to Flat 2.

The applicant has submitted evidence from a variety of sources. The use of Flat 1 is evidenced by HMO licences dating back to 2013, combined with a statutory declaration from the tenant of Flat 2 and separate Council Tax bills. As confirmed by the Planning Officer, across Flat 1's 10 year enforcement period there are only 15 months that Flat 2's tenant can't attest to. Taking the evidence as a whole, it is considered that gap can be covered by the HMO licence in force at that time, together with the separate Council Tax bill.

The use of Flat 2 is evidenced by SM's tenancy agreement dated April 2017, and his signed statutory declaration confirming that he remained in occupation as of 22 January 2026. The Council Tax bills, Council Tax Support benefit letters and TV licensing correspondence further support the case that Flat 2 is a separate unit.

It is noted that, until this month, the HMO licences seemed to be granted to the whole building, '62 George Street', not specifically Flat 1. It is understood that this was a typo and Flat 2 has never been considered part of the HMO by the applicant or the Council.

For the reasons given above, Legal Services are satisfied that the applicant has provided evidence, that is sufficiently precise and unambiguous, to show that both units have been in continuous use for the requisite time periods. From the draft Planning Officer report, it is noted that the case officer's investigation has not revealed anything that would make the applicant's version of events less than probable. No enforcement notice is in force. Therefore, it is agreed that the proposed CLE should be granted.

5. LEGAL AND PLANNING POLICY CONTEXT

Section 10 of the Planning and Compensation Act 1991 established a procedure that enables anyone who wishes to do so, to apply to the local planning authority to determine whether a proposed use or operation, or an existing operational development or an existing use of land, or any other matter constituting a failure to comply with any condition or limitation subject to which planning permission has been granted, is lawful, and if so, be granted a certificate to that effect.

A Lawful Development Certificate is a legal document stating the lawfulness of past, present or future development. If granted by the local planning authority, the certificate means that enforcement action cannot be carried out to the development referred to in the certificate. However, the certificate will not protect from enforcement action by the planning authority if the specified use or development is then changed 'materially' without a planning application for it.

The certificate is not a planning permission. The planning merits of the use, operation or activity in the application are not relevant. The issue of a certificate depends entirely on factual evidence about the history and planning status of the building or other land and the interpretation of any relevant planning law or judicial authority. The responsibility is on the applicant to provide evidence to support the application.

Section 191 of the Town and Country Planning Act 1990 is the relevant section dealing with issues for Certificates of Lawful Existing Use or Development. This section provides the mechanism for any person

to ascertain whether an existing use or development would be lawful, which is by the submission of an application. Section 191(2) states that the use will be lawful if no enforcement action could be taken in respect of the use and that the use or development does not constitute a contravention of any of the requirements of an Enforcement Notice then in force. If there is a Notice in force, then the time period for the Certificate cannot run in relation to that particular breach.

Section 191(4) provides that if the LPA is satisfied that the existing use or development is lawful, then a Certificate must be granted. The burden of proof to prove that this use has existed for 10 years (in relation to Flat 1, as per the completed application form by the applicant) and 4 years (in relation to Flat 2) rests with the applicant and the test is on the balance of probabilities. Additionally, as a local authority we are advised that if we have no evidence to the contrary and the applicant's evidence is sufficiently clear and unambiguous then the certificate should be granted. Section 191(4) further provides that the authority can grant such certificate as described in the application or such description as modified or substituted by us.

The 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"*.

6. APPRAISAL

In order for a certificate of lawfulness to be granted for this application, the applicant must demonstrate that the use of 62 George Street as:

- Flat 1 (basement, ground, first and second floor levels) as a 6 bedroom, 6 person HMO (Class C4) with this beginning more than 10 years before the date of this application of 26th January 2026 and has been in continuous use for such purposes for the relevant time period which is 26th January 2016 – 26th January 2026.

And

- Flat 2 (ground and mezzanine floor levels) as 1 self-contained residential unit (Class C3), with this beginning more than 4 years before the date of this application of 26th January 2026 and has been in continuous use for such purposes for the relevant time period which is 26th January 2022 – 26th January 2026.

The application form and accompanying information state that the use of all units began on 21st March 2013.

The justification stated on the application form by the applicant is as follows:

Please state why a Lawful Development Certificate should be granted

The properties provide valuable lower cost accommodation to residents who are on lower incomes , one of whom is on Universal Credit and would struggle to afford anywhere else.

The Property was split into 2 residential units in 2007 with planning permission . Since pre 2013 - Flat 1, 62 George St , Reading RG1 7NT has been an HMO over 4 levels with 6 bedrooms and a lounge diner and basement utility room . The rear annex to the property remained as a flat , and has the address Flat 2 62 George st , Reading RG1 7NT . To the rear of the property 3 parking spaces have been created by removing a large shed in around 2010 Evidence HMO licences years 2013 to 2028 , Property layout Current Tenancy Agreement Flat 2 which has been in place since 2017. Statutory Declarations . Council Tax Bills

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With regard to the internal consultee response from the **Electoral Registration** team indicates that a change from 62 George Street and Flats 1 & 2 George St occurred in 2019, with a varying number of residents on the electoral roll at Flat 1 since that time and none registered within Flat 2.

The **Planning Enforcement Team** has provided no response, but the case officer assessment of records only indicates a single enforcement case dating back to 2007, with implementation said to have taken place without conditions being discharged. The timing of this ties in with the Planning History.

Council Tax has provided no response, but the case officer assessment of records accessed via the Government website indicates the building was banded as 2 flats in 2007, which is consistent with the Planning History (see above). Flats 1 and 2 at the site were separately banded between 2007 and 2023, whereby on 1 December 2023 they were deleted and replaced with a single entry solely for '62 George Street'.

The **Environmental Protection** team has no comments on the application, while no substantive response has been received from the **Private Sector Housing team in Environmental Health**.

The site visit undertaken by the case officer on 24/02/2026 verified that the floor plans submitted are largely accurate, with the following exceptions noted: there is a kitchenette in both bedroom 1 and bedroom 2 of flat 1 and the layout of the bathroom/shower rooms were slightly different in layout terms, but all included a toilet, shower and washing facilities.

The planning history at the site confirms that permission was granted in 2006 for 2 residential units at the site and in 2007 for 1 residential unit. Most recently, a Certificate of lawfulness for existing use of the dwelling 62 George Street as a 6 bedroom HMO over 4 levels with 6 bedrooms was granted on 23/12/2025. This only covered 'Flat 1', as per the decision notice; hence this further application seeking to establish the lawfulness of both 'Flat 1 (6 person HMO – Class C4)' and 'Flat 2 – 1 x Class C3 residential unit'.

Turning to the evidence submitted by the applicant, this is as listed at section 2 above, but in summary (also including some analysis by the case officer too):

'Flat 1' – 4 separate HMO licences covering periods March 2013-2018 (6 person), March 2018-2023 (6 person), March 2023-2028 (6 people living as 6 households) and March 2026-2028 (maximum of 7 people living as 6 households, but outside of the 10 year qualifying period). 3 separate pieces of Council Tax information covering the following years: 2017/18, 2020/21 and 2023/24. In addition, the commentary explaining the context (as detailed above), plans showing the units (as largely verified by the officer above) and TV licensing correspondence (2025) has also been provided.

Moreover, a statutory declaration by the occupier of Flat 2, noting various matters but most substantially that Flat 1 has been in continuous HMO use (in the layout shown) since the Flat 2 first occupation in April 2017. Although this does not account for the whole 10 year qualifying period, it covers all but the first 15 months of the qualifying period. There is also another shortfall in that the statutory declaration is not dated, but when considered in conjunction with the separate statutory declaration included in relation to 'Flat 2', it is reasonable to assume that this was an inadvertent oversight by the applicant and the same date (22/01/2026) can reasonably be expected in this instance (with all parties being the same).

The recent planning history of a separate certificate having been granted in December 2025 also weighs in favour of the evidence for Flat 1.

Whilst there is some ambiguity in some strands of the evidence when compared with Council records, with the electoral roll and Council Tax records referenced above not being entirely consistent, these are not conclusive pieces of evidence to the contrary. Instead, the statutory declaration and planning history are considered to weigh significantly in favour of the applicant in this specific instance.

Turning to consider 'Flat 2' – the timing of the tenancy agreement from April 2017 aligns with the timeline specified in the statutory declaration. Council Tax records dating back to 2013 also weigh in favour of the application. Most substantially, the statutory declaration confirms a number of matters relating to the status of the unit as a self-contained residential unit. This accounts for a time period significantly before the 4 year qualifying period, as well as the whole of the qualifying period too.

Whilst there is some ambiguity in some strands of the evidence when compared with Council records, with the electoral roll and Council Tax records referenced above not being entirely consistent, these are not conclusive pieces of evidence to the contrary. Instead, the statutory declaration is considered to weigh significantly in favour of the applicant in this specific instance.

Accordingly, in the absence of evidence to the contrary, on the balance of probabilities, it can be confirmed that 62 George Street, Reading, RG1 7NT has operated as:

- Flat 1 (basement, part ground, first and second floor levels) as a 6 bedroom, 6 person HMO (Class C4) and
- Flat 2 (part ground and mezzanine floor levels) as 1 self-contained residential unit (Class C3).

For at least a period of 10 years (in relation to Flat 1) and 4 years (in relation to Flat 2) and is, therefore, immune to enforcement action.

The applicant has provided sufficient evidence or other information that satisfies the Local Planning Authority that the use of 62 George Street as a 6 bedroom, 6 person HMO (Class C4) and 1 x self-contained residential unit (Class C3), comprising:

- Basement floor – uses associated with the HMO (Flat 1)
- Ground floor – uses associated with the HMO and bedroom 1 of the HMO (towards the eastern side of the building, associated with Flat 1) and 1 x studio self-contained residential unit (Flat 2, at the western end of the main building)
- First floor – uses associated with the HMO and bedrooms 2, 3 and 4 of the HMO (all associated with Flat 1)
- Second floor – bedrooms 5 and 6 of the HMO (all associated with Flat 1)

This began more than 10 years ago (in relation to Flat 1) and 4 years ago (in relation to Flat 2) and there is no evidence to suggest these uses were lost or changed. It follows that there is sufficient justification to grant the certificate of lawfulness applied for by the applicant.

7. CONCLUSION

In the absence of sufficient information or evidence to contradict or make the applicant's version less probable, on balance, it is considered that the premises at 62 George Street has been in continuous use as a 6 bedroom, 6 person HMO (Class C4) for a period of at least 10 years and as 1 x self-contained residential unit (Class C3) for a period of at least 4 years. It is, therefore, considered that a Certificate of Lawfulness for the use of the building as a 6 bedroom, 6 person HMO (Class C4) and 1 x self-contained residential unit (Class C3) should be granted and the certificate will relate only to the subject land, shown edged red on the plan below.

8. RECOMMENDATION

GRANT Certificate

Location Plan



Not to scale