

DELEGATED APPLICATION REPORT

Ward: Park Ward

App Ref: PL/26/0042 Lawful development: Existing use

Address: FLAT 1, 51 ST PETERS ROAD, READING, RG6 1PA

Proposal: The existing use of the dwelling as 2No self contained apartments which have existed in excess of 4no years having commenced prior to 24th April 2025

Applicant: Mr Adal Mahmood

Received date: 15/01/2026

Target Decision date: 31/03/2026 (EXT)

Case Officer: Huimin Chen

SITE DESCRIPTION

The application site is a two storey end-terraced property. It is not a listed building, nor does it fall within a Conservation Area. No Article 4 Direction is in place.

PROPOSAL AND SUPPORTING INFORMATION

The Certificate seeks to confirm that the dwelling at 51 St Peters Road, Reading, has been in use as 2 self-contained flats in excess of 4 years, dated from 15/01/2022 - 15/01/2026.

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

- RBC Council Tax

Our records show there are two self-contained flats at this property, separately banded since at least 01.04.1997. Flats are addressed as ground floor & 1st floor flats, both separately let out to tenants.

- RBC Electoral Registration Consultations

	First Floor Flat 51 St Peter's Road	Ground Floor Flat 51 St Peter's Road
2026	4	3
2025	4	3
2024	3	1
2023	2	2
2022	2	2
2021	1	3
2020	0	1
2019	0	1
2018	0	2
2017	0	2

- RBC Planning Enforcement Consultations

No planning enforcement history.

- RBC Private Sector Housing Team (HMO team) Consultations

From our records the Private Sector Housing team have been involved with the above flat in June 2016 and July 2019. On both occasions, it was occupied and the issues concerning general disrepair were quickly resolved. We hold no other records and have had no further involvement with this flat.

No objections to the existing use of the dwelling.

- RBC Business Rates

No response was received during the consultation period.

- RBC Environmental Protection Consultations

I have no comments on this but the private sector housing team may hold information.

- RBC Legal Consultations

I agree with your conclusion that, on the evidence provided, the change of use to two dwellings, and so is now immune from enforcement.

SUBMITTED EVIDENCE (all received on 15/01/2026, except for updated plans)

~~Location/Block Plans~~

~~Floor Plan~~

Planning Statement

Refusal Parking Permit screenshot

Official Copy of Register of Title

Updated Location/Block Plans, received 23/03/2026

Updated Floor Plans, received 23/03/2026

Council Tax

		Time			
Ground Floor Flat	03/02/2022-31/03/2022	/	/	/	/

First Floor Flat	15/05/2021 – 31/03/2022	01/04/2022 – 31/03/2023	01/04/2023 – 31/03/2024	01/04/2024 – 31/03/2025	01/04/2025 – 31/03/2026
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Tenancy Agreements

Time					
Ground Floor Flat	14/09/2020 - 31/08/2021	01/02/2022 - 31/01/2023	01/02/2023 - 31/01/2024	01/04/2024 - 31/03/2025	01/04/2025 - 31/03/2026
1 st Floor Flat	/	15/05/2021 - 15/05/2022	15/05/2022 - 15/05/2024	15/05/2024 - 14/05/2025	15/05/2025 - 14/05/2026

Note: With regard to the Ground Floor Flat, the same tenants have been renting the property from 01/02/2022 to the present. With regard to the First Floor Flat, the same tenants have been renting the property from 15/05/2021 to the present.

Bills

Time								
Ground Floor Flat	02/02 – 20/05/2022	21/05- 03/08/2022	04/08– 03/11/2022	04/11/2022 – 03/02/2023	04/02– 10/05/2023	11/05– 25/05/2023	26/06- 25/07/2023	26/10– 25/11/2025
1 st Floor Flat	15/05 – 10/08/2021	05/05- 03/08/2022	/	26/05- 25/06/2023	26/01- 25/02/2024	26/01 – 25/02/2025	/	/

Building Control

Planning Statement states a Certificate of Completion of works (Building Control) dated 24th March 2023, retrospective regularisation application.

Planning Officer's note: The Planning Officer can confirm that a Building Control application (ref: BC/22/0465) for the regularisation of the conversion of a single dwelling into two flats was submitted on 27/07/2022, completed on 24/03/2023. No information has been provided by the Applicant to confirm that building approval has been given.

ASSESSMENT

In order for a certificate of lawfulness to be granted for this application, the applicant must demonstrate that the use of the dwelling, 51 St Peters Road, Reading, has been continuously operated as 2 self-contained flats for more than 4 years before the date of this application on 15/01/2026. The 4-year period for this application runs from 15/01/2022 to 15/01/2026.

With regard to the internal consultee response, the Council Tax team has confirmed that the application site has been separately banded as two self-contained flats since at least 01/04/1997 and flats are addressed as ground floor & 1st floor flats.

The Planning Enforcement Team has confirmed that there is no enforcement history at this address.

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, including tenancy agreements, council tax, and gas bills payment receipts, is considered to support the claim that the dwelling of 51 St Peters Road has been in continuous use as two self-contained flats for at least 4 years prior to the submission of the application.

The Council Tax record for the Ground Floor Flat and the utility bills for the First Floor Flat do not cover a full period of four years. However, the Tenancy Agreements for both flats are considered sufficient to demonstrate that the dwelling at 51 St Peter’s Road has been in continuous use as two self-contained flats for at least four years prior to the submission of the application. It is noted that the relevant four-year period runs from 15/01/2022 to 15/01/2026. Although the Tenancy Agreement provided for the Ground Floor Flat shows a 15-day gap within this period, this short absence is not considered significant and does not undermine the continuity of the use of the two self-contained flats.

The site visit carried out by the planning officer on 27th February 2026 provided good confirmation of the floor plans’ layout, which further supports the claim. In the absence of evidence to the contrary and corroborating evidence held by the Council (Council Tax records, Electoral register data) on the balance of probabilities, it can be confirmed that 51 St Peters Road, Reading, has operated as two self-contained flats for a period of 4 years and is therefore immune from 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 the dwelling at no. 51 St Peters Road, Reading, has operated as two self-contained flats for a period of 4 years 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)