



Home Office

Long residence

Version 21.0

Contents

Contents.....	2
About this guidance.....	4
Pre-9 July 2012 applications.....	4
Long residence dependants	4
Contacts	5
Publication	5
Changes from last version of this guidance	5
Settlement on the long residence route.....	6
Validity requirements for settlement on the long residence route	6
Suitability requirements for settlement on the long residence route.....	6
Eligibility requirements for settlement on the long residence route	7
Qualifying period requirements for settlement on the long residence route	7
Early applications	8
Applications being considered more than 28 days before the required qualifying period is completed.....	8
Applications being considered 28 days or less before the required qualifying period is completed.....	8
Treatment of time spent in the UK as a visitor, short-term student, and seasonal worker	8
Time awaiting a decision on an application or appeal	9
Time spent in the UK with a right to reside under EEA regulations	9
Time spent in the UK as a British citizen	10
Time spent in the UK whilst exempt from immigration control	10
Deemed leave for diplomats and 28 days leave outside the rules for former members of armed forces	10
Continuous residence requirements for settlement on the long residence route.....	11
English language requirements for settlement on the long residence route.....	12
Knowledge of Life in the UK requirements for settlement on the long residence route.....	12
Decision on an application for settlement on the Long Residence route	12
Granting settlement under Appendix Long Residence	12
Granting permission to stay following an application for settlement under Appendix Long Residence	12
Refusing an application.....	13
Permission to stay on the long residence route.....	14

Validity requirements for permission to stay on the long residence route	14
Suitability requirements for permission to stay on the long residence route	14
Eligibility requirements for permission to stay on the long residence route.....	15
Qualifying period requirements for permission to stay on the long residence route	15
Continuous residence requirements for permission to stay on the long residence route.....	16
Decision on an application for permission to stay on the long residence route.....	16
Granting permission to stay under Appendix Long Residence.....	17
Granting permission to stay on human rights grounds	17
Refusing permission to stay on the long residence route.....	17

About this guidance

This guidance tells you how to consider permission to stay or settlement applications from people applying on the basis of long residence in the UK.

This guidance is based on the [Immigration Rules](#).

The rules on long residence recognise the ties a person may form with the UK over a lengthy period of lawful residence here.

Appendix Long Residence replaced provisions in Part 7 (rules 276A-276D) of the Immigration Rules on 11 April 2024.

The Long Residence route is for a person who has lived in the UK lawfully and continuously for 10 years or more. The person can count time with permission on most routes towards the 10-year qualifying period.

A person may apply for immediate settlement if they meet all the requirements for settlement or may apply for temporary permission to stay if they meet the suitability, qualifying and continuous residence requirements but not both the English language and knowledge of life in the UK requirements.

A person who has lived in the UK for a long period but has not been lawfully and continuously resident for 10 years may be eligible to apply under [Appendix Private Life](#).

If a Commonwealth citizen was continuously resident in the UK on or before 1 January 1973, they should not apply for long residence. For guidance, see: Windrush scheme casework guidance.

Pre-9 July 2012 applications

Before 9 July 2012 it was possible to grant settlement under the long residence provisions after a period of 14 years continuous residence, but that provision was removed by changes to the Immigration Rules on that date.

However, a person granted an extension of stay following an application made before 9 July 2012 can still be considered under the rules in force before that date. This means a person granted permission on the basis of 14 years residence in the UK can still be granted settlement once the requirements are met.

Long residence dependants

There is no provision within the Immigration Rules for an applicant to include dependants on a long residence application.

Dependants must make their own sole applications if they wish to rely on the 10-year long residence rules.

Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you, or you think that the guidance has factual errors, then email Settlement Policy team.

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then you can email the Guidance Rules and Forms team.

Publication

Below is information on when this version of the guidance was published:

- version **21.0**
- published for Home Office staff on **08 July 2024**

Changes from last version of this guidance

Updated to clarify the transitional arrangements for long residence applicants relating to permissible absences and continuous residence.

Related content

[Contents](#)

Settlement on the long residence route

This page tells you about settlement on the long residence route. The Immigration Rules for this are set out in [Appendix Long Residence](#).

Validity requirements for settlement on the long residence route

The validity requirements for settlement on the long residence route are set out in paragraphs LR 9.1 to LR 9.4. of [Appendix Long Residence](#) to the Immigration Rules. These requirements are that the applicant must:

- apply on the specified form ('Apply to settle in the UK - long residence' form)
- pay any fee
- provide any required biometrics
- establish their identity and nationality by providing a passport or other document
- be in the UK on the date of application

Where any of these requirements are not met the application may be rejected as invalid without consideration of the substantive application.

Guidance on the process for considering validity requirements, can be found in the Validation, variation and withdrawal of applications guidance.

You can confirm an applicant is in the UK by checking the declaration on the application form.

Suitability requirements for settlement on the long residence route

The suitability requirements for settlement on the long residence route are set out in paragraphs LR 10.1. to LR 10.2. of [Appendix Long Residence](#) to the Immigration Rules. You must be satisfied that the applicant should not be refused under Part 9: general grounds for refusal of the Immigration Rules – see Grounds for refusal guidance.

The applicant must also not be:

- on immigration bail
- in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded

Disregarded periods of overstaying will not break continuous residence but will not count towards the 10-year qualifying period.

Eligibility requirements for settlement on the long residence route

The eligibility requirements for settlement on the long residence route are set out in paragraphs LR 11.1. to LR 14.2. of [Appendix Long Residence](#) to the Immigration Rules.

Qualifying period requirements for settlement on the long residence route

As set out in paragraph LR 11.1. to LR 11.4. of [Appendix Long Residence](#) to the Immigration Rules, the applicant must have spent a continuous qualifying period of 10 years lawfully in the UK, during which one or a combination of the following applied:

- the applicant had permission, except permission as a Visitor, Short-term Student (English language) or Seasonal Worker (or any of their predecessor routes)
- the applicant was exempt from immigration control
- the applicant was in the UK as a European Economic Area (EEA) national, or the family member of an EEA national, exercising treaty rights in the UK prior to 31 December 2020

Time spent on immigration bail, temporary admission, or temporary release do not count towards the qualifying period for the long residence route.

No periods of overstaying (disregarded or otherwise) are included in the calculation of the continuous residence for the qualifying period. No periods of exceptional assurance between 1 September 2020 and 28 February 2023 are included in the calculation of the continuous residence for the qualifying period. However, any extensions of leave granted under the Coronavirus extension concession and the following grace period (covering 24 January to 31 August 2020) count toward the qualifying period requirement. See the guidance on the Coronavirus Extension Concession (CEC) and the Exceptional Assurance Concession.

Even though they form part of the common travel area, time with permission spent in the Republic of Ireland or the Crown Dependencies (the Isle of Man and the Channel Islands) does not count in the calculation of the qualifying period for the purposes of long residence.

Paragraph CR 6.1. of [Appendix Continuous Residence](#) sets out that the continuous residence periods will be calculated by counting back from the relevant date. This means that an applicant cannot rely on a historic 10-year qualifying period, outside of the limits defined in CR 6.1. See more detail in the Continuous residence guidance.

The applicant must also have had permission on their current immigration route for at least 12 months on the date of application or have been exempt from immigration control within the 12 months immediately before the date of application. This

requirement does not apply where the applicant's current permission was granted before 11 April 2024.

Early applications

The following guidance tells you what you must do if you receive an application for settlement on the basis of long residence before an applicant has completed the 10-year qualifying period.

You must consider all valid applications, even if the applicant has not yet completed the necessary qualifying period for settlement. The long residence rule requires applicants to have at least 10 years continuous lawful presence in the UK before they can qualify for settlement.

Applications being considered more than 28 days before the required qualifying period is completed

If you are considering an application more than 28 days before the applicant completes the required qualifying period for long residence you must refuse it. This is because the applicant has not completed the required period of permission in the UK.

You must fully consider the case and, where refusing, mention any other reasons for refusal in addition to the applicant not spending enough time in the UK to complete the qualifying period. For example, consider any breaks in continuous residence.

Applicants who are refused under the long residence rules due to them submitting their application too early can re-apply once they have completed their qualifying period or up to 28 days before this.

Applications being considered 28 days or less before the required qualifying period is completed

You can grant an application if it is considered 28 days or less before the applicant completes the required qualifying period, provided they meet all the other requirements for long residence.

Treatment of time spent in the UK as a visitor, short-term student, and seasonal worker

Any periods of time with permission in any of the following routes, are not counted in the qualifying period for the purposes of long residence and will break continuous residence for the purposes of the qualifying period for long residence:

- any category of visitor granted under 'Appendix V: Visitor' of the Immigration Rules
- short-term student granted under 'Appendix Short-term Student' of the Immigration Rules

- seasonal worker granted under ‘Appendix Temporary work – Seasonal Worker’ of the Immigration Rules

Time spent with entry clearance or permission as a visitor does not count in the qualifying period. This includes time granted under Appendix V: Visitor (the current visitor rules) and any previous visitor rules (such as paragraph 40 of Part 2 of the Immigration Rules).

Similarly, time spent with entry clearance or permission as a short-term student does not count in the qualifying period. This includes time granted under Appendix Short-term Student (English language), the current short-term student rules, and any previous short-term student rules (such as paragraphs A57A to A57H of the Immigration Rules). Any time spent in the UK with permission under any other student route (such as Appendix Student or Tier 4) does count in the qualifying period, even if the permission is granted for a short time. You must carefully check casework systems to make sure that periods marked as a ‘short-term student’ were actually on the short-term student route (rather than being short periods of permission as a student) before discounting them.

Also, time spent with entry clearance or permission as a seasonal worker does not count in the qualifying period. This includes time granted under Appendix Temporary Work – Seasonal Worker (the current seasonal worker rules) and any previous seasonal worker rules (such as paragraphs 104-109 of Part 4 of the Immigration Rules, and paragraphs 245ZM to 245ZP of the Tier 5 (Temporary Worker) rules).

Each of these routes is defined in paragraph 6.2. [\(in the Introduction\) of the Immigration Rules.](#)

Time awaiting a decision on an application or appeal

Leave which is extended by virtue of section 3C of the Immigration Act 1971, counts as lawful presence for the purposes of long residence. For further information see 3C and 3D guidance.

Time spent in the UK with a right to reside under EEA regulations

This section tells you how to consider a long residence application when a person has previously spent time in the UK with a right to reside under the Immigration (European Economic Areas Regulations 2006 (the EEA Regulations)), whilst the Regulations were still in force in the UK.

EEA nationals and their recognised family members who were resident in the UK before Free Movement ended at 11pm GMT on 31 December 2020, could still, under the Withdrawal Agreement, continue to exercise EEA residential rights in the UK until the end of the grace period, namely 30 June 2021. After that date, these individuals should make an application to the EU Settlement Scheme in order to regularise their permission under the Immigration Rules Appendix EU and avoid being in the UK unlawfully. For more information see the [guidance on GOV.UK for EUSS customers.](#)

Sufficient evidence must be provided to demonstrate that the applicant has been exercising treaty rights throughout any period that they are seeking to rely on for the purposes of meeting the long residence rules.

Whether a period of residence is counted, or not, for the purpose of long residence does not affect the rights of family members of EEA nationals to have previously acquired permanent residence in the UK, where they qualify for it after a period of 5 years residence under Regulation 15 of the EEA Regulations. More information can be found on the [GOV.UK website – apply for a UK residence card](#).

If an applicant was in the UK with a right to reside under EEA Regulations, continuous residence is not broken if they leave the UK and are then re-admitted under the EEA Regulations.

Time spent in the UK as a British citizen

Time spent in the UK as a British citizen must be counted in the qualifying period. People may have spent time in the UK as a British citizen and since renounced their British citizenship. This time spent as a British citizen in the UK would still count in the qualifying period for 10-year long residence applications.

Time spent in the UK whilst exempt from immigration control

This section tells you when time spent in the UK counts in the qualifying period for 10-year long residence for applicants who are or have previously been exempt from immigration control.

Time spent in the UK exempt from immigration control must be counted in the qualifying period. People exempt from immigration control include diplomats and members of the armed forces.

Deemed leave for diplomats and 28 days leave outside the rules for former members of armed forces

'Deemed leave' is a 90-day period of permission given to diplomats once their period of exemption from immigration control period ends.

Former members of armed forces will normally be granted 28 days leave outside the Immigration Rules when they cease to be exempt on discharge.

By the end of the 90 or 28 days, the person must either:

- apply for permission
- depart the UK

A person with deemed leave does not receive an endorsement in their passport. However, a former member of the armed forces will have an endorsement in their passport.

If a person applies to extend their stay in the UK within 90 or 28 days (as appropriate) of their exemption ending and is granted a period of permission, their continuous residence is not broken.

If a person remains in the UK and does not apply for further permission within the 90 or 28 days described above, their continuous residence is broken.

For more information on exemptions, see persons exempt from control.

Continuous residence requirements for settlement on the long residence route

The continuous residence requirements (paragraph LR 12.1.) are set out in [Appendix Continuous Residence](#) to the Immigration Rules.

The following periods will break continuous residence:

- immigration bail, temporary admission, and temporary release
- permission as a Visitor, Short-term Student (English language) or Seasonal Worker (or any of their predecessor routes)
- overstaying which is not disregarded – see Applications from overstayers guidance

The following periods will not break continuous residence:

- overstaying which is disregarded – see Applications from overstayers guidance grant of exceptional assurance between 1 September 2020 and 28 February 2023 – see the Coronavirus Extension Concession (CEC) and the Exceptional Assurance Concession guidance
- time spent in the common travel area

Appendix Continuous Residence (at paragraph CR 2.2A) recognises that its provisions are different from the previous long residence rules at paragraph 276A and makes transitional arrangements specifically for long residence applicants. These transitional arrangements preserve the position that continuous residence will be broken if an applicant has been absent from the UK for more than 184 days at any one time or for more than a total of 548 days overall, where that absence started before 11 April 2024.

Paragraph CR 4.1.(d)(iii) also preserves the position in the rules as of 10 April 2024 for applicants who had permission when they left the UK and returned to the UK with a valid permission, provided they do not exceed the limit of permissible absences.

For more detail see the Continuous residence guidance.

English language requirements for settlement on the long residence route

Unless an exemption applies, applicants are required to meet the English language requirement at level B1 or above. How applicants can demonstrate they meet this English language requirement is set out in [Appendix English Language](#) (see English language guidance).

Knowledge of Life in the UK requirements for settlement on the long residence route

Unless an exemption applies, applicants must meet the Knowledge of Life in the UK requirement as set out in [Appendix KOL UK](#) (see Knowledge of language and life in UK guidance).

Decision on an application for settlement on the Long Residence route

Granting settlement under Appendix Long Residence

If the applicant satisfies all the suitability and eligibility requirements for settlement on the long residence route, you must grant settlement under paragraph LR 15.1.

Granting permission to stay following an application for settlement under Appendix Long Residence

There is provision under Appendix Long Residence to vary an application for settlement to one for permission to stay. If the applicant does not satisfy all the suitability and eligibility requirements for settlement, the application may be varied to one for permission to stay, as set out in paragraph LR 15.2.

If the application is varied, you must first consider the applicant under the permission to stay requirements for long residence and grant under Appendix Long Residence if they meet those requirements. As part of considering the settlement application you will normally be able to determine whether the applicant qualifies for permission to stay.

If the applicant does not meet the requirements for permission to stay on the long residence route, you may consider them under Appendix Private Life, or as a partner, parent, or child under Appendix FM (family life). If they meet those requirements, you should grant under the relevant rules (Appendix Private Life or Appendix FM).

Where you decide to vary the application:

- there will be no additional application fee for the application for permission to stay required, and the settlement application fee will not be refunded

- you must contact the applicant informing them of this variation and request the applicant pay any required Immigration Health Charge

If the applicant fails to pay the Immigration Health Charge or request a waiver for the charge (which is then granted), you must reject it as invalid, and the applicant will not be refunded the fee paid for the settlement application. However, if the applicant has previously been granted permission on the basis of their article 8 rights you must refer the case to the Settlement Policy team before you reject the application.

If the application is varied to one for permission to stay and the applicant meets all the relevant requirements, you must grant permission under the relevant rules. See guidance on considering applications for permission to stay under Appendix FM (family life) and Appendix Private Life.

For further information see the Varying a settlement application to permission to stay guidance.

Refusing an application

If the applicant does not meet the requirements for settlement or for permission to stay, you must refuse the application under paragraph LR 15.7, but you should consider whether to grant leave outside the rules (LOTR) – see Leave outside the Immigration Rules guidance.

Related content

[Contents](#)

Permission to stay on the long residence route

This page tells you about permission to stay on the long residence route. The Immigration Rules for this are set out in [Appendix Long Residence](#).

Validity requirements for permission to stay on the long residence route

The validity requirements for permission to stay on the long residence route are set out in paragraphs LR 1.1. to LR 1.4. of [Appendix Long Residence](#) to the Immigration Rules. These requirements are that the applicant must:

- apply on the specified form ('FLR: Application to extend your stay in the UK on the basis of long residence' form)
- pay any fee
- provide any required biometrics
- establish their identity and nationality by providing a passport or other document
- be in the UK on the date of application

Where any of these requirements are not met the application may be rejected as invalid without consideration of the substantive application.

Guidance on the process for considering validity requirements, can be found in the Validation, variation and withdrawal of applications guidance.

You can confirm an applicant is in the UK by checking the declaration on the application form.

Suitability requirements for permission to stay on the long residence route

The suitability requirements for permission to stay on the long residence route are set out in paragraphs LR 2.1. to LR 2.2. of [Appendix Long Residence](#) to the Immigration Rules. You must be satisfied the applicant should not be refused under Part 9: general grounds for refusal of the Immigration Rules – see Grounds for refusal guidance.

The applicant must also not be:

- on immigration bail
- in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded

Disregarded periods of overstaying will not break continuous residence but will not count towards the 10-year qualifying period.

Eligibility requirements for permission to stay on the long residence route

The eligibility requirements for permission to stay on the long residence route are set out in paragraphs LR 3.1. to LR 4.1. of [Appendix Long Residence](#) to the Immigration Rules.

Qualifying period requirements for permission to stay on the long residence route

As set out in paragraph LR 3.1. of [Appendix Long Residence](#) to the Immigration Rules, the applicant must have spent a continuous qualifying period of 10 years lawfully in the UK, during which one or a combination of the following applied:

- the applicant had permission, except permission as a Visitor, Short-term Student (English language) or Seasonal Worker (or any of their predecessor routes)
- the applicant was exempt from immigration control
- the applicant was in the UK as a European Economic Area (EEA) national, or the family member of an EEA national, exercising treaty rights in the UK prior to 31 December 2020

Time spent on immigration bail, temporary admission, or temporary release do not count towards the qualifying period for the long residence route.

No periods of overstaying (disregarded or otherwise) are included in the calculation of the qualifying period. No periods of exceptional assurance between 1 September 2020 and 28 February 2023 are included in the calculation of the qualifying period. However, any extensions of permission granted under the Coronavirus extension concession and the following grace period (covering 24 January to 31 August 2020) count toward the qualifying period requirement. See guidance on the Coronavirus Extension Concession (CEC) and the Exceptional Assurance Concession.

Even though they form part of the common travel area time spent with permission in the Republic of Ireland or the Crown Dependencies (the Isle of Man and the Channel Islands) does not count in the calculation of the qualifying period for the purposes of long residence.

Paragraph CR 6.1. of [Appendix Continuous Residence](#) sets out that the continuous residence periods will be calculated by counting back from the relevant date. This means that an applicant cannot rely on a historic 10-year qualifying period, outside of the limits defined in CR 6.1. See more detail in the Continuous residence guidance.

See the following sections of this guidance for more detail on specific topics relating to the qualifying period:

- [Early applications](#)
- [Treatment of time spent in the UK as a visitor, short-term student, and seasonal worker](#)
- [Time awaiting a decision on an application or appeal](#)
- [Time spent in the UK with a right to reside under EEA regulations](#)
- [Time spent in the UK as a British citizen](#)
- [Time spent in the UK whilst exempt from immigration control](#)

Continuous residence requirements for permission to stay on the long residence route

The continuous residence requirements (paragraph LR 4.1.) are set out in [Appendix Continuous Residence](#) to the Immigration Rules.

The following periods will break continuous residence:

- immigration bail, temporary admission, and temporary release
- permission as a Visitor, Short-term Student (English language) or Seasonal Worker (or any of their predecessor routes)
- overstaying which is not disregarded

The following periods will not break continuous residence:

- overstaying which is disregarded
- a period of exceptional assurance between 1 September 2020 and 28 February 2023 – see the Coronavirus Extension Concession (CEC) and the Exceptional Assurance Concession guidance
- time spent in the common travel area

Appendix Continuous residence (at paragraph CR 2.2A) recognises that its provisions are different from the previous long residence rules at paragraph 276A and makes transitional arrangements specifically for long residence applicants. These transitional arrangements preserve the position that continuous residence will be broken if an applicant has been absent from the UK for more than 184 days at any one time or more than 548 days in the 10-year qualifying period, where that absence was before 11 April 2024.

Paragraph CR 4.1.(d)(iii) also preserves the position in the rules as of 10 April 2024 for applicants who had permission when they left the UK and returned to the UK with a valid permission, provided they do not exceed the limit of permissible absences.

For more detail see the Continuous residence guidance.

Decision on an application for permission to stay on the long residence route

This page tells you about how to grant or refuse a permission to stay long residence application.

Granting permission to stay under Appendix Long Residence

If the applicant satisfies the suitability and eligibility requirements for permission to stay on the long residence route, you must grant permission to stay as set out in paragraph LR 5.1, and not as an extension of their previous category of permission to stay. This means an applicant must meet the rules for long residence, and not the rules for their previous category.

You must not grant an applicant an extension in order to complete the qualifying period of 10 years for long residence if they have not already met the qualifying period requirement. For more information, see [Early applications](#).

If the applicant is granted permission to stay, it should be for 24 months, subject to all the following conditions:

- no access to public funds
- work (including self-employment and voluntary work) permitted
- study is permitted, subject to the ATAS condition in Appendix ATAS

Granting permission to stay on human rights grounds

Applicants in this category will have spent a number of years in the UK, and there may be human rights grounds to consider granting a period of permission to stay even if the applicant does not satisfy the long residence requirements.

Where the applicant does not meet the requirements to allow the grant of permission to stay in paragraph LR 6.1., you must consider if the applicant meets the requirements of Appendix FM (family life) or Appendix Private Life. If the applicant meets all the relevant requirements, you must grant permission under the relevant rules. See guidance on considering applications for permission to stay under Appendix FM (family life) and Appendix Private Life.

Refusing permission to stay on the long residence route

If the applicant does not meet the requirements for permission to stay, you must refuse the application under paragraph LR 6.3., but you should consider whether to grant leave outside the rules (LOTR) – see Leave outside the Immigration Rules guidance.

Related content

[Contents](#)