

COMMITTEE REPORT

BY THE DIRECTOR OF ENVIRONMENT AND NEIGHBOURHOOD SERVICES

READING BOROUGH COUNCIL

ITEM NO. 12

PLANNING APPLICATIONS COMMITTEE: 7th September 2016

Ward: Whitley

App No: 161411/CLP

Address: C6 Acre Business Park, Acre Road, Reading, RG2 0RJ

Proposal: Lawful Development Certificate for Proposed Use of the existing light industrial (B1c) unit.

Applicant: Reading Borough Council

Date validated: 15 August 2016

Target Date: 8 weeks, 10th October 2016

RECOMMENDATION

GRANT Certificate

Informatives to include:

1. Positive and proactive

1. INTRODUCTION

- 1.1 The application site is a light industrial unit in the Reading Borough Council owned Acre Business Park which lies towards the southern end of Basingstoke Road Industrial Estate.
- 1.2 The purpose of the application is to obtain confirmation that the proposed use of the unit would not require planning permission. This application is reported to Planning Applications Committee for a decision as the applicant is Reading Borough Council.



Plan not to scale

2. PROPOSALS

- 2.1 The proposal is to use the unit to provide vocational training in furniture restoration and vehicle repair to allow trainees to develop the experience and skills needed to go on to employment. The activities on site will be managed by local groups 'Against the Grain' and Groundwork with overall management provided by Reading Borough Council's Operations Manager of Elevate. No internal or external alterations are proposed.

3. PLANNING HISTORY

- 3.1 None directly relevant to this unit

4. CONSULTATIONS

- 4.1 Statutory:
None required for a lawful development certificate.
- 4.2 Non-statutory:
None required for a lawful development certificate.
- 4.3 Public consultation:
None required for a lawful development certificate.

5. RELEVANT PLANNING POLICY AND GUIDANCE

- 5.1 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.
- 5.2 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.
- 5.3 The certificate is not a planning permission. The planning merits of the use, operation or activity in the application are not relevant. The NPPG states that "In the case of applications for proposed development, an applicant needs to describe the proposal with sufficient clarity and precision to enable a local planning authority to understand exactly what is involved. In determining an

application for a prospective development under section 192 of the Town & Country Planning Act a local planning authority needs to ask "if this proposed change of use had occurred, or if this proposed operation had commenced, on the application date, would it have been lawful for planning purposes."

6. ANALYSIS OF EVIDENCE

- 6.1 The Acre Road Business Park was developed in the early 1990.s as a mix of light industrial and storage uses of various sizes. The unit which is the subject of this application has established use for light industrial (Use Class B1c). The proposed main use of the premises is a combination of furniture restoration and vehicle repairs being carried out by trainees under supervision. Officers are satisfied that the nature of the use falls more towards industrial than educational and therefore a change of use requiring planning permission will not occur if the use of the unit proceeds as described by the applicant.
- 6.2 The proposed use has been assessed and it has been determined that as there are no restrictions on who occupies the unit the use of Unit C6 as proposed does not require planning permission to be granted by the local planning authority.

7. CONCLUSION

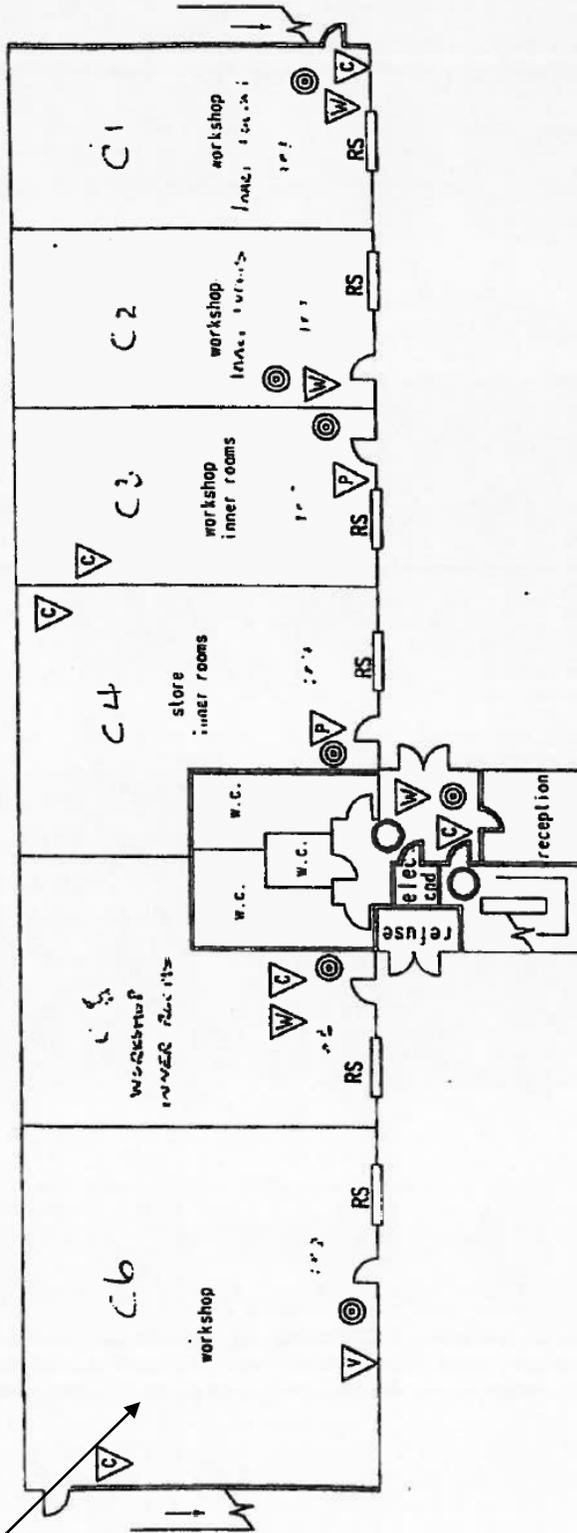
- 7.1 The proposal has been assessed against the Town and Country Planning (General Permitted Development) (England) Order 2015. It can be confirmed that if this proposed operation had commenced, on the application date, it would have been lawful for planning purposes. Therefore the Local Planning Authority can issue the applicant with a Certificate of Lawfulness for the proposed use.

Case officer: Ralph Chakadya

C Block

Ground floor

Plan



Floor plan for Unit C6