

TOWN AND COUNTRY PLANNING ACT 1990: SECTIONS 191 and 192 (as amended by section 10 of the Planning and Compensation Act 1991)

THE TOWN & COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015: ARTICLE 39

CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT

To: Mrs Cherie Potter
21 Queensborough Drive
Caversham
Reading
RG4 7JA

Application No: 210571
Application type: Certificate of Lawfulness -
Proposed Use or Development

Applicant: Mrs Cherie Potter

The Reading Borough Council hereby certify that on **14/04/2021** the use/operations/matter described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate, and edged black on the attached plan would have been lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

First Schedule: Application for a Lawful Development Certificate for a Proposed use of an existing room as a florist

- as an online business with no client appointments
- over a maximum of 5 weekdays between the hours of 09.00 to 17:00 and on Saturdays between the hours of 09:00 to 14:00
- for up to a maximum of 2 to 3 deliveries a week
- with 2 to 3 cars parked on the drive

Second Schedule: 21 Queensborough Drive Caversham Reading RG4 7JA

Date: 14 July 2021



Head of Planning, Development
& Regulatory Services

AA

CONDITIONS & REASONS

1. The proposal has been assessed against section 192 of the Town and Country Planning Act 1990 and it has been confirmed that the proposal would be lawful, on the basis of the submitted location plan received on 14 April 2021 and land registry deed received on 5 July 2021. The proposed use as outlined is considered de minimis and would not materially change the lawful use of the property as a whole. This is the reason planning permission is not required and why the certificate of lawfulness is being granted.

Therefore the Local Planning Authority will, on this occasion, issue the applicant with a Certificate of Lawfulness for the proposed development.

INFORMATIVES

1. If additional hours for the use as a florist, additional deliveries or client appointments are required, above those outlined for this proposal for a lawful development certificate, a full planning application would be required.

Date: 14 July 2021



Head of Planning, Development
& Regulatory Services

AA

Notes

1. This certificate is issued solely for the purpose of section 192 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the use/operations/matter specified in the First Schedule taking place on the land described in the Second Schedule would have been lawful, on the specified date and, thus, would not have been liable to enforcement action under section 172 of the 1990 Act on that date.
3. This certificate applies only to the extent of the use/operations/matter described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use/operations/matter which is/are materially different from that/those described or which relate/s to other land may render the owner or occupier liable to enforcement action.
4. The effect of the certificate is also qualified by the proviso in section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.
5. If you are aggrieved by the decision of the Council, you may appeal to the Secretary of State under Section 195 of the Town and Country planning Act 1990.

Further information can be viewed at: <https://acp.planninginspectorate.gov.uk/>

