

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: Nexus Planning
Fifth Floor Thames Tower
Station Road
Reading
RG1 1LX

Application No: 190744
Application type: Certificate of Lawfulness -
Proposed Use or Development

Applicant: Phantom Brewing Company

The Reading Borough Council hereby certify that on **08/05/2019** 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 taproom ancillary to the primary use of the unit as a brewery (Class B2). The size of the proposed taproom to be no greater than 12% of the total floor area and the operating times as set out in the Supporting Letter to be no more than 22 hours per week, to be on Wednesday, Thursday, Friday and Saturday afternoons and evenings only

Second Schedule: Unit 3 - 5 Meadow Road Reading RG1 8LB

Date: 10 July 2019



Head of Planning, Development & Regulatory Services *RE*

CONDITIONS & REASONS

1. Based on the information provided by the applicant relating to the size of the proposed taproom at 12% of the total floor area, as shown on the Proposed Floor Plan, and the operating times of the taproom, as set out in the Supporting Letter as being no more than 22 hours per week, to be on Wednesday, Thursday, Friday and Saturday afternoons and evenings. It can be confirmed that the taproom use would be ancillary to the principal use of the premises at Unit 3, Meadow Road as a brewery (Class B2) and would not constitute 'development' as described in Section 55(2.f) of the Town and Country Planning Act 1990. A certificate can therefore be issued for the ancillary use of part of the brewery premises, as described above and shown on the submitted plan, as a taproom.

INFORMATIVES

1. Other permissions and licences may be required from the Council in association with the proposed use as a brewery and taproom.
2. Separate Advertisement Consent may be required for any advertisements at the premises.

Date: 10 July 2019



Head of Planning, Development
& Regulatory Services

RE

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/>