

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: Robin Ashley Architects LLP
Hawk Works
105 Mary Street
Sheffield
S1 4RT

Application No: 181262
Application type: Certificate of Lawfulness -
Proposed Use or Development

Applicant: Marshall Motor Group Ltd

The Reading Borough Council hereby certify that on **24/07/2018** 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 outlined in red 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: Certificate of lawfulness for proposed replacement of one existing vehicle servicing bay with a Class IV MOT bay

Second Schedule: Marshalls Skoda Reading Rose Kiln Lane Reading

Date: 24 August 2018



Head of Planning, Development
& Regulatory Services

CONDITIONS & REASONS

1. The existing property has a mixed use (sui generis) of vehicle sales, servicing and repairs. The activities involved in MOT testing are intrinsically no different to those involved in the normal course of vehicle servicing and repair and the intention is that MOT Testing will also be ancillary to the main use. Therefore, subject to the MOT Testing remaining an ancillary service using a small part of the premises as shown hatched on the submitted drawing (extract attached) a change of use will not occur and a separate planning permission for MOT Testing use is not required.

INFORMATIVES

2. You are advised that other permissions may still be required to operate the proposed MOT Testing use and advertisement consent may be required for new signage.



Site location plan



Date: 24 August 2018



Head of Planning, Development
& Regulatory Services

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:

<http://www.planningportal.gov.uk/permission/responsibilities/planningpermission/ldc>