

Julie Williams
Planning Department
Reading Borough Council
Civic Offices
Bridge Street
Reading, RG1 2LU

Thames Valley
Suite A,
3 Weybridge Business Park
Addlestone Road
Weybridge Surrey KT15 2BW

nexusplanning.co.uk

23rd July 2018

Ref: 20, Stadium Way, Reading

Dear Julie

Unit 20, Stadium Way, Reading – Brewery Use

We write on behalf of Double-Barrelled, which is a brewery business that intends to operate from an industrial premises at Unit 20, Stadium Way, Reading ("**the Premises**").

We were approached by Double-Barrelled following pre-application advice it has received from officers at the Council – a pre-application report dated 8 March 2018. This pre-application advised that activities associated with the brewery use of the Premises, specifically the ability to purchase some of the beer being produced, for either on or off site consumption, would comprise a separate use, rather than being ancillary to the brewery.

Double-Barrelled were surprised by this response, because the type of business they are seeking to set up is very similar in its nature and characteristics to other small breweries that operate from such industrial units.

We have thus reviewed the pre-application advice and wish to amplify the pertaining circumstances that the proposed brewery use of the Premises is lawful and other incidental activities are ancillary to it.

Brewery Use

The pre-application report acknowledges that the Site has an existing Class B2 (General Industrial) use, which (as confirmed with reference to the Land Use Gazetteer) would be wholly compatible with the activity (and business) of a brewery that falls within the same use class.

To establish a brewery on the Premises would therefore not require planning permission.

As part of their brewery, Double-Barrelled intend to utilise a small area of floorspace within the Premises to allow customers to either sample the beer being brewed there and then, or to take it home to consume at a later time.

This function is referred to in the pre-application report, where it is repeatedly described and acknowledged (at paragraphs 5, 6 and 7) as being ancillary. This at best is confusing – for as such activities to the brewery use are indeed ‘ancillary’, then by definition they would not comprise a separate use and planning permission would not be required.

Fact and Degree

Of course, as to whether or not a specific activity can be considered ancillary to an established use, is a matter of fact and degree on the basis of information available. To explain how it is considered that the sale of beer for on or off site consumption is indeed ancillary, the following is relevant and significant:

- the beers sold will only be those produced on the Premises;
- the Premises has a total floor area of approximately 639sqm, whilst the area available for to purchase beer for consumption measures approximately 90sqm, just 14% of the total;
- however, this 14% for most of the week will not be available to the public. It would simply function as part of the overall brewery, providing space for meetings, office work and staff breaks/lunch as may be required;
- the ability for the public to purchase beer for consumption will be extremely limited in duration to between 3pm – 9pm on Fridays and between 2pm – 9pm on Saturdays;
- these limited hours significantly contrast with the 24 hour brewing operations that take place on the premises;
- these limited hours will be controlled through a premises licence that Double-Barrelled are in the process of submitting;
- beer sales to the public for consumption would not increase the number of full time employees – sales would be staffed by persons otherwise responsible for the brewing of beer; and
- Double-Barrelled advise that the predicted turnover of any sales for public consumption would be no greater than approximately 10% of total turnover; and that such sales by themselves would not represent a viable business.

It is clear that an assumption has been made in the pre-application report (paragraph 6) that the ‘*ancillary*’ uses may in the future flourish to such an extent where they would no longer be considered as ancillary. However, this is unsubstantiated. Whether or not the on or off site beer consumption is ancillary, should be considered on the basis of the information as set out above.

If matters were proposed to materially change in the future, then it would be open to officers and the Council to reassess the situation at that time. It should also be noted, given the need for a premises licence, that hours of opening cannot change without the approval of the Council.

Precedence

There are examples of similar developments whereby facilities to enable on or off site consumption of beer have been considered ancillary to a brewery (Class B2 use). Those examples include:

- Unit 8, College Fields Business Centre, Prince Georges Road, Colliers Wood, London (14/P2831);
- Towcester Mill Brewery, Towcester Mill, Chantry Lane, Towcester (S/2017/0380/FUL);
- Unit 1 Burcot Farm, East Stratton, Winchester, Hampshire (16/00408/FUL);

- Wychwood Brewery, The Crofts, Witney, Oxon (09/1417/P/FP); and
- Land and Buildings at NGR (Land Farm), Silverton, Devon (11/01627/FULL).

The above sites are comparable to the situation at the Premises – that in each example, a brewery tap with an associated retail area has been considered to be ancillary to the brewery with a Class B2 use.

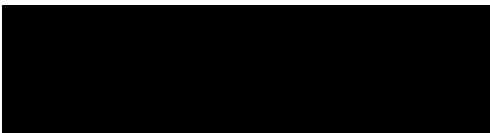
Conclusion

In light of the above, it is considered, on the facts and degree of this specific case, as well as multiple precedence examples elsewhere, that the activities on the Premises to facilitate the on and off site consumption of beer (as set out in this letter), would be ancillary to the Double-Barrelled brewery as a Class B2 use.

Therefore, I ask that this letter be placed on file for future reference.

I trust that you have all the information you require; however should you have any questions please do not hesitate to contact myself or my colleague, Leanne Richardson.

Yours sincerely,



Andrew Somerville
Associate Director