

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: Ms Caitlin Daly
The Blade
Abbey St
Abbey Square
Reading
RG1 3BE

Application No: PL/24/1673
Application type: Lawful development:
Proposed use

Applicant: Hexadex

The Reading Borough Council hereby certify that on 13/12/2024 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 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):.

1. There is sufficient evidence to demonstrate that a Certificate of Lawfulness should be granted to confirm that the site has flexibility to operate under Class B2 or Class B8 and the use of the site can be changed from B2 use to B8 use without planning permission.

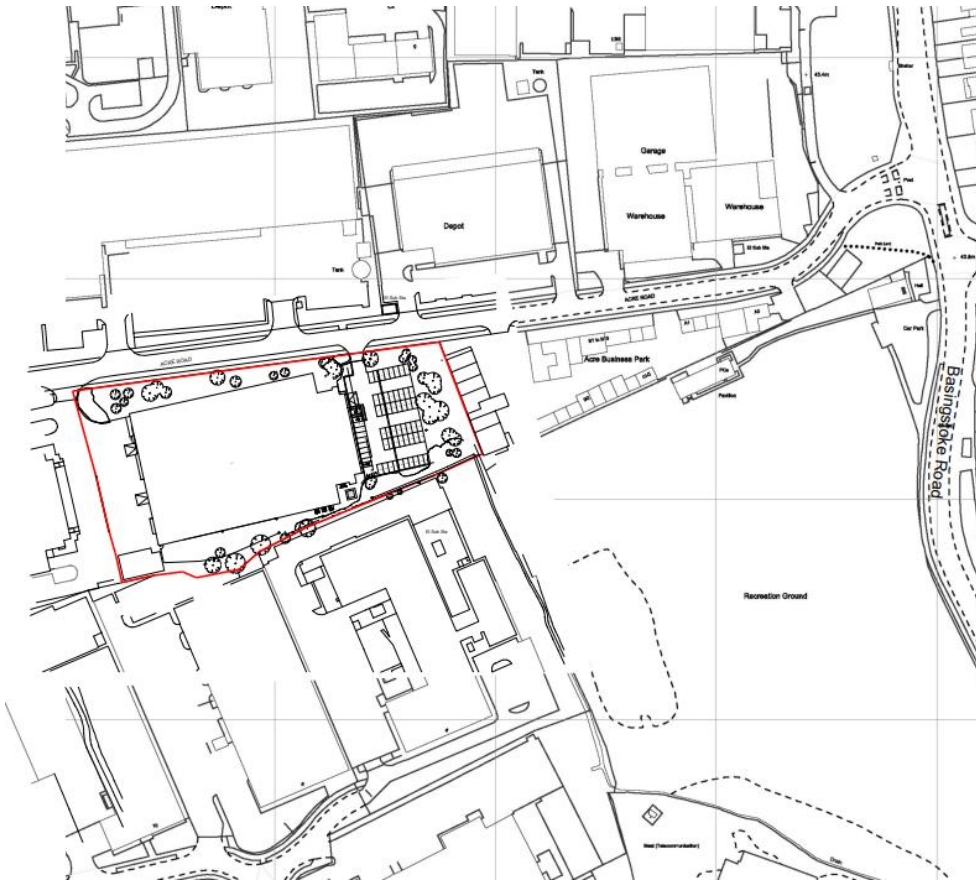
First Schedule: Certificate of lawfulness of proposed use or development (CLOPUD) application to confirm that the building has flexible use to change from existing B2 to B8

Second Schedule: Building 1, Arena Business Park, Acre Road, Reading RG2 0SU

Date: 28 February 2025



AA
Acting Assistant Director of Planning,
Transport and Public Protection Services



The 'attached' Plan (not to scale)

INFORMATIVES

1. Planning Permission was granted for a change of use from storage and distribution (Class B8) to a flexible Class B2/B8 use on 7th December 2018.

A flexible use planning permission allows for two separate uses which can be interchangeable over a 10 year period without the need for further planning permission. This is controlled under permitted development rights (Class V of Part 3 of Schedule 2) of the General Permitted Development (England) Order (2015). At the end of the 10 year period, whichever use is functioning at the time becomes the permanent lawful use of the property.

Date: 28 February 2025

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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/>

6. Impact on trees: Any works to trees subject to a Tree Preservation Order or protected due to their location within a Conservation Area will require submission of a tree works application or Section 211 Notice respectively. This certificate does not override this requirement and unauthorised tree works undertaken to implement permitted development may be subject to formal legal action. Enquiries can be sent to the Natural Environment Team: planning.naturalenvironment@reading.gov.uk

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