

DELEGATED APPLICATION REPORT

Ward: Whitley Ward

App Ref: PL/26/0443 Lawful development: Proposed use

Address: Unit 1, Reading International Business Park, Land to the South of A33 Relief Road, Reading, RG2 6AA

Proposal: Proposed use of a car servicing centre and bodyshop, vehicle delivery hub, and ancillary car showroom (amended)

Applicant: Tesla

Received date: 31/03/2026

Target Decision date: 26/6/2026 (Ext)

Case Officer: Alison Amoah

1. SITE DESCRIPTION

The application site is Unit 1 of the approved development known as Reading International Logistics Park, on A33 near Junction 11 of the M4, as approved under ref: PL/19/2054 for:

Redevelopment to provide 15,080 sqm (GEA) of class B1(c), B2 or B8 floor space in four buildings, with associated external yards, car and cycle parking, landscaping, and all related and ancillary works (amended)

There have been a number of non-material amendments approved (as listed in the planning history below)

Unit 1 is shown on the plan below indicated with a red dashed box (the most recent approved plan under ref: PL/25/1529 – extract from submitted Cover Letter)



Construction of the approved scheme is well progressed.

2. PROPOSAL AND SUPPORTING INFORMATION

The application is for a lawful development certificate for Unit 1 for the proposed use as a car servicing centre and bodyshop, vehicle delivery hub, and ancillary car showroom and the application seeks to establish that these uses would fall within the approved use classes, would, therefore, be lawful, and would not constitute development. The applicant's view is that the car showroom element of the proposal should be considered ancillary to the primary use, and therefore, does not constitute a material change of use beyond the approved use.

The submitted Proposed Ground Floor Plan includes a schedule of floor areas for the proposed use and states that the showroom area would be 241sqm and the overall floor area would be 3237sqm (i.e. 7.4% of the overall area)

Plans/Documents Submitted

The applicant supplied the following, received on 31st March 2026:

- Application Form
- Location Plan
- Covering Letter, dated 12th March 2026, prepared by ELG Planning
- Drawing no: C-178-UMC-0100-ZZ-DR-A-1005 Rev C01 – Unit 1 Main Office Plan
- Drawing no: CD-1.10, dated 27/3/26 – Proposed Ground Floor Plan
- Drawing no: PL-1.11, dated 6/3/26 – Proposed First Floor Plan, received 31st March 2026
- Emails from agent dated 22/5/26, 19/6/26 & 24/6/26

3. RELEVANT PLANNING HISTORY

192054/FUL - Redevelopment to provide 15,080 sqm (GEA) of class B1(c), B2 or B8 floor space in four buildings, with associated external yards, car and cycle parking, landscaping, and all related and ancillary works (amended) - Approved 14/4/2021

210859/NMA - Non-Material Amendment to application 192054 to amend the wording of Condition 18 to allow for the Interim BREEAM Certificate to be submitted to and approved by the local planning authority no later than 6 months after commencement of development – Agreed 26/7/2021

211313/APPCON - Application for approval of details reserved by condition 7 (Trees) of application 192054 – Agreed 4/2/2022

220496/NMA - Non-Material Amendment to amend the wording of Condition 9 of planning permission 192054, to provide for the additional word 'target' minimum 8-metre wide buffer zone – Agreed 9/9/2022

212085/APPCON - Application for approval of details reserved by condition 9 of application 192054 – Agreed 21/11/2022

210704/APPCON - Application for approval of details reserved by conditions 3, 4, 5, 12, 14, 15, 16, 21, 31, 32, 33 and part discharge (construction period) of condition 34 of application 192054 – Agreed 1/12/2022

PL/25/0889/NMA - Minor amendment of condition 2 of planning permission PL/19/2054 for amendments to locations of parking spaces, cycle shelter, transformer and substation, and new cycle/pedestrian route and pv and other minor external works – Agreed 1/8/2025 – *(related to Units 1, 2, 3, and 4)*

PL/25/1450/NMA - Non-material amendment of condition 2 of planning permission PL/19/2054 including amendments to car parks, transformer locations, minor external alterations and yards (amended) – Agreed 11/11/25 – *(related to Units 2 and 4)*

PL/25/1529/NMA - Application under S96A of the Town and Country Planning Act 1990 (as amended) for a Non-Material Amendment to PL/19/2054. Including changes to car park, bin store relocation and changes to access points for Unit 1 (amended) – Agreed 5/12/2025 *(related to Unit 1)*

PL/26/0017/NMA – Minor amendments to planning permission 192054 to amend the wording of condition 19 – Final BREEAM to change the submission trigger – Agreed 9/2/26

PL/26/0044/NMA – Non-material amendments of conditions 2,3,4 and 6 of planning permission PL/19/2054 for altered tree locations, external louvre changes and mechanical louvre installations (amended) – pending determination

4. CONSULTATIONS

Legal – Certificate can be issued.

5. RELEVANT PLANNING POLICY AND GUIDANCE

Section 10 of the Planning and Compensation Act 1991 established a procedure that enables anyone who wishes to do so, to apply to the local planning authority to determine whether a proposed use or operation, or an existing operational development or an existing use of land, or any other matter constituting a failure to comply with any condition or limitation subject to which planning permission has been granted, is lawful, and is so, be granted a certificate to that effect.

A Lawful Development Certificate is a legal document stating the lawfulness of past, present or future development. If granted by the local planning authority, the certificate means that enforcement action cannot be carried out to the development referred to in the certificate. However, the certificate will not protect from enforcement action by the planning authority if the specified use or development is then changed ‘materially’ without a planning application for it.

The certificate is not planning permission. The planning merits of use, operation or activity in the application are not relevant. The issue of a certificate depends entirely on factual evidence about the history and planning status of the building or other land and the interpretation of any relevant planning law or judicial authority. The responsibility is on the applicant to provide evidence to support the application.

The NPPG states that ‘The applicant is responsible for providing sufficient information to support an application. Section 192 of the Town and Country Planning Act 1990 relates to applications for proposed use. The following are the relevant guidance and statute:

- National Planning Practice Guidance – Lawful Development Certificates (March 2014)
- Town and Country Planning (use Classes) Order 1987 (as amended)
- Town and Country Planning Act 1990 (as amended)

6. ASSESSMENT

A Certificate of Lawfulness for a proposed development has been submitted as the applicant considers the proposal falls within the approved use classes of the site.

The proposal is to use Unit 1 for car servicing centre and bodyshop, vehicle delivery ‘hub’, and ancillary car showroom.

The lawful uses for the site, as approved under permission PL/19/2054, are:

B1 (c) - For any industrial process (which can be carried out in any residential area without causing detriment to the amenity of the area)

B2 – Industrial

B8 - Storage and Distribution

The car servicing/bodyshop space will be used for the servicing, maintenance and general repair work to vehicles, which falls under Class B2, therefore, in accordance with the approved lawful use.

The proposed vehicle ‘delivery hub’ primarily involves the storage and distribution of cars. The cars are primarily purchased elsewhere (e.g. on-line) and collected from the site by customers. This is considered to fall under Use Class B8, therefore, in accordance with the approved lawful use.

A car showroom would be considered a sui generis use and change of use to a mixed use would require planning permission unless the change would not constitute a material change of use. The assessment, therefore, needs to establish whether use of part of the floorspace for a car showroom element would be ancillary to the primary use and would, therefore, not constitute a material change of use.

Under Section 55 of the Town and Country Planning Act 1990, a 'material' change of use legally constitutes 'development' for which planning permission would be required. There is no statutory planning definition of material change of change of use, and it is a matter of fact and degree assessed on a case-by-case basis.

To determine if the use of part of the floorspace for a car showroom would be ancillary to the main use includes reviewing the following types of matters:

- Would the character of the use fundamentally change arising from a high amount of customer footfall, or significant off-site impacts, for example in terms of traffic generation, parking demand, noise levels, operating hours, prominent main road signage, etc?
- Would there be a significant increase in intensity of use compared to the approved uses?
- Would the scale of use be small in terms of percentage of floor area?
- Would it be functionally subordinate to the primary use, existing to support, or complement the main use? Or would it be a public retail destination? For example, would it only be used to display vehicles that have been serviced or are awaiting delivery via the hub or independent stock bought in purely for retail sales?

Within the submitted Supporting Statement the applicant has included a number of examples of LPA decisions to provide evidence supporting their position.

The submitted floor plans and schedule of floor areas identify that the proposed car showroom element would comprise 7.4% of the overall floor area, i.e. 241sqm of the total floor area of 3,237sqm. Therefore, the overall floor area would represent a small proportion of the total floor area when compared to the primary uses of the building and land. The size of use would be relevant, but it would not be the only consideration.

The showroom would be physically related to the remaining uses as it would be part of the overall building, not physically detached from it, and the submitted information demonstrates that it would be functionally related as it states that *"the car showroom would display 2 Tesla vehicles and is intended to be primarily aimed at existing customers already visiting the site. It is not designed primarily to attract new customers given the location within the heart of a business park and would not operate independently of the primary use."* The cars would be for display purposes only and would not be for sale. They would allow customers to see interiors and understand the configuration options available. The agent has advised that there would be advertising for the brand of Tesla, rather than the showroom element.

There would be no external car display area, typically associated with an independent car showroom and there would be no dedicated customer parking for the showroom. Although there would be a proportion of customer visits from passing members of public for vehicle sales and parking, separate to clients of the servicing and delivery hub, based on some data from similar sites operated by the applicant, the agent has advised (email 22/5/26) that it is estimated that there would be the following visits: Service repairs - 96 per week; Sales - 13 per week. This would work out at approximately 88.1% / 11.9% / split between service repairs and sales, which it is considered would make up a small proportion of the overall parking and customer visits to the showroom separate to visits related to the primary uses and comparative to the percentage of proposed floorspace for the showroom.

There would also be visits to the vehicle delivery hub, which would increase the total number of visits to the site, thereby reducing the percentage of sales visits as a proportion of overall visits to below 10%.

The submitted documents are considered to demonstrate that the overall scale of the car showroom would be ancillary in terms of total floorspace, and be subordinate in terms of the level of estimated use compared to the overall primary uses, albeit the proposed car showroom would generate its own independent footfall, and customer browsing, which would not directly support the act of vehicle servicing, delivery or bodywork.

It is considered that it has also been demonstrated that it would be physically and functionally related to the approved primary lawful uses and that there would not be a material change in the overall character and use of the building from that primary use. Therefore, it is considered that the proposed car showroom would remain ancillary and would not constitute a material change of use.

Having reviewed the submitted information it is considered that the applicant has provided sufficient information, to demonstrate that the proposal would not be a material change of use as defined by Section 55 (1) of the Town and Country Planning Act 1990.

Recommendation

The proposal has been assessed against the Town and Country Planning Act 1990 (as amended) and Town and Country Planning (use Classes) Order 1987 (as amended). It can be confirmed that the proposed use would be lawful for planning purposes on the basis of the following information:

- Application Form, received 31st March 2026
- Location Plan, received 31st March 2026
- Covering Letter, dated 12th March 2026, prepared by ELG Planning, received 31st March 2026
- Drawing no: C-178-UMC-0100-ZZ-DR-A-1005 Rev C01 – Unit 1 Main Office Plan, received 31st March 2026
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Sufficient evidence has been provided to demonstrate that a Certificate of Lawfulness should be granted for the proposed use of Unit 1 as a car servicing centre and bodyshop, vehicle delivery hub, and ancillary car showroom. Therefore, the Local Planning Authority can issue the applicant with a Certificate of Lawfulness for the proposed use.



Location Plan