HUNTINGDONSHIRE DISTRICT COUNCIL

24/02306/CLPD

OFFICER REPORT

Case No: **24/02306/CLPD** **Certificate of Lawfulness proposed**

Proposal: **Erection of a wall up to 1m**

Location: **Taylors Dredging Ltd Bromholme Lane Brampton**

Applicant: **Mr Charles Birch**

Grid Ref: **522456 270996**

DESCRIPTION OF SITE AND APPLICATION

This application is for a Certificate of Lawful (Proposed) Development for works relating to the erection of a wall up to 1m.

The application site is land associated with storage site within Class B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended) in association with a river dredging business.

The site sits within flood zones 2 and 3 and permitted development rights remain intact.

The plans submitted for the proposed development, reference "8772-O 01 Site Location Plan, 12502-0019-01 Site Block Plan received on 13th February 2025 and 12502-0018-01 Concrete Wall Detail received by the Local Planning Authority on 20th December 2024" indicate that the proposed walls will be 1 metre in height.

Officers note that the location plan for this proposal is covered by several CLED references 18/02599/CLED, 19/01070/CLED, 20/00041/NONDET for 20/01088/CLED for Use of land as a storage site within Class B8 in association with a river dredging business with ancillary office accommodation and Use of land as a storage site within Class B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended) in association with a river dredging business.

NATIONAL GUIDANCE

The Town and Country Planning Act 1990

The Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended)

RELEVANT PLANNING HISTORY

24/00027/NONDET - Raise Land Levels to 11.5m AOD - Appeal in Progress
23/02351/FUL - Raise Land Levels to 11.5m AOD - Pending
21/01704/FUL - Raise land level by up to 1 metre - Refused
20/00041/NONDET - Use of land as a storage site within Class B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended) in association with a river dredging business- Appeal Allowed
20/01088/CLED - Use of land as a storage site within Class B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended) in association with a river dredging business - Not Determined

19/01070/CLED - Use of land as a storage site within Class B8 in association with a river dredging business - Consented
18/02599/CLED - Use of land as a storage site within Class B8 in association with a river dredging business with ancillary office accommodation - Consented
18/01222/CLED - Use of land for Class B1 (Business) and Class B8 (Storage or Distribution) - Refused

CONSULTATIONS

No consultations required.

REPRESENTATIONS

None

SUMMARY OF ISSUES

The proposed wall must be assessed against The Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended) to determine whether the proposal is 'permitted development' or would require an application to be submitted for planning permission.

Schedule 2 - Part 2 - Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended) permits the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure subject to certain criteria set out within the Order.

The proposed development to the dimensions indicated on "8772-O 01 Site Location Plan, 12502-0019-01 Site Block Plan received on 13th February 2025 and 12502-0018-01 Concrete Wall Detail received by the Local Planning Authority on 20th December 2024", would be permitted as it falls within the definition of the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure and because the following additional tests are satisfied:

(a) the height of any gate, fence, wall or means of enclosure erected or constructed adjacent to a highway used by vehicular traffic would, after the carrying out of the development, exceed—

(i)for a school, 2 metres above ground level, provided that any part of the gate, fence, wall or means of enclosure which is more than 1 metre above ground level does not create an obstruction to the view of persons using the highway as to be likely to cause danger to such persons;

(ii)in any other case, 1 metre above ground level;

Officer Comment: Compliant

(b) the height of any other gate, fence, wall or means of enclosure erected or constructed would exceed 2 metres above ground level;

Officer Comment - Complaint

(c) the height of any gate, fence, wall or other means of enclosure maintained, improved or altered would, as a result of the development, exceed its former height or the height referred to in paragraph (a) or (b) as the height appropriate to it if erected or constructed, whichever is the greater; or

Officer Comment - Not applicable

(d) it would involve development within the curtilage of, or to a gate, fence, wall, or other means of enclosure surrounding, a listed building.

Officer Comment - Compliant

Therefore, the proposed development as detailed in plan references "8772-O 01 Site Location Plan, 12502-0019-01 Site Block Plan received on 13th February 2025 and 12502-0018-01 Concrete Wall Detail received by the Local Planning Authority on 20th December 2024", satisfies the criteria and tests attached to Schedule 2 - Part 2 - Class A.

CONCLUSION

In conclusion, the proposed works on submitted plan reference "8772-O 01 Site Location Plan, 12502-0019-01 Site Block Plan received on 13th February 2025 and 12502-0018-01 Concrete Wall Detail received by the Local Planning Authority on 20th December 2024" relating to the erection of a wall up to 1 metre is considered to be permitted within the meaning of Class A, Part 2, Schedule 2.

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 3883424 and we will try to accommodate your needs.

CONTACT OFFICER:
Enquiries about this report to **Andrea Dollard**