HUNTINGDONSHIRE DISTRICT COUNCIL

25/00908/CLPD

OFFICER REPORT

Case No: **25/00908/CLPD** **Certificate of Lawfulness proposed**

Proposal: **Lawful development certificate for proposed building on side of existing unit.**

Location: **Unit 1 Sand Road Industrial Estate Great Gransden**

Applicant: **Mr Neil McDonald**

Grid Ref: **527503 256098**

DESCRIPTION OF SITE AND APPLICATION
The application site is located within the industrial estate on the edge of Great Gransden and currently comprises a two-storey unit used as a garage and MOT testing centre. It is noted that permission was granted for B8 use in 2018 but does not appear to have been implemented. However, the building is still under an industrial use and therefore Part 7 Class H of Schedule 2 of the GPDO (2015) applies.

The application site is surrounded by a number of other industrial buildings used for a range of commercial uses.

The site is within Flood Zone 1 and there are no designated heritage assets in the vicinity.

This application is for a Certificate of Lawful (proposed) Development for a building to the side of an existing unit.

NATIONAL GUIDANCE
Town and Country Planning Act 1990
Town and Country Planning (General Permitted Development) Order 2015 (Amended)

PLANNING HISTORY

0602099FUL - Change of use of building and land from B2 (industrial) to MOT centre and vehicle repair workshop – permission granted 10.08.2006
18/01985/FUL - Change of Use from garage / MoT Testing to B8 Storage (with ancillary office) – permission granted 14.11.2018

CONSULTATIONS
N/a

REPRESENTATIONS
N/a

SUMMARY OF ISSUES
The proposed alterations must be assessed against the GPDO 2015 (Amended) to determine whether the alterations are 'permitted development' or would require an application to be submitted for planning permission.

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Schedule 2 - Part 7 - Class H of The Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended) permits the erection, extension or alteration of an industrial building or a warehouse, subject to certain criteria set out within the Order. The proposal is for an additional building to the side of an existing unit.

H.1 states that development is not permitted by Class H if –

(a) the gross floor space of any new building erected would exceed—
(i) for a building on article 2(3) land or on a site of special scientific interest, 100 square metres;
N/A
(ii) in any other case, would exceed 200 square metres;
Complies – the extension measures 71 square metres

(b) the gross floor space of the original building would be exceeded by more than—
(i) in respect of an original building or a development on article 2(3) land, 10% or 500 square metres (whichever is lesser);
N/A
(ii) in respect of an original building or a development on a site of special scientific interest, 25% or 1,000 square metres (whichever is the lesser);
N/A
(iii) in any other case, 50% or 1,000 square metres (whichever is the lesser);
Complies – the gross floor space of the existing building is 354 square metres and therefore the new building is less than 50% of the area.

(c) the height of any part of the new building erected would exceed—
(i) if within 10 metres of a boundary of the curtilage of the premises, 5 metres;
Complies – the monopitch roof slopes downwards towards the curtilage boundary, ranging from 5.058 metres at the furthest point to 4 metres closer to the boundary. The height will be under 5 metres where the building is within 10 metres of the curtilage boundary.

(ii) in all other cases, the height of the highest building within the curtilage of the premises or 15 metres, whichever is lower;
N/A

(d) the height of the building as extended or altered would exceed—
(i) if within 10 metres of a boundary of the curtilage of the premises, 5 metres;
Complies - The height will be under 5 metres where the building is within 10 metres of the curtilage boundary.

(ii) in all other cases, the height of the building being extended or altered;
N/A

(e) any part of the development would be within 5 metres of any boundary of the curtilage of the premises;
No – the building is over 5 metres from the curtilage boundary.

(f) the development would lead to a reduction in the space available for the parking or turning of vehicles; or
No – the applicant has confirmed that allocated parking spaces are not impacted by the proposed development. The area is currently separated by gates and is used as a temporary parking area for personal cars.

(g) the development would be within the curtilage of a listed building.
N/A

Conditions
H.2 Development is permitted by Class H subject to the following conditions—
(a) the development is within the curtilage of an existing industrial building or warehouse;
(b) any building as erected, extended or altered is only to be used—
(i) in the case of an industrial building, for the carrying out of an industrial process for the purposes of the undertaking, for research and development of products or processes, or the provision of employee facilities ancillary to the undertaking;
(ii) in the case of a warehouse, for storage or distribution for the purposes of the undertaking or the provision of employee facilities ancillary to the undertaking;
(c) no building as erected, extended or altered is used to provide employee facilities—
(i) between 7.00pm and 6.30am, for employees other than those present at the premises of the undertaking for the purpose of their employment; or
(ii) at all, if a quantity of a dangerous substance is present at the premises of the undertaking in a quantity equal to or exceeding the quantity listed in the entry for that substance in Parts 2 or 3 of Schedule 1 to the Control of Major Accident Hazards Regulations 199991;
(d) any new building erected is, in the case of article 2(3) land, constructed using materials which have a similar external appearance to those used for the existing industrial building or warehouse; and
(e) any extension or alteration is, in the case of article 2(3) land, constructed using materials which have a similar external appearance to those used for the building being extended or altered.

Officers consider the proposed development would be permitted development as set out within The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and therefore requires planning permission.

Conclusion:
In conclusion, the proposed works detailed in the submitted Location plan and Elevations received by the Local Planning Authority on 20th May 2025 and Block Plan received by the Local Planning Authority on the 9th July 2025 relating to the construction of proposed building to the side of the existing unit is considered to be permitted development within the meaning of Class H, Part 7, Schedule 2.

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CONTACT OFFICER:
Enquiries about this report to **Olivia Manton**