HUNTINGDONSHIRE DISTRICT COUNCIL

25/01054/CLPD

OFFICER REPORT

Case No: **25/01054/CLPD** **Certificate of Lawfulness proposed**

Proposal: **Lawful development certificate for the formation of structural opening within southern elevation and installation of sectional door and sub-division of workshop space**

Location: **Harley Industrial Estate Paxton Hill Great Paxton**

Applicant: **Mr Tom Race**

Grid Ref: **520520 262593**

DESCRIPTION OF SITE AND APPLICATION

The application site is located within the industrial estate south of Great Paxton village. The unit is currently used for light commercial use and will continue as approved under the original planning approval. It is located to the northern edge of the site with other units to the east and south. Part 7 Class H of Schedule 2 of the GPDO (2015) applies.

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 the formation of structural opening within southern elevation and installation of sectional door and sub-division of workshop space.

It is acknowledged that the application form states B2 usage and that the planning history of the site confirms that the application site has permission for B1 and B8 use. However, this application is only considering the proposed development within the application site and not the use. It is suggested that the applicant ensures that the use of the industrial units is as per the approved planning permission.

NATIONAL GUIDANCE

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

PLANNING HISTORY

8200538FUL – Alterations – permission granted 12.05.21982
8400693FUL – Two industrial units and car park - permission granted 14.08.1984
8800760OUT - Redevelopment of industrial site - permission granted 28.09.1988
8900688FUL - Redevelopment of industrial site for user classes B1 & B8 – permission granted 05.07.1989

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.

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 the formation of structural opening within southern elevation and installation of sectional door and sub-division of workshop space.

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;
N/A

(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);
N/A

(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;
N/A

(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;
N/A

(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;
N/A

(f) the development would lead to a reduction in the space available for the parking or turning of vehicles; or
No – the proposed works are solely to the existing structure.

(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, Floor Plan and Elevations received by the Local Planning Authority on 11th June 2025 relating to the proposed alterations of the industrial unit are 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**