

Supporting Statement for Lawful Development Certificate - Proposed use at TLC Handling Ltd, West End Road, Epworth, DN9 1LB

Introduction

The statement has been prepared to support the Lawful Development Certificate – Proposed Use application to construct four additional workshop buildings within the curtilage of an existing Industrial building.

Existing situation

The property TLC Handling Ltd, West End Road, Epworth, DN9 1LB has recently been purchased by new owners. It is intended that the building will be let to another manufacturing company to provide offices and a workshop as has been the case in the past. The current building had planning consent granted in 2007 to significantly extend the workshop area. This extension was granted on 24th May 2007 under the reference number PA/2007/0563.

Development of this approved extension was commenced on 30th July 2008 when the foundation excavation works were carried out and the concrete pad foundations were then cast. This has been formally confirmed by the building control department that have a record for this under the application reference FP/2007/1268.

The planning consent for this extension had no pre-commencement conditions attached, so there was no requirement to formally discharge any conditions before implementation of the planning consent could be lawfully commenced. Planning consent for the approved extension would therefore remain extant and can still be completed in accordance with the approved plans.

The commencement of implementation has also been accepted by the planning authority. Three further larger extensions have recently been approved as amendments to the extant consent under the reference numbers PA/2021/1854, PA/2022/114 and PA/2022/812.

The proposals

The property benefits from permitted development rights and it is located outside an AONB. Class H permitted development rights for extensions etc of industrial and warehouse can therefore be exercised on this site.

The property is located on a very large site relative to its current size and there is therefore ample room within the site for further development. The site was formally enlarged in the past when additional land was acquired and new fencing was placed around the entire site. The change of use to industrial use and the fencing was approved under planning consent PA/2009/1177 which was granted on 3rd November 2009.

This lawful development certificate seeks confirmation that the following development can be lawfully implemented.

Firstly it has been established that the previously approved extension, granted under planning consent reference PA/2007/0563 can be completed in accordance with the approved plans, as it was lawfully commenced within the required time. Several further amendments have been approved, the largest of which has been approved under the reference number PA/2022/812. This latest approval would extend the size of the existing building to 1603.6 sqm. It is now proposed that the largest approved extension should be implemented, and after the extension is complete it is proposed that four further buildings (of just under 200 sqm each) would be erected on the site to provide four extra workshop buildings. These would be constructed sequentially, one after the other.

Once the existing building has had its extension completed, it would for the purposes of Class H permitted development rights be considered the original building on the site, as the extension itself would have been authorised via a previous formal planning consent and not constructed under class H permitted development rights. Given this, it would therefore mean that new buildings to be constructed under permitted development rights can be erected on the site as long as they comply with the following rules:

The gross extra floor space of any new building does not exceed 200 square metres
The gross floor space of the original building would not be either be exceeded 50% or by 1000 square metres (whichever is the lesser)

All portions of the new buildings to be built under Class H permitted development rights would be constructed at least 10 metres away from the boundary so the height of the buildings can therefore equal the height of the highest existing building within the cartilage.

The development would still allow ample room for the parking and turning of vehicles.

The land around the newly constructed buildings would be surfaced and effectively made into hardstanding. The construction of the additional hardstanding would be allowed under Class J permitted development rights which facilitate the construction of hard surfaces for industrial and warehouse premises

A Certificate of Lawfulness – Proposed Use was previously granted under the reference number PA/2021/1574. This was an equivalent proposal to construct two additional workshop buildings and associated hard standing subsequent to the completion of the extension originally granted in 2007. This application exercises the same rules but applied to a larger “original” building on the site.

Conclusion

This Lawful Development Certificate application – Proposed Use seeks formal confirmation that four additional workshop buildings, along with additional hardstanding area can be constructed on the site by exercising Class H and Class J permitted development rights for industrial and warehouse buildings. This would be carried out after the extension to the existing building, granted in 2022 under the reference PA/2022/812 was completed in accordance with the approved plans.