

WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL
DELEGATED REPORT

APPLICATION No:	S6/2011/0753/LU
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NOTATION:

The site lies within the Hatfield Aerodrome as designated in the Welwyn Hatfield District Plan 2005.

DESCRIPTION OF SITE:

The application site comprises of a large industrial unit which is currently used as vehicle repairs, MOT testing and servicing.

DESCRIPTION OF PROPOSAL:

This application is seeking confirmation through a lawful development certificate that the existing MOT testing bay can accommodate the testing of vehicles under classes 4 and 7 without the requirement of planning permission to be sought.

PLANNING HISTORY:

S6/1996/0053/FP - Erection of regional distribution centre (Class B8) and vehicle repair workshop (Class B1c/B2 Development). Granted

SUMMARY OF DEVELOPMENT PLAN POLICIES:

Not applicable

CONSULTATIONS

Not applicable

TOWN/PARISH COUNCIL COMMENTS

Not applicable

REPRESENTATIONS

Not applicable

DISCUSSION:

The main issues are:

Planning permission (ref: S6/0053/96/FP) was granted on 22nd May 1996 for the erection of a regional distribution centre (Class B8) and vehicle repair workshop (Class B1c/B2 development) on land to the west of Frobisher Way. The site area in reference to this lawful development certificate refers to the vehicle repair workshop only and not the remainder of the land to the south which comprises the regional distribution centre. None of the site area both as part of the original application and the lawful development certificate falls in the ownership of the applicant. Therefore, a copy of Notice 1, under Article 6 of the Town and Country Planning (General Development Procedure Order) 1995 to formally notify the

freeholder of the land and property was sent by the applicant on 11th April 2011. No representations have been received by the freeholder.

The statement submitted by the agent's Maze Planning on behalf of S&B Commercial states that the company have leased the vehicle repair workshop and its car parking for over 10 years and have been using one of the six vehicle bays for MOT testing of large lorries and coaches under license from VOSA, within the PSV and LGV classes. The remainder of the six vehicle bays are used for vehicle repairs, tests and servicing. The applicant is seeking confirmation through a lawful development certificate that the existing MOT testing bay can accommodate the testing of vehicles under classes 4 and 7 without the requirement of planning permission to be sought.

The existing building has planning permission for B1c/B2 use. The MOT testing of vehicles includes classes 4 and 7 fall within the B2 use and therefore the proposal is considered lawful and planning permission is not required.

CONCLUSION:

The inclusion of vehicle classes 4 and 7 at the existing MOT testing bay is not considered to result in a material change of use and it is considered that a Certificate of Lawfulness can be granted.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. The proposal would not result in a change of use of the application site and planning permission is, therefore, not required and the proposal is lawful in accordance with Section 192 of The Town and Country Planning Act 1990 (As Amended).

DRAWING NUMBERS:

Site Location Plan (1:1250) & Block Plan & 0104/01 received and dated 3rd May 2011

Signature of author.....

Date.....