

**Submitted via the Planning Portal**

Planning Department  
North Hertfordshire District Council

23<sup>rd</sup> September 2025

Our Ref: 25-8087

Dear Sir / Madam,

**Removal of Condition 4 of Planning Permission Ref. 23/00244/FP  
Land South of Anglian Business Park, Orchard Road, Royston**

On behalf of our client, James Property Investments LLP, please find enclosed an application pursuant to Section 73 of the Town and Country Planning Act 1990 (As Amended) seeking to remove condition 4 of planning permission ref. 23/00244/FP ('the permission') granted by North Hertfordshire District Council ('NHDC') on 26 April 2023 at the above site.

The permission relates to the following description of development:

*"Temporary change of use of vacant industrial land for 5 years for use as an open storage yard (Use class B8) to include construction of vehicular access, layout of hard surfaced area, construction of security fencing and all ancillary works".*

As officers will be aware, since the grant of planning permission the site has remained vacant, however a tenant has now been secured and the site provides an excellent industrial location to meet their requirements. On review of the permission, some adjustments are needed to the approved details in order to meet the tenant's operational requirements re operational hours of use, as currently controlled in Condition 4.

Condition 4 of the permission reads:

*"The B8 use, hereby permitted, shall not be open to staff, visitors or deliveries, and no machinery shall be operated within the site outside the times of 08:00 to 20:00 on Mondays - Fridays, 09:00 to 12:00 on Saturdays and at no time on Sundays or public holidays".*

The tenant requires the ability to operate the site on a 24/7 basis to allow occasional use during these times and therefore it is proposed that Condition 4 is removed. The application is supported by a Noise Assessment prepared by Inacoustic which has assessed the existing noise climate and potential impact of the proposed extended hours on the nearest noise sensitive receptors to the site.

The report confirms there are no technical noise reasons to justify any operational restrictions from a noise perspective, with potential impacts during both daytime and nighttime periods falling within acceptable levels. This includes recognition of the site's proximity to a busy industrial estate and mainline railway line. The report therefore concludes that proposals to operate

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the site as permitted on a 24/7 basis will not give rise to a level of harm and disturbance to local residents that Policy D3 (Protecting Living Conditions) and the NPPF seeks to prevent, and so should be approved. As noted, it is anticipated that 24hr access will not be a regular occurrence, but the application is nevertheless made for robustness. The noise report is based on a worst-case scenario but even on this basis shows that predicted impacts are within acceptable levels.

The proposals will allow implementation of a consented development enabling occupation of a currently underutilised site to make more efficient and effective use of brownfield land and stimulate economic growth in accordance with Paragraph 85 of the NPPF (2024) and strategic Policy SP3 (Employment), which seeks to proactively support new and existing businesses.

In support of this application please find enclosed the following:

- Application Forms;
- Application Fee of £2,000;
- Supporting Noise Assessment prepared by Inacoustic.

We trust that the application meets the council's validation requirements, but should you require anything further please do not hesitate in contacting the undersigned.

Yours sincerely,



Katia Clarke

Associate

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