

DELEGATED FILE NOTE

CASE OFFICER: ...Alex Howard.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/02912/LDCE	Continued use as Class E(d) indoor sport, recreation, or fitness use (gym).	Unit 7a Lasor Building Baldock Industrial Estate Baldock Hertfordshire SG7 6NG

Submitted Plan Nos

2.0 **Site History**

2.1 None relevant.

3.0 **Representations**

3.1 N/A.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The site is a three-story commercial unit located in the Lasor Building, within the Baldock Industrial Estate.

4.2 **Proposal**

4.2.1 A certificate of lawfulness (existing) is sought to for the continued use the building as Class E(d) indoor sport, recreation, or fitness use (gym).

4.3 **Key Issues**

4.3.1 The application is submitted with an application form, existing/proposed plans and a supporting statement which explains what the previous occupier of this building used this building for, in order to evidence that the previous and existing uses of the building both fall within Use Class E and therefore, the change of use did not amount to development that requires planning permission.

Key Considerations

4.3.2 The starting point in this instance is the previous occupiers of the building, and the applicant has provided the following details regarding this use:

“Prior to occupation by Hype Health Hub Ltd (Hype Gym), the premises were occupied and operated by Vari-Pac Baldock.

Based on publicly available information, Vari-Pac operated from Unit 7A as a commercial business involved in packaging, processing, and associated office-based operations, consistent with Class E(g) use (light industrial / office).

Evidence supporting this includes:

- *Companies House records showing Vari-Pac registered at Unit 7A, Baldock Industrial Estate*

- *Online business listings and Google Business profile indicating active commercial operations at the premises*
- *Public descriptions of business activities consistent with light industrial and office use*

While exact staffing numbers are not publicly available, businesses of this nature typically operate with a small to moderate workforce, with employees present on site during normal business hours for production, packing, administration, and logistics activities.

At no point was the unit used for residential purposes, storage only, or any use outside of Class E(g)."

- 4.3.3 Having conducted independent desktop research of this previous occupier, Officers would agree with the submitted statement and its view that the previous use did fall under a light industrial/office use as covered by Class E(g). There is no evidence or basis to conclude otherwise in this case.
- 4.3.4 The next stage is to consider the existing occupier of the building, the applicant in this case, who is operating Hype Gym from the premises. This change has already occurred and based on the submission and desk-based research, the gym is open to the public and fully functional. There are numerous photos online showing the site, inside and out, operating as a gym. It is well established that a gym use falls within for indoor sport, recreation or fitness, not involving motorised vehicles or firearms, principally to visiting members of the public, covered under Use Class E(d).
- 4.3.5 The Use Class Order confirms that change of use within the same use class, in this case Use Class E, is not to be taken to involve development of land that requires planning permission under Section 55 of the TCPA 1990. As such, the use of the site as a gym is lawful and a certificate can be issued on such grounds.

5.0 **Recommendation**

- 5.1 That a certificate of lawfulness be **ISSUED** for the following reason:

1. The evidence submitted within this application supports the view that, on the balance of probabilities, the previous lawful use of the premises fell within light industrial/office use, under Use Class E(g), and the current use of the premises as an indoor sport, recreation or fitness, under Use Class E(d) of the Town and Country Planning (Use Classes) Order 1987 (amended in 2020). The Use Class Order confirms that change of use within the same use class, in this case Use Class E, is not to be taken to involve development of land that requires planning permission under Section 55 of the TCPA 1990. As such, the use of the site for indoor sport, recreation, or fitness use (gym) is lawful and a certificate can be issued.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 8 January 2026	